

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

BOSTELMAN: All right. Welcome to the Natural Resource Committee. I am Senator Bruce Bostelman from Brainard, representing 23rd, 23rd Legislative District, and I serve as Chair of the committee. The committee will take up the bills in the order posted. This public hearing today is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets that are on the table at the back of the room. Be sure to print clearly and fill it out completely when it is your turn to come forward to testify. Give the testifier sheet to the page or to the committee clerk. If you do not wish to testify, but would like to include your position on a bill, there are also a yellow sign-in sheets back on the table for each bill. These sheets will be included as exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. We will begin each bill hearing today with introducer's our opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We will be using-- how many people plan to testify on this first bill? OK. We'll be using five minutes light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have one minute remaining, and the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bills being heard. It is just part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least ten copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted in the hearing room. Finally, committee procedures for all committees states that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. Written test-- written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee sheet, or committee statement. I will now have the committee members with us today introduce themselves, starting on my right.

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Natural Resources Committee January 31, 2024

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

JACOBSON: I'm Senator Mike Jacobson. I represent district 42, Lincoln, McPherson, Logan, Hooker, Thomas and three fourths of Perkins County.

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

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

BOSTELMAN: On my left, far left.

FREDRICKSON: John Fredrickson, I represent District 20, which is in central west Omaha.

SLAMA: I am last but arguably least, Julie Slama, District 1, Otoe, Nemaha, Johnson, Pawnee, and Richardson Counties.

BOSTELMAN: Senator Moser also serves as Vice Chair of the committee. Also assisting the committee today, to my left is our legal counsel, Cyndi Lamm, and to my far left is our committee clerk, Laurie Vollertson. Our page for the committee today is Ruby Kinzie. Thank you, Ruby, for being with us today. With that, we will have our first bill up. It's LB1406. Welcome, Senator Sanders.

SANDERS: Thank you. Thank you for rearranging the agenda today. I've got to get to the Government Committee hearing to Chair that, so. Good afternoon, Chairman Bostelman and members of the Natural Resource Committee. LB1406 develops a special active duty nonresident the option to buy a park permit at the same cost of an active duty military resident. For example, if you-- if-- for example, if you're an active duty military member and was a resident of a state of-- resident of another state than Nebraska, yet they are stationed here in this state, the service member has the option to buy a park permit at the same cost of an active duty military resident of Nebraska.

BOSTELMAN: Senator Sanders.

SANDERS: Yes.

BOSTELMAN: Could you spell your name for us, please?

SANDERS: I should know that. Rita Sanders, R-i-t-a S-a-n-d-e-r-s.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

BOSTELMAN: Thank you.

SANDERS: LB1406 is one simple way in which we as a state can honor our active duty military, ensuring that during their life, their time here in Nebraska, they are provided the same benefits of a resident of the state of which they serve. Thank you, and I'll take any questions you might have.

BOSTELMAN: Thank you, Senator Sanders. Are there questions from the committee members? Senator Fredrickson.

FREDRICKSON: Thank you, Chair Bostelman. Thank you, Senator Sanders, for being here and for introducing this bill. So, one question I always have with these, and I think I heard you said it, so I just want to confirm. They, they will be required to purchase, just at the same in-state. Because my question for that always is, as I learned from Game and Parks, we get federal match dollars for amount of permits we sell. So because this is a purchase, I believe, maybe-- but they're purchasing this as well, so that will count.

SANDERS: Correct. And I think someone after me will testify--

FREDRICKSON: OK.

SANDERS: --that this is something that came out of a couple years of, of asking and working together to do something for active duty military, our military. And it was working with them at the parks, and they were able to bring this together and bring this to me that they agreed on.

FREDRICKSON: Great. Thank you so much.

SANDERS: Thank you.

BOSTELMAN: Further questions? Senator Brandt.

BRANDT: Thank you, Chairman Bostelman. Thank you, Senator Sanders, for bringing this bill. Full disclosure, I have a daughter that's active service, and it seems like we do an awful lot for our veterans, which is great. But sometimes I think the active service people get ignored when they, when they ship out. So this is a park entry permit, is that correct? And so when they go up to the window, does that apply to everybody in the car? What I'm saying is that they pay their five bucks. And however many people are in the car go through?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

SANDERS: \$35. I believe so, but we have someone here from Parks that will answer those questions.

BRANDT: OK. And then do you know how many other states do this?

SANDERS: I do not.

BRANDT: OK. All right. That's all I've got. Thank you.

SANDERS: Thank you.

BOSTELMAN: Other questions. Seeing none, will you stay for closing?

SANDERS: I will not, So I'll waive closing, I'll go to my Government Committee hearing.

BOSTELMAN: OK.

SANDERS: Thank you very much.

BOSTELMAN: Thank you, Senator Sanders. Next, we would like to invite up anyone in, in support of LB1406 to please step forward. If you're in support of LB1406, please step forward, and don't be shy. We'd like to move through this quickly. So love to hear your testimony, but please move up so we're ready to go.

RYAN MCINTOSH: So good afternoon. Good afternoon, Chair Bostelman and members of the committee. My name is Ryan McIntosh, M-c-I-n-t-o-s-h, and I appear before you today on behalf of the National Guard Association of Nebraska in support. So we, appreciate the, all the many number of, of pro-veteran measures, including this one this year. Our only comment is, is to-- we would ask the committee to consider extending this also to actively serving members of the National Guard and Reserves. So, with that, I'd be happy to answer your questions.

BOSTELMAN: Thank you. Are there any questions from committee members? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thanks for being here. Mr. McIntosh. How many folks are active National Guard?

