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Transcriber's Office

Natural Resources Committee  
January 25, 2007

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[LB291 LB299]

The Committee on Natural Resources met at 1:30 p.m. on Thursday, January 25, 2007, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB291 and LB299 and gubernatorial appointments. Senators present: LeRoy Louden, Chairperson; Carol Hudkins, Vice Chairperson; Tom Carlson; Mark Christensen; Annette Dubas; Deb Fischer; Gail Kopplin; and Norman Wallman. Senators absent: None. []

SENATOR LOUDEN: Well, good afternoon. We'll start the hearing for the Natural Resources Committee at this time. My name is Senator LeRoy Louden, I represent the 49th District. To my right is Senator Norm Wallman, from Cortland; next to him is Senator Annette Dubas, from Fullerton; next to her is Senator Tom Carlson, from Holdrege; and Senator Gail Kopplin, from Gretna. To my right is legal counsel, Jody Gittins, and to my left is Vice Chairwoman Carol Hudkins, from Malcolm; and then next is Senator Deb Fischer, from Valentine; and Senator Mark Christensen, from Imperial. And on the end is clerk Barb Koehlmoos. At this time we ask that you either turn off your cell phones or put them on silence and that sort of thing so we have no interruptions in the hearing room. Those wishing to testify on a bill should come to the front of the room when that bill is to be heard. As someone finishes testifying, the next person should move immediately into the chair at the table. And if you do not wish to testify but would like your name entered into the official record as being present at the hearing, please raise your hand and the page will circulate a sheet for you to sign. This list will be part of the official record of the hearing. This year we're using a computerized transcription program and it is very important to complete the green sign-in sheets for testifiers prior to testifying. They are on the tables by the doors and need to be completed by all people wishing to testify, including senators and staff introducing bills and people being confirmed. If you are testifying on more than one bill you need to submit a form for each bill. When you come up to testify place the form in the box by the committee clerk. Do not turn the form in before you actually testify. Please print and it is important to complete the form in its entirety. If our transcribers have questions about your testimony they use the information to contact you. As you begin your testimony state your name and spell it for the record even if it is an easy name. Please keep your testimony concise and try not to repeat what someone else has covered. If there are large numbers of people to testify it may be necessary to place time limits on testimony. If you have handout material give it to the page and she will circulate it to the committee. If you do not choose to testify you may submit comments in writing and have them read into the official record. No displays of support or opposition to a bill, vocal or otherwise, will not be tolerated. If you need a drink of water please ask the page. And also today our pages are Erin Frank from Bassett and Steve Scharf from Lincoln. Also, I might say that I have some constituents here today as visitors. The three gentlemen at the back of the room, Paul Davis, John Young and Mr. Myers. Thank you, thank you for coming this far today. With that we will begin the confirmation appointments on Mark McColley and

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if you would come forward please. Go ahead, Mark. []

MARK McCOLLEY: My name is Mark McColley. I live at 8510 N. 46 Avenue, Omaha, Nebraska. []

SENATOR LOUDEN: Okay. Tell us a little bit about yourself if you would. What do you do for a living, or this is for the Ethanol Board, right? []

MARK McCOLLEY: Yes. I'm actually the business manager of Steamfitters and Plumbers Local Union 464 and I'm president of the Omaha and Southwest Iowa Building Trades. I basically have 585 members that work in the pipe fitting industry that I support and find jobs for. []

SENATOR LOUDEN: How did you, I guess, get appointed to the board. Is this a new appointment? []

MARK McCOLLEY: No, I've been on the board probably six years. []

SENATOR LOUDEN: For reappointment? []

MARK McCOLLEY: Right. []

SENATOR LOUDEN: What do you think of the ethanol business? []

MARK McCOLLEY: Well, I don't think you're going to find any more of an industry that's going to be more of a economic boom to rural Nebraska than ethanol. I mean, it brings good-paying jobs to rural Nebraska and areas where we've had a problem in the past where people have been leaving to go to bigger cities to work, where I think this is going to give them the opportunity to stay at home and be a part of their home town and do what they need to do. []

SENATOR LOUDEN: Okay, questions for Mark? Senator Fischer. []

SENATOR FISCHER: Thank you for coming today, Mr. McColley. In your position as a labor person, is that a specific slot on the Ethanol Board that you're filling? []

MARK McCOLLEY: Yes. I represent labor on the Ethanol Board. []

SENATOR FISCHER: Okay, thank you. []

MARK McCOLLEY: Um-hum. []

SENATOR LOUDEN: Any other questions for Mark? Senator Carlson. []

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SENATOR CARLSON: Senator Louden. Mr. McColley, do you have any, just out of curiosity, any background in agriculture, how you grew up or? []

MARK McCOLLEY: My parents came from a small town in just north and east of Omaha, Little Sioux, and I spent a lot of my summers up there working on the farm, hoeing beans, putting up hay, different things like that. So you know, hauling in corn, that's back when they were picking corn and storing it on the cob and then we'd go in with a sheller and shell it. I worked on a few a few shelling crews, so yeah, I'm pretty familiar with the agriculture industry. I actually, the first ten years of my life, lived on an acreage where we did a few things. We had one dairy cow that we milked and did some things like that, so yeah, I'm familiar with it. My first wife was from a small town and her whole family were farmers and so I grew up with that. []

SENATOR CARLSON: You milked that cow? []

MARK McCOLLEY: Yes I did and you know, it was interesting because my father-in-law, who had milked cows for years, he kind of got a kick out of it because my wife and I, we'd have to change off because our hands would get too sore the first time around. (Laughter) And it would take us like about 20 minutes to milk one cow, you know? But I got it down pretty good so we could do it in about four or five minutes. []

SENATOR CARLSON: Thank you. []

MARK McCOLLEY: Um-hum. []

SENATOR LOUDEN: Senator Wallman. []

SENATOR WALLMAN: Mr. Chairman. Mark, how do you feel the ethanol industry is, is workers--are they mostly American citizens in these plants, or? []

MARK McCOLLEY: I really can't speak to that because myself, representing organized labor, we really haven't had the opportunity in the ethanol market in the state of Nebraska. And that's one of the reasons why I like serving on the Ethanol Board is because I'm a proponent of using Nebraska people in these plants and we just haven't been given the opportunity to do that. Now I don't know if there's any illegals or anybody of that type that are working, but I'm sure there probably is a little bit of that going on because it has happened to me in the construction industry in Omaha with dry wallers and the carpenters and stuff like that, so yeah, it's definitely a problem. They come in and these contractors, they 1099 them so they don't pay any income tax, they don't pay any state tax, and so they're not covered by workmen's comp so there's a lot of problems with that and it needs to be addressed. []

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SENATOR WALLMAN: Yeah, it concerns me. And do you think you're going to ask for more incentives evidently? You're just on the board though as labor you said though? []

MARK McCOLLEY: Um-hum. []

SENATOR WALLMAN: Okay. I guess that's it. []

SENATOR LOUDEN: Any other questions? Oh, Senator Hudkins. []

SENATOR HUDKINS: Thank you. Mr. McColley, I see that you live in Omaha? []

MARK McCOLLEY: Yes. []

SENATOR HUDKINS: And yet in your--and I like the picture by the way, that's nice. But I see that you were appointed by Mayor Wesley to the advisory board for Lincoln. How did that come about? []

MARK McCOLLEY: Um-hum. Well, we're very active politically and all and we work hard to try and get labor-friendly candidates elected, people who are going to work for working men and women, and so we've built a relationship with Mayor Wesley and he appointed quite a few people from labor to the Mayor's Advisory Committee. In fact, I still serve on that committee under Mayor Seng and we meet on a quarterly basis and talk about some of the economic development that's happening in the city and how labor can take a part in that, do what they need to do to help promote the city of Lincoln. []

SENATOR HUDKINS: You've been on the board for some time. At a typical board meeting, what will your duties include? []

MARK McCOLLEY: Basically, you know, there's expenses that have to be approved for the administrator and some things like that, that votes have to be taken on, so we do that. We approve any travel or any expenses that might be incurred in the office. But mainly the board meetings consist of presentations that are trying to help promote the ethanol industry in the state of Nebraska. So we get a pretty good crowd of people that come to our board meetings and listen to some of those presentations and try and help them promote the ethanol industry in their particular town, or help them build an ethanol plant or whatever. But that's something I really don't have hands-on. The administrator, Todd Sneller, and Steve Sorum, work in the office and pretty much take care of those duties. []

SENATOR HUDKINS: All right, thank you. []

MARK McCOLLEY: Um-hum. []

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SENATOR LOUDEN: Any other questions? Seeing none, thank you, Mark. []

MARK McCOLLEY: All right, thank you. []

SENATOR LOUDEN: Those wishing to testify in favor of Mark's appointment? Anyone wanting to testify as an opponent of Mark's appointment? Anyone testifying in neutral? Seeing none, then we will close the hearing on Mark McColley's appointment. The next appointment would be Michael Thede. []

MICHAEL THEDE: Good afternoon. []

SENATOR LOUDEN: Good afternoon, Mike. []

MICHAEL THEDE: My name is Mike Thede. I live in Palmer, Nebraska. I've been appointed, or I've been--Governor Heineman has appointed me to take the position of general ag within, on the Ethanol Board. []

SENATOR LOUDEN: Okay. Questions for Michael. Senator Fischer. []

SENATOR FISCHER: Thank you for coming today, Mr. Thede. This is a new appointment, is that correct? []

MICHAEL THEDE: Yes. []

SENATOR FISCHER: You have not served on the board? []

MICHAEL THEDE: I, no I have not. []

SENATOR FISCHER: And in your farming practices in Palmer, what--tell me a little bit about them. []

MICHAEL THEDE: Okay. I farm with my father on a mostly cash-grain operation. My father runs some cattle. I kind of take more care of the crop end of things. I've done that for 15 years. My wife and I, that's pretty much about our full-time business. We have three children and my wife works on the farm with me, so. []

SENATOR FISCHER: Good. You said you have some cattle. I happen to be a rancher from Valentine. What do you think about corn prices and what do you think about ethanol? (Laughter) And welcome. []

MICHAEL THEDE: I, it's an exciting time, I think. There's a lot of opportunities. I think there's some issues in the cattle industry, especially in the hog industry, have with feed

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expense right now. I guess I kind of tend to be--I graduated from the university with an economics major in ag economics and so I tend to believe that in these kinds of situations that usually, the system will work those things out. Sometimes we don't like the short-term effects but in the long-term, I think it will work its way through. It's probably going to be a little tough on, you know. I know for our operation that feeding cattle right now, it's tough to make that work. But on the other side of it, the corn production is seeing profitability that we haven't seen for a long time, so for corn producers right now, it's kind of an exciting time. So I think there are some issues that need to be worked out and I think some of those things will come into balance when some of the industry has its chance to work through some of its growing pains. []

SENATOR FISCHER: I know you haven't served on the board before, but if you have any thoughts on this, I'd appreciate it. What do you think about incentives for ethanol at the state level? I know there's a number of federal incentives, but do you have any opinions right now? And I'm not trying to pin you down to, you know... []

MICHAEL THEDE: Right. []

SENATOR FISCHER: ...to keeping those thoughts, but just, you know, what are your ideas on incentives that the state has had in the past and should we have things in the future for ethanol? []

MICHAEL THEDE: I think that the incentives that we have, have done a really remarkable job because we're one of the fastest-growing ethanol states in the nation and so obviously they've done some good. There's been--the industry has grown so fast, I think, faster than probably anybody thought we were going to see and so there probably now is some question whether they really need to be there. But I think a person needs to always step back and see what the purpose, what they were put in place for and that was to help develop an industry that was really in its infancy. And so I think they're justifiable in that sense. Probably if we remain, the profitability of these plants remain where it is, I think there could be some probably good argument to be made that maybe there doesn't need to be continued at this level. But right now, I think a person always needs to keep in mind that they were put in place in a different time than the time we're in right now. []

SENATOR FISCHER: Back to cattle. On the by-products from ethanol, do you, I don't know if the Ethanol Board does this currently, but do you think that possibly the board should be having discussions or in some ways, helping to fund research on the by-products and how livestock producers can possibly start seeing some benefits from ethanol too? []

MICHAEL THEDE: Yeah, I think that's important. I think that's also, it's going to be important for the industry as a whole because a little bit of the issue right now is the

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inconsistently, inconsistency of by-products from one plant to another and there's some work being done on that and with the university and some different research being done on trying to get more consistent by-product for the cattle producers so they know what they're getting from each plant. It's not going to be necessarily a different product than from another one. So I think that's one of the issues we need to do, needs to be looked at, and is being looked at. []

SENATOR FISCHER: I would just mention I'm in cattle, but my understanding is pork producers, I don't think they can even use the by-products as they are currently. You might look into that too if you are confirmed for this. But I appreciate your responses. Thank you very much. []

MICHAEL THEDE: Thank you, Senator. []

SENATOR LOUDEN: Senator Hudkins []

SENATOR HUDKINS: Thank you. Mr. Thede, you've been on the board several months and so you've attended several meetings. []

MICHAEL THEDE: Yeah, two. []

SENATOR HUDKINS: Two. Were there any surprises that you weren't aware of when you started attending those meetings? []

MICHAEL THEDE: Probably a little bit at the beginning. There was just a lot of learning and obviously, I think it's probably going to take a year or more for me to really feel like I kind of know what's going on. I feel like a little bit sometimes, like you're swimming a little bit, but I don't know that there was a lot of really big surprises. Todd, the director, sat down with me for an hour or so before, a couple of hours before the first meeting and really brought me up to speed pretty well on what they would be doing and the purpose of some of the things that they were doing at the time and stuff. So I don't think it was, from the meetings I've had so far, haven't been a real big surprise. []

SENATOR HUDKINS: How many ethanol plants do we have now? []

MICHAEL THEDE: Twelve, I believe. []

SENATOR HUDKINS: And how many are under construction? []

MICHAEL THEDE: The Ethanol Board recognizes 11 or 12 that are under construction. []

SENATOR HUDKINS: Do you think that will be the upper limit or do you think there

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could be 23 more? []

MICHAEL THEDE: I think there's, I think probably the statistics can be debated, but I think there's probably 20 to 30 more that are being thrown around and I guess my personal opinion is probably I would think that ten or so of those probably could be built, but I don't know that. You know, that's... []

SENATOR HUDKINS: Okay. And then the last question. Is there something that the board isn't addressing that perhaps you feel that they should? []

MICHAEL THEDE: I think corn availability in the state I think is something that concerns me a little bit as a corn producer. And I think it also probably is a little bit of a concern of the livestock producers in the state, depending on the number of those plants that do get built because you can, it doesn't take a lot of pushing a pencil and coming up with bushels of corn that are in the state as of where we are right now. If too many of those plants--if you get 30 or 40 obviously there's--so that's something I think we really need to keep an eye on. But I think the board, I've been impressed sometimes at the meetings that I've been at, at some of the stuff that has been brought up that I hadn't even thought of. They're looking out pretty far into the future of trying to figure out what things are going to be addressed or need to be addressed and some of those issues. Corn availability and some of the water issues that some people have brought up and things like that. []