RYAN MCINTOSH: Just under 5,000, about 4,700, I believe, currently.

J. CAVANAUGH: Do you know, happen to know how many of them are not residents of Nebraska?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

RYAN MCINTOSH: It's a pretty small portion, I would say less than 5%. But we do have quite a few people from, spread across, you-- spread across the state. I know we have people from Kansas, from Iowa, Colorado, that drive in.

J. CAVANAUGH: Just trying to get, get our minds around, in case we do want to do that--

RYAN MCINTOSH: Sure.

J. CAVANAUGH: --the dollar amount that that would be for the remainder of it, but thank you.

BOSTELMAN: Other questions?

RYAN MCINTOSH: All right.

BOSTELMAN: Seeing none, thank you for your testimony. Other proponents for LB1406, please step forward. Good afternoon.

JEFF FIELDS: Good afternoon. Chairman Bostelman and members of the Natural Resource Committee, good afternoon. My name is Jeff Fields, J-e-f-f F-i-e-l-d-s. I'm the Parks Division Administrator for the Nebraska Game and Parks Commission, 2200 North 33rd Street in Lincoln, Nebraska. I have the honor of overseeing Nebraska's State Park System, which showcases our state's greatest natural, recreational and cultural resources. Today, we are offering testimony in support of LB1406, introduced by Senator Sanders. First and foremost, I want to express our gratitude to the brave men and women of the military who serve our country selflessly, often enduring significant personal, personal sacrifices to protect our freedoms. Providing them with access to Nebraska's beautiful parks at a re-- at a reduced cost is a small gesture of appreciation for their dedication and service. We understand there are several bills being proposed in this session that offer various discounts to past and present military personnel. As these are being discussed, we are committed to help find permit options that both honor our military personnel and allow us to provide our current level of service within our park areas. Currently, our agency offers resident hunting, fishing, and fur harvest permits to nonresident active military personnel stationed in Nebraska at a resident's cost. We also offer a lifetime vehicle park permit for disabled veterans at no cost. This bill would further expend-- extend opportunities to military personnel by allowing them to purchase-- allowing nonresidents to purchase a resident permit at a resident permit cost. Park permit

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

fees are essential for our operation and management of our park areas. Currently, 77% of our operational funds come from park-- from user fees, which include the park permit. These are-- these user fees are essential to meeting the expectation of our visitors and maintaining our current level of service. LB1406 would have minimal impacts to our state park system with LB1406. In conclusion, we encourage you to support LB1406 and extend this well-deserved benefit to our active military personnel. By doing so, we honor their service, promote outdoor recreation, recruit future residents of Nebraska, and strengthen the bonds between our military and civilian populations. We look forward to working-- continuing to work with Senator Sanders on this bill. Thank you for the opportunity to extend the Commission's support for LB1406, and I'd be more than happy to answer any questions.

BOSTELMAN: Thank you, Mr. Fields. Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thank you for being here, Mr. Fields. I guess the first question is, do you have any opposition to adding in active duty out of state and National Guard and Reserves?

JEFF FIELDS: We do not.

J. CAVANAUGH: OK. I just did the quick math, it was \$8,225 would be if everybody got one. My other question would be just I'm looking at it, we've got-- it's also applies to same day or one day passes. If somebody comes and they qualify for this and they don't get the reduced fee, is there a mechanism for them to recoup that and send something in, or--

JEFF FIELDS: Are you talking about the daily park permit? Is that--

J. CAVANAUGH: Or if they buy the out of state one and then they find out later that they could have showed their-- can't remember the name of the form, but--

JEFF FIELDS: Yeah, we, we usually will work with them on that depending on the situation. But there's ways we can do that, yes.

J. CAVANAUGH: OK. I'm just thinking people aren't going to be on notice right away.

JEFF FIELDS: Especially at the beginning of this, yeah.

J. CAVANAUGH: All right. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

BOSTELMAN: Other questions? On the National Guard, I guess the question would be, there's 47 in Nebraska, but if we go nonresidents out of state, I guess my question would be come back to visit that maybe as to how that might impact. And I don't, I don't think there's any way we track it, but it-- does that have another, a different fiscal impact onto the bill, so that's one thing we can look at.

JEFF FIELDS: When we figure it up for our-- or the fiscal impacts for the division, we were looking at of basically nonresident and resident active military folks. And that number was around-- just a little over \$62,000 impact for us. In terms of how that would affect us, would affect us. We look at that as a manageable impact. That's something we could potentially absorb.

BOSTELMAN: OK, great. Senator Moser.

MOSER: I think your question was, how would you know if the National-- or what if a few National Guard members from other states come here and want to be treated as a resident, they'd have to actually be assigned to a base in Nebraska, right?

JEFF FIELDS: That is correct.

MOSER: Yeah. So that would be a limiting factor right there. Thank you.

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

JEFF FIELDS: Thank you.

BOSTELMAN: Anyone else to testify in support of LB1406, please step forward. Good afternoon.

JOHN WINKLER: Good afternoon, Chairman Bostelman, members of the Natural Resource committee. My name is John Winkler, J-o-h-n W-i-n-k-l-e-r. I'm the general manager of the Papio-Missouri River Natural Resources District located in Omaha. And I'm testifying on behalf of the Nebraska Association of Resource Districts. First, I'd like to thank Senator Sanders for introducing this bill, and obviously you for giving me the opportunity to testify in support of it today. Currently, I'm a member of the Offutt Advisory Council, where I serve as the co-commander of the 30th Reconnaissance Squadron at Offutt Air Force base. The OAC's mission is to support our men and women in uniform at Offutt Air Force Base. We hold several, they're called Operation Giving Thanks where we hand out free turkeys and

hams during Thanksgiving and Christmas. We also have a Offutt, Appreciation Day picnic at the Bellevue Berry Farm. We have over 12,000 military personnel and their families that come for free, to the free food and free drinks. And then also they get, the kids get to play on all the, the activities at the Bellevue Berry Farm. We also do quite a bit of work with hosting. It's called the Airman's Attic. And not very many people know this, but there's actually a food bank that's located on the base. And that is there to support E-4 enlisted folks, E-4 or below, who can't make ends meet. And it's, it's, I guess a testament to some of the struggles that the lower grades are doing as far as trying to make ends meet with their family on military pay. There's over 500 folks that utilize that particular service at the base. It's all privately funded through either the OAC or generous donations from the business community in the Omaha metro area and the state of Nebraska. We are consistently reminded by brigadier generals to those E-4 or below that the state of Nebraska is, bar none, the best place in the world for community support. And that's from Offutt or from any of the folks that I talked to. They, they hold up Offutt Air Force Base and the community support as the very best in the world, for them and their families. So we're very proud of that, and I think Nebraska should be proud of that support of the military. So again, you've heard that this would allow active duty military folks to get a park permit for the cost of a resident fee. I'd like to thank the Nebraska Game and Parks Commission, and especially their leadership for considering this and working with Senator Sanders on this issue. I just think, again, like Senator Sanders says, it shows just another support for our military members and their families to be able to enjoy our parks and recreation. They're very limited on what they have available. Some of them can go to Base Lake, which is a small lake on the Missouri River. It's not a very good water quality. It's just not a very nice campground. Actually, the Game and Parks facilities are beautiful around the state of Nebraska, and it would open them up to those folks to be able to enjoy those. So, I would like to again thank the Nebraska Game and Parks Commission for considering this. I think it would be a great step to supporting our active duty military members. And the comment was made that, you know, the veterans, we, we do a lot for veterans, which we should, but sometimes the active duty folks can get overlooked. So I even put out the proposal to Game and Parks that this would probably increase the permit fees that active duty folks would, would buy, would purchase. Because they would have that ability to get the resident fee. So, be happy to answer any questions you have. And I thank you for your support.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

BOSTELMAN: OK. Thank you, Mr. Winkler. Are there questions? My question would be, has the NRDs thought about doing the same thing, because the NRDs have their own facilities as well, that you have to.

JOHN WINKLER: So the NRDs do not charge a park permit to enter their facilities.

BOSTELMAN: So they charge for--

JOHN WINKLER: At least in the Papio.

BOSTELMAN: --camping.

JOHN WINKLER: At least in the Papio. Yeah, for camping.

BOSTELMAN: I'm not so sure if at Wanahoo if they do or not.

JOHN WINKLER: Wanahoo is this-- they're-- that's their own. But as far as Papio's are all free.

BOSTELMAN: So-- I understand, I'm just NRDs in general.

JOHN WINKLER: We, we'll be bringing it up to those.

BOSTELMAN: If we do state parks then, what about our NRD facilities as well.

JOHN WINKLER: Well I'll go to the Wanahoo board next. But yeah, but all the Papio's are free. Well, they pay for camping, but not for the enter the facility.

BOSTELMAN: All right. Any other questions? Seeing none--

JOHN WINKLER: OK. Thank you.

BOSTELMAN: Thank you.

JOHN WINKLER: Appreciate it.

BOSTELMAN: Anyone else would like to testify in support of LB1406? Seeing none, anyone like to testify in opposition to LB1406? Seeing none, anyone like to testify in a neutral capacity on LB1406? Seeing none, that will close a hearing on LB1406. We did receive one comment, a proponent and, and that will close our hearing on LB1406. Our next hearing up will be LB971. Good afternoon, Senator Lippincott.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

LIPPINCOTT: Good afternoon, Chairman Bostelman and the Natural Resources Committee. My name is Loren Lippincott, that's L-o-r-e-n L-i-p-p-i-n-c-o-t-t, and I'm here representing District 34. LB971 seeks to recognize and honor our veterans by creating a one day hunting license for November the 11th, Veterans Day, at a reduced cost. The bill asks the Nebraska Game and Parks to create a hunting license for this day, Veterans Day, and provide it free of charge to any veteran who proves an honorable discharge. This would remove the \$18 small game hunting permit fee. As you see in the fiscal note, there would be no financial impact. The license would only be for small game, including squirrel, pheasant, doves, snipe, crow and other webless migratory birds and waterfowl-- waterfowl. Other costs would still be associated, as a veteran would still pay for a Nebraska Habitat stamp, which is \$25, with an additional cost of \$10 if hunting waterfowl for a Nebraska waterfowl stamp. There would also be a federal cost listed in the fiscal note of \$30 for a federal duck stamp if hunting duck. However, see in the fiscal note, I have a fix or an amendment which I have for you, which would include language for the two stamps on page three, line 12, asking the department to also waive the cost of the two stamps as well. Our goal is not to risk any federal funding, but through conversation with the department, my understanding is that this change would be minimal and not put anything at risk. My desire is to create a way for veterans to hunt for free on Veterans Day, with proper permits and stamps, and I think this is a small ask for a valued members of our country and communities. Thank you, sir.

BOSTELMAN: Thank you, Senator Lippincott. Are there questions from committee members? Senator Jacobson.

JACOBSON: Thank you, Chair. Bostelman. Senator Lippincott, I guess there's not a fiscal note, so I'm assuming for them to issue that permit, are they actually issuing a permit, or how do they-- because I assume there'd be some cost to issuing that one day permit. And so they-- do they just-- do they actually have a permit for the day, or do they actually just prove that they're a veteran, or how does that work?