SENATOR HUDKINS: All right. Thank you []

MICHAEL THEDE: Thank you. []

SENATOR LOUDEN: Senator Dubas. []

SENATOR DUBAS: Senator Louden, thank you. Mike, welcome. []

MICHAEL THEDE: Thank you. []

SENATOR DUBAS: We are kind of from the same neck of the woods... []

MICHAEL THEDE: Yes. []

SENATOR DUBAS: ...so I understand your operation and where you come from and I think you'll be able to bring that balance of what it means to the livestock producer as well as what it means to the grain producer. And I think that's a very important balance and needs to definitely be a part of the conversation. What's been your involvement in the ethanol industry up until this appointment? []



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MICHAEL THEDE: Pretty much my involvement has been just from the side of a supplier or a user of the by-products. That's pretty much been it. Other than that, I don't have a lot of direct involvement with them. I sell quite a bit of corn to the plant in Central City and we receive some by-products out of that plant and some of the other ones in the area. []

SENATOR DUBAS: So, is this a position that you really wanted to pursue, to be more involved in? []

MICHAEL THEDE: Yeah, I mean, the corn and the ethanol, I think, is an exciting part of our state's economy right now especially, and I guess, my love is really raising corn and so that's kind of where I come into the mix with this. And ethanol is a big part of that right now, so, yeah, it's a real interest of mine, I guess, the ethanol stuff. []

SENATOR DUBAS: Again, I think you'll bring a good balance to the discussion and be able to represent those livestock issues, so good luck. []

MICHAEL THEDE: Thank you, oh, thanks. []

SENATOR LOUDEN: Other questions? Senator Carlson. []

SENATOR CARLSON: Senator Louden. Mr. Thede, I'm going to ask you a direct question and I thought about this and I wish I would have asked Mr. McColley, but I didn't, so I'll ask you. In your time serving on the Ethanol Board are you going to be adamant about the fact that wherever ethanol plants are located, farmers need adequate water to raise corn to bring to the ethanol plant? []

MICHAEL THEDE: Yeah. I have a real concern for water being reserved and held for agriculture production. It concerns me sometimes where we're going in the state with some of the water issues. We just, we really have some struggles with those and we need to have a good discussion in this state over where we really want to take that. But I think it's important for our state's economy that water rights for production agriculture are vital to our state's economy, so that's very important to me. []

SENATOR CARLSON: Okay. Thank you. []

SENATOR LOUDEN: Any other questions? Seeing none, thank you, Mark, for coming in today. []

MICHAEL THEDE: Thank you, Senator. []

SENATOR LOUDEN: And now, anyone that is testifying in favor of Michael's appointment? Anyone testifying opposed to Michael's appointment? Anyone testifying in

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the neutral? If not, we'll close the hearing on the appointment of Michael Thede. And with that we'll go to LB291. Senator Hansen looks like he's ready to present. []

SENATOR HANSEN: (Exhibits 1 and 2) Good afternoon, Senator Loudon, members of the Natural Resources Committee. My name is Tom Hansen, T-o-m H-a-n-s-e-n. I'm from Lincoln County and I realize that outstate Nebraska is somewhere beyond the border, maybe in Colorado or Wyoming? We don't want to use that term here either. (Laughter) I come today before you to introduce LB291. LB291 changes the geographic areas from which citizen members of the Environmental Trust Board are appointed. Currently the Environmental Trust Board is made up of nine citizen members representing three congressional districts and five members of the executive branch which include the director of Environmental Quality, director of Natural Resources, director of Agriculture, and the secretary of Game and Parks Commission. LB291 changes how the membership is determined with eight citizens being appointed by the Governor. One citizen will be selected from each of the eight newly-created districts and the new districts are modeled after the Game and Parks Commission districts created in 2002. It is my intent and the intent of LB291 that the current citizen Trust Board members will be transitioned into representing the newly-organized geographic structure of the board. The Governor will designate which current board members will represent each new district. LB291 does nothing about, with the executive branch membership. I do have two handouts. There is a map being handed out which represents the state of Nebraska and the districts and the areas of representation now. Excuse me for not handing the handouts out at a more timely time. That map explains where the directors are now. There's three in the Omaha district, two in the Lincoln district, one in Lexington, one in Holdrege, one in Valentine, and one in Dakota City. LB291, if you would pass this on, it would go to the new areas as in 2002 with the Nebraska Game and Parks area. They would be represented differently. They would be represented more geographically even and they will not be more financially even, but looking at western Nebraska, there's a lot of opportunities for Environmental Trust activity out there. We think there needs to be some membership out there that can give guidance to the committee. If you look at the financial handout, there are some counties, Douglas, Lancaster, Sarpy are the top three by far. After that, though, Hall, Grand Island, Lincoln, North Platte and Scotts Bluff County, Scotts Bluff, Norfolk, there are a lot of these that do contribute quite a bit to the lottery funds. Lottery funds--it's a big amount of money and the Environmental Trust Fund gets part of that, but it's a big amount of money. And they are raised, the revenue does come in from a lot of different counties across the state. As far as spending goes, according to your map, I believe, the areas of expenditures range in district 1, which is the Lincoln and bigger area, or it's outside of Lincoln, I guess, there's \$21 million spent since 1994 to 1996. And clear out west, in district 7, there has been \$12 million so it's geographically and financially equal. But it won't be equal by voters. It will be more equal by land mass and more equal by Environmental Trust activity, I think. And that's why I'd be in favor of it and I'd ask you to pass it on. Is there any questions? [LB291]

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SENATOR LOUDEN: Questions for Senator Hansen? Oh, Senator Wallman. [LB291]

SENATOR WALLMAN: Senator Louden. Is this a lifetime appointment, Senator Hansen? [LB291]

SENATOR HANSEN: No, it's, in the law it tells in the non-underlined part it tells how many years they will serve and it's all Governor appointees, rather, and it's not lifetime, no. [LB291]

SENATOR WALLMAN: I should have read that, I'm sorry. [LB291]

SENATOR HANSEN: That's fine. We don't want to do anything like that. [LB291]

SENATOR LOUDEN: Are there other questions? I do, Tom, Do I read this right? You're going from 14 members to 16 members? [LB291]

SENATOR HANSEN: No, it's going from nine citizen members to five legislative branch, or not the legislative, but the executive branch people stay the same. The DEQ, DNR, Department of Ag and what was the last one? But, those all stay and then it's just going from nine, actually to eight citizen members and they're all appointed by the Governor. [LB291]

SENATOR LOUDEN: Well then the total number will be... [LB291]

SENATOR HANSEN: One less. [LB291]

SENATOR LOUDEN: One less. I see, okay. And then I guess it's in here that the terms, how long the terms are for? [LB291]

SENATOR HANSEN: Yes, I'm sure they--yes. And the districts. In the green copy it tells the first district and I didn't go do that because it tells every county that's in each district, but they are the districts that Game and Parks uses too, the counties, the counties in each district. [LB291]

SENATOR LOUDEN: Are they, I guess I haven't read this over that close. Is when these people are appointed to this then are they appointed for a so-many-year term, then they can't serve again, or can they be on there forever or? [LB291]

SENATOR HANSEN: Well, as I told Senator Wallman, I don't they're lifetime appointments, but they do expire, the terms expire. And then the Governor, I assume, can have some type of reappointment power, I'm sure. I don't know how long they go. [LB291]