LIPPINCOTT: As I mentioned on page three here in the handout that we did give you, it's penciled in, the amendment. And I left it just penciled in, so it'd be a little bit more clear as to what the amendment would be. But that does address the cost. And if you just kind of read along with me there on line 12, page three, it says, the commission shall issue a one day hunting permit, and then you've got another caret there, it says, habitat stamp and the Nebraska

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

migratory waterfowl stamp. And then it goes on, and then down in line number 15, a permit and stamps. So there should be no cost to the veteran with the amendment. And it also will not impact money from the feds.

JACOBSON: But, but would the state-- but Game and Parks have some cost to issue that, is that-- there would be some cost to them, I assume.

LIPPINCOTT: That can be answered a little bit more In depth.

JACOBSON: I'll, I'll wait for them, and they can probably answer it in their testimony if they're going to give some, and I assume they will. Thank you.

LIPPINCOTT: Thank you sir.

BOSTELMAN: Other questions? Do you see the stamps somehow just being a one day stamp? Because once-- if I buy a habitat stamp, or I receive a habitat stamp, it's for that calendar, for that year. So do you see this as being somehow-- the permit, somehow it's enclosed, the, the Game Department has something down there that shows that these, these, these fees are waived for those specific stamps for that day, because if you give them the stamp, you can't take it back.

LIPPINCOTT: Yep.

BOSTELMAN: So that's for all--

JACOBSON: It should be for just one day, Veterans Day.

BOSTELMAN: Right, I understand that, but do you see that as just-- I'll ask Parks.

LIPPINCOTT: Yeah, the logistics, the specifics of it, may want to discuss that with Game and Parks, but the intent is just for one day.

BOSTELMAN: I understand. OK. Any other questions? OK. Seeing none, will you stay for closing? Can you stay for close?

LIPPINCOTT: I'll probably waive because I need to get back.

BOSTELMAN: OK. Thank you.

LIPPINCOTT: Thank you sir.

BOSTELMAN: Thank you for bringing-- Thank you. Thanks for the bill.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

LIPPINCOTT: Thank you, sir.

BOSTELMAN: You bet. Proponents for LB971, please step forward. Good afternoon, Director McCoy.

TIMOTHY MCCOY: Good afternoon, Chairman Bostelman and members of the, of the Natural Resources Committee. My name's Timothy McCoy, T-i-m-o-t-h-y M-c-C-o-y, and I'm the Director of the Game and Parks Commission at 2200 North 33rd Street, Lincoln, Nebraska. I'm primarily going to say a couple of things. I think this is something that's very doable within our exist-- our current permit system. There will be some time that it will take to make sure that veterans get their information in there so they can get it, get their free permit. Once they're in our system, they will s-- their whole profile will include that. So there may be some, a little bit of time the first time somebody does this. The other thing that, that we look at with this, this is not a season long permit or season long stamps. We would set these up. It gives us the ability to do regulations. We would, we would identify a one day stamp for this per the, per the regs, just so that it matches up. The other thing we, we think there's a good opportunity to honor veterans. We may get some more veterans interest-- out in the outdoors, and they may turn into permit buyers. So that's, you know, our current fiscal ana-- ana-- analysis the first time, you know, without the stamps was really not a, not, not a revenue issue on that, on that hunting, fishing si-- hunting side. And we don't think on the stamp sides it'll cause-- cau-- it'll cause that either, because the way the proposed language is, it's a one day permit, one-- and habitat stamp, and waterfowl stamp.

BOSTELMAN: Have you seen his proposed writing for amendment?

TIMOTHY MCCOY: Yeah, I think those are in the notes that I shared this morning.

BOSTELMAN: OK. Well, if you didn't, I'd-- You could--

TIMOTHY MCCOY: I've got, I've got a copy of that, so. Yeah, we're t-- we want to work with them on this. Senator had brought this up last year when we had met before appropriations hearings. And it was, I think it's something that's doable. It's a good thing to do. And it's a great way to give all veterans that opportunity if they want to take advantage of it.

BOSTELMAN: OK. Questions? Senator Jacobson.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

JACOBSON: Thank you, director McCoy. I'm, I'm pleased, if you're comfortable that you can work it out, I'd, I'd love to see this happen as well. And, and I think you're right, I, I think that there's a good chance if you can get somebody to go try it. I don't want to sound like a drug dealer, but I-- but if you can get them to try it and get them hooked on hunting, they may very well be back buying permits and doing this more and more. And I think that would be, be good. So, so I guess I'm-- what I'm hearing you say is that you don't have any problems with the logistics of making this happen.

TIMOTHY MCCOY: No. According to our permits team, they, they think there's pretty easy way within our permit system to do this. The way we would probably put it in regulations in that one day, veteran's hunt with the stamps, so that it would all be tied together, would be fairly simple.

JACOBSON: Perfect. Thank you.

BOSTELMAN: Senator Brandt.

BRANDT: Thank you, Chairman Bostelman. Thank you, Director McCoy, for appearing today. So on November 11th, which seasons are open that they would qualify for with the stamps.

TIMOTHY MCCOY: Pretty much all small game seasons are open, so pheasants, quail, squirrel, rabbit, all the other small game species. Waterfowl seasons are normally-- are open on the 11th also. So they would have waterfowl hunting opportunities, so ducks and geese. So those are pretty much all of the things, all the seasons we have for small game and waterfowl are open at that point in time.

BRANDT: All right. Thank you.

BOSTELMAN: Senator Cavanaugh?