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SENATOR LOUDEN: But there's a... [LB291]

SENATOR HANSEN: It's in there six years. Senator Christensen motioned... [LB291]

SENATOR LOUDEN: ...there's no limit on the number of years on this at the present time. [LB291]

SENATOR HANSEN: Yeah, okay. If that's the case, you might suggest that as an amendment. (Laughter) But I don't want to see that either. [LB291]

SENATOR LOUDEN: Okay. Senator Carlson. [LB291]

SENATOR CARLSON: Senator Louden. Senator Hansen I thought I knew this but I don't see it. I'm nervous now, so I can't find it, so straighten me out. You look at the existing members who will be assigned to represent certain districts. [LB291]

SENATOR HANSEN: Right. [LB291]

SENATOR CARLSON: And then when their term is... [LB291]

SENATOR HANSEN: The Governor makes that call. Excuse me. [LB291]

SENATOR CARLSON: Okay, yes, the Governor makes that call. Then when their term expires will it eventually be that he appoints someone from each of these areas? [LB291]

SENATOR HANSEN: That's right, that's right. [LB291]

SENATOR CARLSON: But it's as these expire. [LB291]

SENATOR HANSEN: Right. [LB291]

SENATOR CARLSON: Okay. [LB291]

SENATOR HANSEN: The colored part in there defines the areas and then the little dots show where the existing members are. [LB291]

SENATOR CARLSON: Okay. [LB291]

SENATOR HANSEN: There is no geographic equality in this map. [LB291]

SENATOR LOUDEN: Senator Dubas. [LB291]

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SENATOR DUBAS: First of all, I really appreciate the map because it's definitely--I was a little dense reading through this and so now I think I fully understand your intent. It's just to get a broader representation across the state when we're dealing projects that get submitted for their approval and so this makes it very clear for me and I really appreciate that. [LB291]

SENATOR HANSEN: Right. You're welcome. I have a good staff. [LB291]

SENATOR DUBAS: Yeah, that very much helps, so thank you very much. [LB291]

SENATOR LOUDEN: I was looking through this, Senator Hansen, and then it says in there their term is six years and you've mentioned you didn't particularly want that. What would you have in mind if the committee decides that's an issue, and the committee decides to put a length of lifetime or life span on the thing. (Laughter) How many years, or whatever? [LB291]

SENATOR HANSEN: There's a lot of good people out there, Senator Louden, and as you well know, that could serve if they have the desire to do that. We've talked about that on the floor and we've talked about it during term limit debates, but there are a lot of good people out there. Two six-year terms, 12 years, that's enough for anybody. [LB291]

SENATOR LOUDEN: Okay. That's what I wanted... [LB291]

SENATOR HANSEN: That's what I would suggest. [LB291]

SENATOR LOUDEN: Okay. Well we'll... [LB291]

SENATOR HANSEN: And I'm not going to tell the Governor what to do, but if you--this committee thinks that that's appropriate, that would be my suggestion. [LB291]

SENATOR LOUDEN: Okay, if the committee, it it's an issue, then the committee, you would feel comfortable with the committee making an amendment to that effect. [LB291]

SENATOR HANSEN: Yes, yes. [LB291]

SENATOR LOUDEN: Okay. Other questions for Senator Hansen? If not, I guess, thank you very much. [LB291]

SENATOR HANSEN: Thank you. [LB291]

SENATOR LOUDEN: The next proponent for LB291. Go ahead. [LB291]

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MICHAEL KELSEY: Good afternoon, Senator Louden, and members of the Natural Resources Committee. My name is Michael Kelsey, that's K-e-l-s-e-y. I serve as the executive vice president for the Nebraska Cattlemen and I'm here to provide testimony in support of LB291. Please allow me to begin by thanking Senator Hansen for sponsoring LB291 as well as also to cosponsors, Senators Louden, McDonald, and Carlson for adding their names. LB291 is a reintroduction of LB1076 from last year which was forwarded by the Natural Resources Committee to General File, but because of lack of time, it was not able to pass on to the Final Reading. The purpose of LB291 is very simple. The bill would simply restructure the board of directors for the Environmental Trust Fund as you've heard. Nebraska Cattlemen believe this makes a good program better by giving the governance of the program representation of the resource in which it represents, that being the environment. Simply put, the board would represent the environment, the very reason the fund was created in the first place. It should be noted, as was mentioned, that the transition to the new board would be a very smooth process. Directors should serve out their terms and then the position would be filled as indicated in the bill. A little bit of icing on the cake is the cost savings which is \$2,000 as reported by the fiscal note which is achieved by reducing the board from nine to eight members. We believe LB291 as a good bill, it strengthens the Environmental Trust Fund in our opinion. It's a product of cooperation, as we have worked closely with the Environmental Trust as well as committee counsel on this bill last year on it and this year. We would appreciate and urge the committee to approve LB291 and send it on to General File. I thank you for the opportunity to testify and would be happy to try to provide answers to questions. [LB291]

SENATOR LOUDEN: Questions for Michael? I guess you got them up in shape. [LB291]

MICHAEL KELSEY: Very good. [LB291]

SENATOR LOUDEN: Thank you, Michael, for testifying. [LB291]

MICHAEL KELSEY: Thank you. [LB291]

SENATOR LOUDEN: Any other proponents for LB291. Are there opponents on LB291? Anyone wishing to testify in the neutral? Okay. [LB291]

MARK BROHMAN: (Exhibits 3 and 4) Mr. Chairman and members of the committee, my name is Mark Brohman, that's B-r-o-h-m-a-n. And today I'm here wearing a little different hat than you've know me in the past. I'm here as the executive director of the Nebraska Environmental Trust. And I'm here on behalf of the board and the board wanted me to come forward and provide information and their position is neutral on this. They believe it's the executive branch and the Legislature's choice to make changes to

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the structure of the board and I've brought a couple of handouts but they're going to be very similar to the senator's. He did a good job on providing information to you. One of them is the current Environmental Trust makeup. It has the nine citizen representatives and it has the dates of when their terms expire and the state represents who they represent on the part of their agencies. The five that are a part from the executive side and then the nine citizens, as was mentioned earlier, come from the three congressional districts. This, of course, would change to the geographical districts that were set out by the Game and Parks for their commissioners. The other map that's coming around is our current distribution from 1994 to 2006 which, I believe, the senator also provided those numbers to you to see that we tried to spread the money across the state of Nebraska. And in fact, in the statute, in 81-15,175, one of the mandates of the Trust is to have a geographic mix of projects over time. So each July, at the July Trust meeting, we sit down and look where the monies have gone in the past and then we award what are called geographic points, of geo points, to projects for the upcoming year. So this past year we looked at the map and found that districts 5 and 6 were underrepresented and so they were given geographic points for the next grant cycle. So it's not just by chance that the numbers are fairly close across those districts. As you look at the map that I handed out, it's just a little bit different than the map that the senator is proposing for the districts and that's because this is the old Game and Parks districts for their commissioners based before the eighth commissioner was added a couple of years ago. So you'll see now that Lancaster County in district 1 is separated. That's now district 8 and then on this old map, district 2 was both Douglas and Sarpy Counties. Now, Douglas is a separate county so that's why there's a just a little bit difference in the map, but you can kind of see from that map that really, the distribution is pretty even. Some people would say, well there's a lot more money, that \$21 million got spent in southeast Nebraska in district 1 and that is almost double what some of the others are. But there have been a lot of projects, not only in Lancaster County, but all of southeast Nebraska and now that is two districts. It would be Lancaster, district 8 and district 1. So I just wanted to make sure that the board was aware that we have been cognizant of this issue in the past and made sure money was spread across the state. We have these geo point systems but we're here today in a neutral position and we just want to provide information and answer questions that you might have. So with that I would be glad to answer any questions. [LB291]