J. CAVANAUGH: Thank you, Chairman, and thank you for being here, Mr. McCoy. As to the, the stamp part, we kind of talked about this last time you were here about is-- do we-- does that implicate federal funds in some way?

TIMOTHY MCCOY: The only, the only potential impact would be we, we can't-- you can't count a free permit for, for the, for the dollars we get back through wildlife and sport fish restoration. But we know that going in, and because it's really only a one day permit, we think that there's, there's the likelihood we may get some game, you know, there may be some benefits to this beyond it. The other thing

is I just, you know, until you do something like this, you don't know what the numbers are that you will get for a one day. Obviously any of those veterans that already have permits, which there are a number of them, may choose to hunt that day just because it's sort of got that, that special honor with it.

J. CAVANAUGH: Maybe they'll get a friend to go with them.

TIMOTHY MCCOY: And they wouldn't need, they wouldn't need a free permit. You know, anybody who's already got one or has one of our lifetime disabled permits, but the system would, would, we, we would make sure in our, in our information that we make that clear that they don't have to go get this special permit.

J. CAVANAUGH: And-- I guess, forgive my ignorance about hunting, but if the weather conditions on that one day are not conducive to hunting, would there be an opportunity to move it to a different day or a weekend, or is that-- you'd be ha--

TIMOTHY MCCOY: I, I don't think that's predictable.

J. CAVANAUGH: Well, of course it wouldn't be predictable. That's what it's in the state. I guess, is that even a concern? Is there, are there days that are just so-- the weather's so unpleasant that nobody would hunt or--

TIMOTHY MCCOY: That's the-- you know, we're just looking at it the way it's built. I don't think we would have the capability to be able to, you know, on the fly, shift those dates around. I think it would cause a lot of confusion.

J. CAVANAUGH: Yeah. OK. Thank you.

BOSTELMAN: Senator Fredrickson.

FREDRICKSON: Thank you, Chair Bostelman. Thank you for being here and for testifying. I am always wondering about federal match dollars. Does this have any implication on that, or do you anticipate that, or--

TIMOTHY MCCOY: It, it wouldn't ha-- because it's not bringing any revenue, it wouldn't, it would not, it would not-- we don't think it's be-- going to be a significant impact to our revenue that we use to match the federal dollars.

FREDRICKSON: OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

TIMOTHY MCCOY: And because it's a free permit, we cannot count them as a licensed buyer. So it doesn't, it doesn't, you know, having this one day license doesn't create some strange bump in that, in that arena.

FREDRICKSON: Got it.

TIMOTHY MCCOY: But I do think it's very negligible.

FREDRICKSON: So you don't think it compromises our ability to get federal funds or--

TIMOTHY MCCOY: It doesn't compromise our ability at all. We have other, we have other free permits like the-- we have a veteran, veteran lifetime permit for any veterans that are disabled over 50%. It doesn't impact-- the only impact is we can't count the, the simple impact is you can't count them for a hunter. That's it.

FREDRICKSON: Got it.

TIMOTHY MCCOY: It doesn't change our ability to get the-- to match those federal funds or to be able to get them.

FREDRICKSON: Thank you.

BOSTELMAN: Senator Moser.

MOSER: Some of the worst weather days ever were some of the best days hunting that I've had.

TIMOTHY MCCOY: If they're waterfowl hunters, sometimes, sometimes the waterfowl hunting is better on cruddier days. If you're willing to get out.

MOSER: Then you've got tracks to follow if there's snow, you got--

TIMOTHY MCCOY: Yeah.

BOSTELMAN: So a question would be, on the census coming up November 11th of this year. Last year, two years ago, when we set up the landowner deer permit the weekend before, you had to come to one of your offices to actually purchase the permit. [INAUDIBLE] I think that may have changed now to be online?

TIMOTHY MCCOY: I, I believe they can now submit their, their, like their veteran's information. But the landowner now can go online and do those early landowner seasons with our new permit system.

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Natural Resources Committee January 31, 2024

BOSTELMAN: So that's where our-- an intent with this be eventually to move to that where you work doing it online.

TIMOTHY MCCOY: Yeah. Our intent would be to--

BOSTELMAN: But how are we going to determine the standards?

TIMOTHY MCCOY: So normally, normally there's a way now they can, in the system that we have, they can upload either their DD-- I can't remember the last--

BOSTELMAN: Number.

TIMOTHY MCCOY: The other thing that they could-- they can provide is if they have a, you know, a veteran, an I.D. that shows their veteran status.

BOSTELMAN: OK. Other questions?

TIMOTHY MCCOY: And we would do that in regulations.

BOSTELMAN: One note on a previous bill, just so you know, on LB1406. I did mention to Senator Sanders' staff, it's not necessarily clear in statute if you have to be assigned a station in Nebraska or not. You may want to, you may want to look at that. Just.

TIMOTHY MCCOY: Yeah. And we will, we will definitely work with them.

BOSTELMAN: Other questions? Seeing none, thank you for your testimony. Others who'd like to testify in support of LB971, please step forward. Good afternoon.

RYAN MCINTOSH: We meet again. Chair Bostelman and members of the committee, my name is Ryan McIntosh, M-c-i-n-t-o-s-h, and I appear today before you on behalf of the National Guard Association of Nebraska in support of LB971. I don't have a whole lot to add. I've submitted comments to this committee on previous bills like-- we appreciate, really all the folks that's going on, for veterans of military and the outdoors. There's been a huge movement nationally, with fine other organizations to bring veterans together to help transition back to civilian life, via the means of, of outdoors hunting, outdoor sports. And so I think this is a great effort. You know, and to Senator Moser's comment, I can't imagine weather bad enough that I would miss opening day of upland season. So I don't foresee that being an issue. Veterans day is a national holiday, and so I think it is a great day. So, thank you for your consideration of

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

this and the other bills that are before this committee. And, very much thanks to director McCoy and the Game and Parks for the efforts that, that are being undertaken this year. So with that, I'd be happy to answer any of your questions.