SENATOR LOUDEN: Questions for Mark. Senator Hudkins? [LB291]

SENATOR HUDKINS: Mark, the statement of intent says that there are five members of the executive branch. I see four listed. Who is the fifth one? [LB291]

MARK BROHMAN: Well, if you look on the sheet that I handed out under there, there's Rex Amack from Game and Parks, Joann Schaefer from Health and Human Services, Ann Bleed from the DNR, Greg Ibach from the Department of Ag, and Mike Linder from DEQ. [LB291]

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SENATOR HUDKINS: So it's always someone from HHS? [LB291]

MARK BROHMAN: Yes. [LB291]

SENATOR HUDKINS: Okay. [LB291]

MARK BROHMAN: Yes, yep, those are the five representatives. And so whoever the director of that agency or in HHS's, that's not the director of the whole agency, you know, they are broken into five subunits so those, dependent upon who's holding that office at the time. [LB291]

SENATOR HUDKINS: Thank you. [LB291]

SENATOR LOUDEN: Are there other questions? Senator Kopplin. [LB291]

SENATOR KOPPLIN: Wasn't it more fun representing Game and Parks? (Laughter) [LB291]

MARK BROHMAN: I don't know yet, Senator, I've only been at this duty for two months, but I'll let you know. There was one other item that I might mention to legal counsel and to the committee, that they may want to look at and that is on the bill, in Section 2 on the last page, on page 4, there's some language that's now obsolete that could be struck from the bill because it talked about when the Trust was originally set up and how the terms were to be set up for six years except for the first person would serve for, the first three people would serve for--expire at the end of two years and then four years and six years. That was done to stagger the starting people when they first started the Trust, so that language is now obsolete. So I believe back on page 4 of the bill, you can strike the lines basically, 10, 11, 12. That language in there, I know it's not really part of the bill but it would be a good time. I'm sure the bill drafters would feel that that would be an appropriate change. And if you wanted to put further explanation about the bill, but I think it's clear enough now what's happening with the existing board members. That was a concern of some of the board members, that make sure that they could serve out their terms and it was correctly pointed out earlier there is six-year terms and you can be reappointed. And we've got at least two board members that have been on since the beginning of the Trust that have been reappointed several times, one person by three different Governors in the short term of the Trust. So that's the way the bill stands now in the law. [LB291]

SENATOR LOUDEN: Senator Christensen. [LB291]

SENATOR CHRISTENSEN: Yes, thank you Senator Louden. It's your objective to try to spend about equal in each district, is that what I see? So by creating an eighth district,



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then you'll have Lincoln and Omaha getting about equal then spread it around to get equal with the other districts, basically. But there's one coming out, though. [LB291]

MARK BROHMAN: Right. Right now there's nine citizens, three from each congressional district and the way it's set up now, there will be eight districts so there will just be eight people instead of nine. So if you look at our map that we've got currently, our map only as seven districts, but you'll add Lancaster County and it'll get separated and on district 2 only Douglas will be part of that green on district 2. Sarpy County will drop into district 1 below. So if you look at between the two maps, there will be eight districts and we'll try to juggle money and award geo points for districts that are underrepresented as far funding. [LB291]

SENATOR CHRISTENSEN: Okay. So will you see this as redistributing money then in the state from your previous objectives? [LB291]

MARK BROHMAN: No, no, it will be the same objectives and that is to geographically spread the money across the state. We'll just have sort of different boundaries, a slight variation. Like I said, we're using this map now which is the same as the map that's proposed except Lancaster County will be a separate district and Sarpy and Douglas will be separated. So I don't think it's going to change anything with the way we do business. We will look and see where the money is distributed and make sure that it's fairly even and then award geo points. And now there may not be any projects from a district one year and so it doesn't matter how many geo points you were awarded, grants from there, because there aren't any. So one district could fall behind because there aren't applicants. Or there may be projects that don't score very high and even with the geo points they're not able to leapfrog other projects. So it will depend upon the quality of projects and where they're located, but I don't see any large change this bill making in the way that we distribute money. [LB291]

SENATOR CHRISTENSEN: I guess my concern was the new district 8 might all of a sudden have \$10 million dropped right into that smaller area that was spread over a much larger area, making it not geographically dispersed. [LB291]

MARK BROHMAN: Yeah, and Lincoln has probably got a fair number of grants so I would guess that they're not going to be way behind and start from zero. They're going to be, once we, we'll go back and look at the number of grants. My guess is that they've probably got somewhere between \$8 million and \$15 million of that \$21 million and it's hard to say. But we'll look at that and, of course, our objective won't be to dump much money in Lancaster right away because it says the objectives over time and so I'm sure the board would look at that and say, okay we need to get a little bit more money in Lancaster, but they're not going to drop it all in one year to try to catch up if the case is that it's sub compared to the others. But you can see district 5 is lagging. Down the southwest part of the state, it's at \$6 million and that's why they have the geo points this

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time. But there was a lack, or there has been a lack, of projects from that part of the state, especially quality projects, so, a lot of it depends on the projects coming in. But we do the best we can because we do have a statutory mandate to try to get geographical distribution of funds. [LB291]

SENATOR CHRISTENSEN: Can you give me an example of what type of projects typically fall under all of this? [LB291]

MARK BROHMAN: There's all kinds of projects that we funded in the past. Anything from recycling, buying trailers for small cities, we've done some land acquisition where third parties come in to purchase property, whether Game and Parks, Nature Conservancy, sometimes they get easements. There have been a lot of projects done on the Platte River, the Republican River, the Niobrara River Valley. Basically, we have sort of five charges that every five years the board goes into, or four years, goes and looks at the objectives and comes up with criteria of areas that we want to focus on and right now those areas of focus are habitat, surface and ground water is another, soil management, air quality and waste management. So those are the areas of focus that we grant money too, but we've got projects all across the state. We've had 870 projects that have been funded across the state, over \$100 million since the inception of the Trust in '94. So it's, you know, there's been a lot of money getting to a lot of good projects all the way from multimillion dollar several-year projects. They can ask for money for up to three years. Typically we grant for one year and then they can ask for three but the one year is guaranteed and then depending upon funding for year two and three, and they can arrange for a couple of hundred dollars to several million dollars. [LB291]

SENATOR CHRISTENSEN: Thank you. [LB291]

SENATOR LOUDEN: Other questions for--Senator Wallman? [LB291]

SENATOR WALLMAN: Thank you, Senator Louden. I got to ask. Do you acquire properties? [LB291]

MARK BROHMAN: We can't hold property in our name, but the Game and Parks Commission has acquired property through Trust monies and Nature Conservancy and groups like that and easements, but no, we can't buy land and hold it, Environmental Trust can't. [LB291]

SENATOR WALLMAN: Okay. Thank you. [LB291]

SENATOR LOUDEN: Other questions for Mark? Seeing none, thanks, Mark. [LB291]

MARK BROHMAN: Thank you. [LB291]

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SENATOR LOUDEN: (Exhibit 5) Anyone else wishing to testify in neutral for LB291? Oh, we have some paperwork here to do. I've got to mention that Craig Head from the Nebraska Farm Bureau has filed a letter in behalf of support for LB291 and that will be used in the record. Go ahead. [LB291]