BOSTELMAN: Questions from committee members. Seeing none, thank you for testimony. Others like to testify in support of LB971? Seeing none, anyone like to testify in opposition to LB971. Seeing none, anyone like to testify in a neutral capacity on LB971. With that, that'll close our hearing on LB971. We did receive one comment, one proponent on LB971. I'll turn over to Senator Moser for the last bill.

MOSER: Thank you, Mr. Chairman. For LB867, we received one proponent online comment. Senator Bostelman.

BOSTELMAN: Thank you. Good afternoon, Vice Chairman Moser, members of the Natural Resources Committee. My name is Bruce Bostelman, spelled B-r-u-c-e B-o-s-t-e-l-m-a-n, and I represent Legislative District 23. I'm here today to introduce LB867. The bill creates a voluntary online database of hunting and fishing guides and outfitters created by Nebraska Game and Parks. Funding for this will be based on the amount needed to defray the cost of development and maintenance of the database. The purpose of this bill is to provide the public with a database list of hunting and fishing guides and outfitters with trusted businesses, so the public can have some level of assurance that the guide or outfitter knows and complies with state and federal laws. Anyone interested in hiring a guide or outfitter could simply pull, pull up the database and find a guide or outfitter that they may be interested in and research them. Simply, guides and outfitters may also advertise that they are on the-- similarly, guides and outfitters may also advertise that they are on the Game and Parks database. Just in the past few years, we have seen a few high profile cases in Nebraska involving guides or outfitters who have been indicted for, or convicted of, several violations of state and federal laws. Similarly, their customers have also been indicted for charges similar to the guides that misled them. Early in 2021, a hunter-- hunting outfitter from Broken Bow was sentenced in federal court for several violations of federal Lacey Act, which combats the trafficking of illegal taken wildlife. In court, the individual admitted that between 2013 and 2018, they had provided hunting guide services to 118 individuals from 21 different states, which resulted in the unlawful taking of 97 deer or turkey. As of January 2021, 36 defendants had pled guilty and had been sentenced for the 97 illegal takings. What I am proposing will provide some assurances that the

guide or outfitter that the person hires has met certain requirements. First, to qualify, they have never been convicted of a felony, violated any state or federal game laws within three years, and have never violated the, violated the Interstate Wildlife Violator Compact. Next, they must provide proof of adequate liability insurance or a similar bond security. They must be a registered business in the state, and agree to comply with any other requirements established by the game law by the Commission. Finally, any hunting guide or outfitter must complete a commission sponsored hunter education program or similar program approved by the Commission for the hunter-- hunting side. This database can help ensure individuals interested in hunting or hiring a guide or outfitter in Nebraska that the individual be compliant with all federal and state laws as well. The bill does not apply to licensees of licensed game breeding or controlled shooting areas. I ask for the community's support of LB867, and its advancement to General File. I'll take any questions you may have. Thank you.

MOSER: It looks like you're off the hook for questions. Thank you. Anybody here to speak in favor of LB867? If you could come forward, please? Greetings.

TIMOTHY MCCOY: Good afternoon, Vice, Vice Chair Moser and members of the committee. My name's Timothy McCoy, T-i-m-o-t-h-y M-c-C-o-y, and I'm the director of the Game and Parks Commission at our headquarters office, 2200 North 33rd Street in Lincoln, Nebraska. We support this effort by Senator Bostelman. He invited us in as this was being discussed. We think it's, it's a start of a way to help provide a way that somebody who's coming to Nebraska to hunt can kind of check out who their guide and outfitter is. Our, our initial review was that this would probably have minimal cost. There will be some staff costs if this passes. Those weren't really identified by our law enforcement team that would be engaged in this, because there would be some time in going through making sure they've got complete applications. The other, the other thing is, we probably need to tweak the language on the Interstate Wildlife Violator Compact, because really, what that does is it identifies anybody whose hunting or fishing rights are suspended in-- not just in Nebraska, but in other states. And so that would be, that would be a very small change. We want to work with Senator Bostelman on this. In terms of the conversations with my law enforcement team, they think it's a step, you know, they would-- they obviously deal with some of these big cases. There's some interest at some point, do we really go all the way of licensing guides and outfitters? However, I think it's really unlikely in the current climate that creating new license

for-- that's a requirement for a group of people who haven't been licensed before, may be pretty challenging. So we do see this as a stepwise approach. Hopefully we can improve some of the performance of our guides and outfitters. The other thing, the other thing about this listing is they also have to be identified as a business in the state of Nebraska. I know from concerns that have been raised from some of our law enforcement folks, some of the really bad actors are primarily running on cash transactions and likely aren't reporting that.

MOSER: Questions for Mr. McCoy. Senator Brandt.

BRANDT: Thank you, Vice Chair. Thank you for testifying on this. To be an outfitter or a guide today, is there a fee to do that, or can I just put an ad on Facebook says I'm a guide.

TIMOTHY MCCOY: There, there is, there is no, there's no, there's no guides or requirements that are tied with somebody hanging up their shingle as a, as a hunting or fishing guide in Nebraska.

BRANDT: No framework.

TIMOTHY MCCOY: There's no framework. This is the start of, of, of trying to at least look at a voluntary framework to see if we can incentivize, especially incentivize those that are doing things right, because there are guides and outfitters that are pretty frustrated about some of the black eyes they've got in some of these cases.