KEN WINSTON: Good afternoon, Senator Louden, members of the Natural Resources Committee, my name is Ken Winston, last name is spelled W-i-n-s-t-o-n. I'm appearing on behalf of the Nebraska Chapter of the Sierra Club. Last year we supported a similar bill to this. At the present time, our executive committee has not yet met, so I guess I'm going to make some generally supportive comments about the bill without coming out in full support of the bill. We're generally in support of the concept of having representation based upon the areas where natural resources are located and we believe that this bill goes in that direction. One concern that we do have about the bill is the idea of one person, one vote and having representation based upon that. I just wanted to provide that statement related to the bill. And I would be glad to answer any questions if I can. [LB291]

SENATOR LOUDEN: Any questions for Ken? Thank you, Ken. Anyone else wishing to testify in neutral? If not then I guess, do you wish to close Senator Hansen? Senator Hansen waives closing, so we will close the hearing on LB291 and we will open the hearing now on LB299, Senator Hudkin's bill. [LB291]

SENATOR HUDKINS: Good afternoon, Senator Louden, and members of the Natural Resources Committee. I am Senator Carol Hudkins, C-a-r-o-l H-u-d-k-i-n-s and I represent the 21st Legislative District. I'm here today to introduce for your consideration LB299. This bill came from the Nebraska Game and Parks Commission and they indicated to me that this is their 2007 cleanup bill. Well, what does this bill do? It would allow the Game and Parks Commission to collect a permit issuance fee; it raises the maximum permit issuance fee from \$1 to \$2. It would allow the commission to issue multiyear permits at a reduced rate. It eliminates the lower limit of several permit fees. It removes the minimum age of hunting wild turkeys. It creates a lifetime migratory water fowl stamp. It eliminates the nonrefundable application fee for a paddle fish permit and replaces it with a permit fee of up to \$35 and, it renames the Nongame and Endangered Species Conservation Fund, the Wildlife Conservation Fund. Rather than my explaining all of these various issues, there is a representative here from the Game and Parks Commission who will be glad to answer all of your questions. [LB299]

SENATOR LOUDEN: I take it that you're passing the questions back? [LB299]

SENATOR HUDKINS: That would probably be timesaving, yes. [LB299]

SENATOR LOUDEN: Thank you, Carol. First proponent please? [LB299]

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KIRK NELSON: Mr. Chairman, members of the committee, my name is Kirk Nelson, K-i-r-k N-e-l-s-o-n. I work for the Game and Parks Commission as the assistant director for fish and wildlife. Thank you, Senator Hudkins, for introducing our bill. As she mentioned, it is a bit of a cleanup bill. Several years ago we started a process, our commissioners, our board, our director, charged staff to take a look at our situation, both financially and from the point of view of participation in hunting and fishing, and come forward with ideas that would revenue-positive and opportunity-enhancing. In other words, we don't want to price people out but we have to at least break even or at least cover our costs and maybe make some money so we can continue to be in business and we need more participation in hunting and fishing. Nationally, participation in hunting and fishing has been on a slide. In Nebraska it's even accelerated a little bit because of what we consider the drought. A lot of our youngsters have moved to urban situations. There's just a lot of competition for peoples' time these days and so you have to be on your toes, so to speak, if you want to be in business in the future. Our board of commissioners said, let's do something. So two years ago you passed a bill for us that made a lot of things possible. We now have a one-day fishing license. We have a nonresident holiday hunting permit. If some of your folks come home over the holiday they can go hunting with you for half the price that it would normally cost from Thanksgiving and Christmas and New Years. These are the kind of things we're trying to come up with. And you can call it marketing, you can call it whatever you want, but we're trying to stimulate participation. The senator mentioned that we are asking for authority to charge a little bit more for issuing our permits. There's a story there. All of the agencies have been going electronic. That's--you have to do that if you want to stay in business, you want to be a one-stop shop and customer convenient and all the rest of it. You've got to sell stuff over the Internet. We were lucky enough a couple of years ago, five years ago, to hook up with a group called Great Lodge that was just starting to get into the electronic issuance business. They used us a template. They said, we'll do it for free. We'll charge you \$25,000 a year but we'll computerize all your permits and we'll do your drawings for you and we'll do all of that stuff, but then we want to be able to use you when we go to other states and talk about what we've got. We signed up on that deal, it was great. Somebody has now bought out Great Lodge and it's going to start to cost us a lot more to do business. We had a good thing going but good things only last so long. We are now going to enter into a contract, we have entered into a contract with the state of Nebraska, the technical information folks in the DAS department to program our new permitting system. It's going to cost us a million dollars up front. We have to recover those costs and if we leave our permit costs as such--well, first off, we don't have the authority to charge ourselves, so the bill asks for authority for Game and Parks to charge a vendor fee, a dollar right now. We've got it up to two dollars so that we don't to bother you in a couple of years with another increase that we feel may justify keeping our system up and so forth. We hope you'll agree with that kind of concept. The other point the senator made, we're looking at doing a number of things marketing-wise continuing that concept. We've hired a marketer, we are starting to work with our

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constituents: what would it take to get you more interested in hunting turkeys in the fall? Right now, we've got turkey hunting in the fall is kind of a not as good as we think. There's a lot of turkeys out there. So this is an area, a growth area for us, all right? Maybe we are going to have a loss leader. We are going to tag on a turkey permit to a two-year deer tag. We'll give you a chance to buy a fall turkey hunting permit for half price. Those are the kind of scenarios. We are talking about multiple-year permits and combination hunting permits. And there's some things we haven't even thought about. There are some things that we haven't had a chance to do a lot of work on yet. Some of that stuff you have to be a little careful, because you can actually lose more than you can gain and you've got to do your survey work. This is all business-oriented stuff, I guess that is how I'd like to put it. We are probably becoming more business-attuned than we've ever been because we have to if we want to continue to stay in business. So the authority would reduce the price, there's a couple of other examples in there that I could throw out. I'm going to go through some of this quickly and then we can get to your questions. We are going to eliminate the wild turkey as a big game animal. As I mentioned, we have more turkeys right now than we've ever had in the history of the state. We're looking to give our youngsters a chance to hunt turkeys at an earlier age and all of our big game permits do not allow youngsters under 12 to hunt big game. So we're going to take turkeys off of the big game permit and treat them more like pheasants and quail and grouse, ducks and geese and let our parents interact with our children more in those kind of decisions. We're going to create a lifetime Nebraska migratory waterfowl stamp. All of our stamps and all of our permits our constituents are able to buy, lifetime, so that if they are going to be doing it over a long period of time, they eventually can save money. And we take that money, we're not allowed to spend the principal, but we can spend the interest out of that bearing account and we get a winner both ways. And we get people, so...that's the last permit that we offer that does not have a lifetime provision to it. We're going to establish the paddlefish permit. The paddlefish is a big fish. It's in the Missouri River. It's kind of a specialty item. You've got to have the special tackle. You fish for it early in the spring, usually below the dam at Lewis and Clark Lake, and we've got an application period now because they're an old fish, they're prehistoric. They live to a long age, they reproduce, they're older when they go into their reproductive cycles so you have to be a little careful with them. We monitor paddlefishing very closely. We will sell a permit which would streamline the process for us and allow our applicants to buy a permit rather than go through a draw situation as they do right now. Allow the Game and Parks Commission to set exemptions for hunter orange requirements. That is in the bill; that's a hunter safety issue. We monitor our hunters, we regulate our hunters when they are in the field. We encourage them to wear hunter orange. They don't have to for certain seasons. We want to be able to require that, because if we cross over seasons, it may be a situation where a hunter that had been hunting fall turkey didn't have to have hunter orange but if he or she is hunting during the rifle deer season, then we would require them to wear hunter orange and we don't have that authority to do that right now. Last, we're going to change the name of the Nongame and Endangered Species Conservation Fund. That's a long title, it's kind