BRANDT: Do they have an association?

TIMOTHY MCCOY: I do not know. There was-- I know 15 years ago there was a, there was a small association, but there was disagreement within it. And I don't know if they're still active. We don't hear from them. So I don't think they are.

BRANDT: My concern in one of these incidences happened in our district down there of a guide or an outfitter. We have a tremendous amount of people that come from the south to hunt deer. That, the, the public is actually your best friend, because now you've got somebody making a tremendous amount of money off other people coming into your area, unregulated, in a sense. And then pretty soon they're, they're doing things, unethically. And I, I think part of this needs to be that the public becomes aware of what a guide or an outfitter should be. And just because somebody is calling themselves

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee January 31, 2024

one, and I don't know, I think-- what are the other steps after we do this step? What is Game and Parks envision this leading up to?

TIMOTHY MCCOY: Well, I can talk to it from the long term view of our law enforcement team that's primarily dealing with these. And, and that would be to-- there's a couple of different options. One would be to try and directly get into the licensing guides and outfitters. Another suggestion that they have made in Nebraska that we don't have that some other states have is a felony provision for really egregious issues with guides and outfitters where they're dealing with, they're dealing with, you know, the liquidated damages on those animals of over 20-- \$20,000. That would be a bigger staff, that'd take some work with a bigger team and would probably include Judiciary, I would assume. So. And the other, the other one is or you just, you, you go, you go create a, a requirement for licensing. There's some other wrinkles with that of who is, who is determined to be a guide and who is not. Is somebody who's renting a farmhouse to some people and they get to come hunt, do they, you know, really trying to make sure that we narrow that down in a way that really is focused. Same thing could, could apply in fishing to somebody who rents out a fishing boat, so. That's one of the reasons to start like this, I think, to kind of see how this goes, see if we can get voluntary, better voluntary compliance among the guides and outfitters would be huge.

BRANDT: So could this include things like, I'm always really big on this, kayaks. You know, getting people to the outdoors, not just on hunting, but also let's say, a guide to do kayaking down the rivers?

TIMOTHY MCCOY: There, there already, there already are a lot of those, those sorts of organiz-- folks that are doing that as a business. We weren't envisioning they would fall in this because this is really focused right now on the hunting and fishing side.

BRANDT: All right. Thank you.

MOSER: So do typically these guides require the hunter to get their own permits? I mean, do they coach him how to get them, or-- there's no way for them to buy permits for the--

TIMOTHY MCCOY: Correct. They have the hunter, the hunter, whoever's coming has to buy their own permits.

MOSER: And some of those are not freely available necessarily, I mean, sometimes you have to enter a lottery or--

TIMOTHY MCCOY: Correct.

MOSER: --or wait your turn somehow.

TIMOTHY MCCOY: Yeah. You have to draw a permit, or you have to, you know, some of our permits, like our elk permits, currently we don't have, other than nonresident landowners, we don't have general nonresident elk permits available because the demand we have from residents is, is probably four times beyond the allowed permits that we put out in a year. So.

MOSER: OK. All right. Seeing no other questions, other people who want to speak in support of LB867?

JOHN HEASTON: Good afternoon, esteemed Senators. My name is John Heaston, J-o-h-n H-e-a-s-t-o-n, and I am the executive director of the Nebraska Sportsmen's Foundation. I would first like to tell Senator Cavanaugh this year is going to be my 40th year hunting deer in the state of Nebraska. I've done it in 30 inches of snow, and I've done it on 70 degree days with 80 mile an hour winds. And the worst day in the field is still better than the best day at work. But I'm here to testify in support of LB867. As a representative of the sportsmen and women of the state of Nebraska, we all embrace the ideal of being ethical outdoors in everything that we do, hunting, fishing, trapping, shooting sports. And we know that our values will be judged by the least of us. And so when there are bad actors in the system, it reflects poorly on everyone who hunts, fishes and traps. And so this bill, we feel, is a way to begin the conversation. To do two things. One, to recognize the good actors. Outfitting and, and guide service is a growing industry in the state. I have been working with Senator Bostelman and his staff for the last six months to try to, to get our hands around what this is. And I am still every day discovering new businesses operating within the state of Nebraska, listed as a guide or an outfitter. There's a lot. And they kind of come and go. They can be as small as a one man operation, or as big as a division within the Cabela's Bass Pro Shop umbrella. That said, you know, our state has long been a place-- great place to hunt, fish and trap. And over the years we've seen this passion become an industry. And that brings countless dollars to our state in the form of guide and outfitting. But it also brings, a tremendous amount of income and revenue in terms of food, lodging, secondary tourism resulting. I've had a lot of people that come to hunt, and then come back for the other things that they saw while they were here. So, our guides and outfitters are great ambassadors for our tourism and, and state profile. And so being able to help them be recognized as

legitimate businesses and good actors on then that larger scale, and, and provide a resource that when people are booking that hunt of a lifetime or that fishing trip with the kids, that they know that they're working with a good faith actor. As Senator Bostelman laid out and as director McCoy reiterated, you know, having, you know, no, no violations, having your permitting in order is all very important. And I think that this bill is a really critical first step into creating a better system down the road. I've looked at a lot of different states and how they do their outfitters and guides, and, and I haven't gone through all 50 states yet, but every state has a little bit different way of doing it. Some are very, very involved. Some are pretty simple. But I think this is the, this has to be the first step is to find out who's there. And so I, again, I want to echo my support for this bill and ask that you move it to, to a vote, and help us to help the trappers in it, or excuse me, the guides and outfitters of our state, you know, be able to be our best ambassadors for outdoor Nebraska. Thank you.