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of confusing, we've had it for years. If any of you are familiar with our income tax checkoff, there's a line on there that you can donate some money to the Nongame and Endangered Species Conservation Fund. We want to make it simple; we want to call it the Wildlife Conservation Fund. It has a little more user friendliness to it. I'd be glad to answer questions. There's quite a bit in this bill. [LB299]

SENATOR LOUDEN: Yes, Kirk. I guess you're going to sell multiyear deer permits. Did I miss that or did you explain that? [LB299]

KIRK NELSON: No, that was just an example, but not deer permits, Senator, I'm sorry. It would be multiyear fishing or hunting permits. We're mostly looking at--some states sell a five-year fishing permit for the price of four. So in other words, if you are interested in and you know you're going to be around for a few years, you get a price break instead of buying an annual permit. You buy one that costs you the price of four and you get an extra year free. That's just an example of what we were going to do. That really isn't in this bill. [LB299]

SENATOR LOUDEN: Oh, okay, that's what... [LB299]

KIRK NELSON: We're just asking for permission to do those kinds of things. [LB299]

SENATOR LOUDEN: Okay. [LB299]

KIRK NELSON: No. And there's--Florida does that particular permit, but Florida's a different setting than Nebraska. [LB299]

SENATOR LOUDEN: Okay. This is a may deal. [LB299]

KIRK NELSON: It's a may deal. [LB299]

SENATOR LOUDEN: Okay. Now I understand it. Other questions for...Senator Kopplin? [LB299]

SENATOR KOPPLIN: On the paddlefish, you would have like, 4,000 applicants before and draw for 1,600 and now it's a permit. Do you end at the first 1,600 requests or does everybody that requests a permit, get one? [LB299]

KIRK NELSON: Probably the first year we're going to see how it goes. If we do this, I mean, you're giving us the permission to do this. [LB299]

SENATOR KOPPLIN: Yes. [LB299]

KIRK NELSON: And so we'd probably start out at \$25, that's the current thinking and

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we'd see how many we'd sell. There aren't very many people who do this. Paddlefishing, as I mentioned, is a very specialty type--there is only one area of the state where you can really do it in. And then you've got to have the equipment and you've got to be out there at the right time. We did this with the statewide buck permit two years ago. We went to an unlimited setting. Before we had had a cap on it at 5,000, that was what our management folks told us, they didn't want to go over 5,000. We felt we were, and we had oversold for several years before that. We had 7,000 people interested in 5,000 permits. We opened it up on a statewide basis, increased the price a little bit, the demand leveled out. We didn't sell more than we thought we would. [LB299]

SENATOR KOPPLIN: The price demand might do it, but I was trying to balance the 4,000 requests with the 1,600. Probably you're correct on the price, will change that drastically. [LB299]

KIRK NELSON: One year, we'd know. [LB299]

SENATOR KOPPLIN: Thank you. [LB299]

SENATOR LOUDEN: Other questions? Senator Wallman. [LB299]

SENATOR WALLMAN: Yes. In regard to this hunter orange mentioned. I'm interested in that wild turkey. Do you hunt wild turkey? [LB299]

KIRK NELSON: Oh yes. [LB299]

SENATOR WALLMAN: You can't catch a wild turkey with orange. [LB299]

KIRK NELSON: Well, you've got to be sneaky. [LB299]

SENATOR WALLMAN: Not with a bow and arrow. (Laugh) [LB299]

KIRK NELSON: No. Well, you might--if you were in your stand. If you had your tent and you had your orange on inside, he wouldn't see you, he'd see your tent first. [LB299]

SENATOR WALLMAN: It's pretty difficult. (Laugh) [LB299]

KIRK NELSON: Yeah, yeah, it would be. It would be a challenge. But it would be something that we would more than likely have to do, I mean, it's just if you want to hunt them during the rifle season, which we do have some folks tell us they'd like to come to the state and if they get their deer early, they'd like to be able to turkey hunt. [LB299]

SENATOR WALLMAN: Sure. [LB299]

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KIRK NELSON: Okay? If you're going to want to turkey hunt, then you'd better have your orange on because we don't want somebody mistaking you for a deer. We just, I mean, that would be the trade-off. That's why we haven't done it up to this point because you're right, it's not very advantageous for hunting. [LB299]

SENATOR LOUDEN: (Laughing) Yeah. I mean, they can see, huh? [LB299]

KIRK NELSON: Yeah. [LB299]

SENATOR LOUDEN: Senator Carlson. [LB299]

SENATOR CARLSON: Senator Louden. Mr. Nelson, currently with the veterans 64 years and over and then others 69 and over, we've got the \$5 fee so that we don't miss the federal match. How does that, how would that be affected possibly by Section 2 on the multiyear permits? [LB299]

KIRK NELSON: Right now the federal statutes only allow us to count you one time. If you buy a deer permit, a turkey permit, a small game permit, we only count you once. That's what the feds have told, that's how they've run their program for 80 years. So we sell you one permit, we got you on the federal end. After that it's whatever we can interest you in doing over and above the one thing that you've done for hunting that year. [LB299]

SENATOR CARLSON: So you only get the federal match once? [LB299]

KIRK NELSON: One time. Then we have to go through and certify that every year that we sample, or in the case now that we've got electronics, we can pull you up. We know exactly how many permits you've bought. [LB299]

SENATOR CARLSON: Okay. [LB299]

SENATOR LOUDEN: Senator Wallman. [LB299]

SENATOR WALLMAN: Thank you, Senator Louden. Say on these permit things, you know you can buy a lifetime FFA membership, legion membership, if you did that with the hunting permits say like charge \$150 or \$100, could you program that electronically so much a year for that individual until he died? [LB299]

KIRK NELSON: Yes. That's what the feds allow us to do. We use actuarial tables at the time you buy it, we know what your life span is, that's what we are allowed to count. [LB299]

SENATOR WALLMAN: That might be a marketing tool. [LB299]



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KIRK NELSON: Oh. We're, you, you've...well, some of these folks two years ago helped us put that in place. We now have lifetime permits that are sold at a reduced rate, depending upon your ages and young folks, real cheap. [LB299]

SENATOR WALLMAN: Sorry, I didn't check into it, but... [LB299]

KIRK NELSON: No, that's...but it's a good point, I meant, this is appreciated. [LB299]

SENATOR LOUDEN: Senator Christensen. [LB299]

SENATOR CHRISTENSEN: Thank you, Chairman Louden. Mr. Nelson I know this section 1, you want that, raise more money with--is anything else in here going to raise you money or cost you money in this? I guess anytime you buy four and get three free, buy four, get the fifth one free, or do lifetime things, is this going to affect your budget in years to come? [LB299]

KIRK NELSON: Well, we're hoping that it will... [LB299]

SENATOR CHRISTENSEN: It's going to front load it, but is that necessarily... [LB299]