MOSER: Questions? Jana, Senator Hughes.

HUGHES: Thank you. Chairman. Do you know of other-- do other states have something similar or--

JOHN HEASTON: If the states-- you know, Michigan is, is just in the process of adopting a new framework for this. I've talked with some folks from Illinois. They have a very, well-established system with their Department of Natural Resources, where all guides and outfitters who want to be certified by the state, they pay a fee, they carry a license, and it entails a certain number of activities that they have satisfied for the state as, as a legitimate company. Alaska has very similar. Wyoming and Montana do as well. I'm not sure those are models that we want to follow because they also, the outfitters up there tend to want to have control of permit issuance so they can guarantee their customers permits. And I think, and working with Game and Parks and with Senator Bostelman, we all are in agreement, and I know my, my constituency is in agreement with this, we don't want to restrict access to permits to the average individual for the benefit of outstate industry. There has to be a balance. And if we end up in a situation where in-state residents can't get permits because they're going to guide services, that's going to create a problem. But there's, there's plenty of material for us to reference on this. But I think in echoing the statements that have already been made, we have to start somewhere. And I think this is the best first step for us all.

HUGHES: OK. Thank you.

MOSER: Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair Moser. And thanks for being here, Mr. Heaston. I just wanted to say, well, thanks for being here. And, you know, you might be characterized as a real hunter, according to Mr.-- Senator Jacobson's comments. But I would-- I mean, I'd be happy to get out sometime. I told Senator Jacobson I, I took Hunter Safety with a bunch of eight year olds when I was 30. So I'm appropriately trained, at least.

JOHN HEASTON: Well, I, I've been real hunting just south of Senator Jacobson's district since I was about eight years old, so. I could tell you about where every rock on Medicine Creek is. But, you know, you represent an audience that we want to have a better connection to. And that is, you know, the urban or peri-urban outdoor folks that didn't come up in a hunting tradition, but want to learn to do that. And a lot of times, their first contact with that would be to use a guide or an outfit service. And so we want that experience to be positive for them to be hunters and fishers and trappers into the future and have their kids do it as well. And it's, it's something that those of us that grew up with it are taking for granted. But there's a lot of people out there that didn't have that. And, and so, you know, you see a lot of people trying to get into it as adults and they don't know where to go. And so a lot of times they'll go on a, you know, Boundary Waters fishing trip with dad up to Canada, or, and then they come back and they're ready to do it again and don't know how or where to do it or who to trust to do it. And so I think having this as a Rosetta Stone would be very helpful for, for those who want to do these activities, but those who also want to provide it as a service.

J. CAVANAUGH: Thank you.

MOSER: I told my dad I wanted to go hunting with some of my buddies and had no training whatsoever. He loaned me his Remington pump shotgun. His only advice was, don't get it rusty. What happens if you're fishing on the Missouri River? And that's the boundary between South Dakota and Nebraska, right? So. And you wander closer to South Dakota, or there's, is it Oahe that goes up into South Dakota? Right?

JOHN HEASTON: Yeah.

MOSER: So do you have to have a permit from South Dakota.

JOHN HEASTON: If you're on the main stem of the Missouri, you-- I think you're Nebraska permit allows you to fish. You can't step out on the bank on the South Dakota side and be legal. But as long as you're in the water, your Nebraska permit is good bank to bank. Tim behind me will let me know if I'm wrong on that.

MOSER: That's some pretty good fishing, from what I hear.

JOHN HEASTON: Yeah. And there's quite a few outfitters that, that that's their main job, is taking people up and down the Missouri to fish.

MOSER: I see pictures on Facebook all the time. Big stringers of fish, and everybody's smiling and it looks like a lot of fun. Other questions? Thank you very much for your testimony.

JOHN HEASTON: All right. Thank you for having me.

MOSER: Sure. You're a light load, come back again. Hey, anybody else to speak in favor? Anyone to speak in opposition? Seeing none. Anybody to speak in the neutral? Seeing none. Senator Bostelman, welcome back.

BOSTELMAN: Thank you, Vice Chair Moser. Hopefully, Senator Brandt, I'll answer the questions that you have. This is a, this is-- if I lease my ground, if you lease your ground to Senator Jacobson, it doesn't apply for that because you're not guiding.

BRANDT: Right.

BOSTELMAN: Right. This is about legitimate businesses, getting legitimate businesses in the state, getting them to stand out and make sure they're following, the game laws, the fish laws, those type of things, when I go to other states to hunt or fish, most of those places have a guide and outfitting association. Those are professional ones where they pay dues, they're really involved with things. What we're talking about here is, is good-- to figure out like John had said, to get a start and give them that opportunity to those good businesses that are out there some visibility and people contact. You know, have someone from out of state, or instate. You know, go fishing McConaughy, who do you want to go fishing with? You got a boat and all, but you want to find somebody that does? There's a guide out in McConaughy. You'd have a list on there to look it up, and you can research them and that's what it's about. It's to get that started, is to get that information, as you know, sharing the good life, our outdoors with people and doing it the right way.

MOSER: Senator Brandt.

BRANDT: Thank you, Vice Chair. So this guide, is this a, is this a pamphlet or a book that's put out every year, or is this just online?

BOSTELMAN: This will be developed by Game and Parks. So right now it would just be-- I mean, right now we'll see. As John had said, we're still finding out who's out there. So right now it's going to be, I think it'd just be online. But then how does that grow? How does that develop? Part of that is what we allow Game and Parks to do, is to develop that as, as the need arises.

BRANDT: OK. Thank you.

BOSTELMAN: Yep.

MOSER: Any other questions? Senator, thank you. That will conclude our hearing today. Thank you for attending.