KIRK NELSON: There's tremendous debate within our agency about that. And there's people on both sides. That's why we've been cautious and conservative in the past. I mean, some of this, these are not new ideas. Some of this stuff has been around for years. I mean, private industry has been doing it for years. But we in the conservation field have always felt like we don't need that, that was too much of a gimmick. It's just--we don't need to market, you know? We've had a loyal clientele, our constituents have bought permits every year and we just, we've had to ignore that part of things. I think there's an awareness amongst a fair number of us now that maybe this is worth trying, I don't know. It's, I mean, even in industry, they'll try advertising things that don't work out. There will be campaigns that lose money. We're hoping to avoid that by doing our homework up front. But some of this will be new stuff and there will be a little risk in it and we'll try and be as careful as we can about how we approach it. And it'll be an annual thing. If it doesn't work that will probably be the last time we do that one. But we've hired a marketing person, we've got a marketing plan in place that our commissioners have adopted. We are going to try and make some things happen. [LB299]

SENATOR CHRISTENSEN: Are we hitting any of our limits on...I know different times you've restricted how many deer permits can be out or different...are you hitting all them limits now? Are we selling unlimited whatever we can get, or are we restricting areas? [LB299]

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KIRK NELSON: We've got two or three draw areas in the state for deer. As to the turkey, we've, over the last three years, have gone statewide unlimited. We used to have three units across the state and numbers and once we sold out, we were done. Unlimited turkey, we're going to three next year, next spring. You could have two this year, now you can buy three. Unlimited fall permits. Deer is almost unlimited except for a few areas where we've got so many people. The deer situation is such that we manage both for people and for deer. In the southeast part of the state, that's where there's a lot of demand, there's a lot of people. So we've got to be careful that we don't put them all in the field all at once and then have a bunch of landowners upset and have all kinds of stuff going on that we don't. So we kind of regulate it that way, we do have a cap. The southeast unit, the Republican River, big demand in the Republican unit. We've got, we usually have over demand there but the rest of the state, you can pretty much buy one about anytime you want, right up to the day before you go. [LB299]

SENATOR CHRISTENSEN: I guess you bring up the Republican. That's where I have big problems. And we have problems with two game being severe: turkeys, we can't keep the things out of our feed bunks. They chase the livestock out. And deer, I'm talking about eight drivers hit 32 deer in one year. And we have thousands, I'm talking tens of thousands of dollars of crop damage every year. I am so unhappy with management of wild game down there, that I'm frustrated. I don't know that I want to raise anything because I want more permits out there or somehow I want to see something changed in food. I'm not trying to come down on you, I'm trying to explain a problem that how can we work through? I don't want to raise a fee and reduce people. At the same time, I'll want to take care of our economic loss, because we count by the acres that are destroyed. [LB299]

KIRK NELSON: And this whole situations scares the dickens out of us right now. Because what was happening with \$1.80 corn, what's going to happen with \$3.50 and \$4.00 a bushel corn? I mean, we're, in my opinion, and I don't know yet what we've seen. We're going to see it, but exactly what you're talking about. We're just, right now, you can get a depredation permit. You could come into our North Platte office or our Kearney office and with just a little documentation on your problem and we'd hand you a permit to shoot five or ten does and... [LB299]

SENATOR CHRISTENSEN: We've done that. [LB299]

KIRK NELSON: Okay. The other problem is and you know where I'm going. So much of what you may have is your neighbor's problem. We can't get on his property because they don't want us on there. Or if it's a shooting situation or it's trophies, or you got all this stuff going on. Or it's all leased and they just don't want to work with us. And then you and us are sitting there trying figure out how to fix this overpopulation and they're sitting on the other property. [LB299]

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SENATOR CHRISTENSEN: And see, there's a place I run in big trouble with. I've got a landlord that rents out, don't let only one guy on. And I can drive you out there and see over 100 to 200 deer a night. And then we've got state land right beside it that that guy rents it strictly so he can hunt himself, and get trophies and I can take you down there and see 400 or 500 deer a night. And there comes a problem on my side of I either want the state land sold or I want it open hunting. You know I'm just--I know we're filling out part of this bill, error and what I'd like to see because I know a lot of people like to hunt there. There's people left our area from hunting because they can't get on that state land no more. Less people hunt there than used to and it's a rifle zone on our land. We like to leave when rifle season opens and go to a football game and hopefully come home and nothing is gone. We can't livestock out there because we're the only open property. This leased property is a problem. [LB299]

KIRK NELSON: One thing we may do, I mean, there's several scenarios. Some states have gone to a shoot you a doe first... [LB299]

SENATOR CHRISTENSEN: Oh, I'd love it. [LB299]

KIRK NELSON: ...and then you can shoot your buck. [LB299]

SENATOR CHRISTENSEN: I'd love it. [LB299]

KIRK NELSON: Yeah. The issue is, a lot of our--if you require a hunter to do that and before they've shot their doe and a nice buck walks by and they can't shoot it or they shoot it and then they're a criminal and then they've got to wait and shoot their doe quick and try and make all the paperwork work. It gets--now you can see where I'm at--we're close. I'd have to say we're real close. [LB299]

SENATOR CHRISTENSEN: Well, one way of handling that is your start doe season a week or two earlier than you do buck season. They got to get their doe before they can go start the season a buck. You'd have to have a time period where you could reissue the permits. [LB299]

KIRK NELSON: Well, that requires reordering our whole process. (Laughter)  
Sometimes you get into these, I mean, it's great for you and I to talk about this and then we get in with a group of landowners and we'd hear one side, then we'd get in a group of hunters and we hear another side. So we're trying to do the balance act. Nebraska has had their system, their deer hunting system, for years and the rifle deer season has always been that second week in November, nine days for what, 50 years? I don't know when we... [LB299]

SENATOR CHRISTENSEN: A long time. [LB299]

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KIRK NELSON: Yeah. And it's in the heart of the rut so we get a pretty good kill, we get a lot of deer harvested in nine days. We get that issue of you worrying about your cattle taken care of in nine days and get those guys out of the field. Because the rifle thing is touchy. I don't know, folks, keep working with us, that's all I can say. I mean, it's our problem, it's our issue, it's our wildlife. There's a lot of people who like to see those animals out there but they don't realize who is feeding them and what it takes to keep their numbers under control and until they hit one with their car, they aren't worried about that either. [LB299]

SENATOR CHRISTENSEN: I don't want you to think I'm mad at you. I probably sounding frustrated but just trying to relay. Thank you. [LB299]

SENATOR LOUDEN: Senator Kopplin. [LB299]

SENATOR KOPPLIN: In reference to this property that Senator Christensen was talking about. Is that leased property Game and Parks or Educational Lands? [LB299]

KIRK NELSON: These would be private leases, Senator. This would be... [LB299]

SENATOR CHRISTENSEN: Or ex state school land. [LB299]

SENATOR KOPPLIN: It's school lands. [LB299]

SENATOR CHRISTENSEN: It's school land that people buy and then lease out? [LB299]

SENATOR KOPPLIN: That's what I'm asking you. [LB299]

SENATOR CHRISTENSEN: I'd love to see that opened up. I didn't think of sponsoring it. [LB299]

KIRK NELSON: We've tried before. Sometime when you've to a little time, we'll tell you about that one. [LB299]

SENATOR CHRISTENSEN: Okay. [LB299]

KIRK NELSON: There's a lot there, too. [LB299]

SENATOR LOUDEN: (Laugh) Other questions? Senator Hudkins. [LB299]

SENATOR HUDKINS: Kirk, tell me the price of a deer permit? [LB299]

KIRK NELSON: Right now? A resident deer permit is \$28. [LB299]

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SENATOR HUDKINS: And how about turkey? [LB299]

KIRK NELSON: \$21. [LB299]

SENATOR HUDKINS: And so you are proposing to sell a deer permit and then reduce the turkey permit to half price? [LB299]

KIRK NELSON: Possibly. Yeah, that's one scenario. [LB299]

SENATOR HUDKINS: Yeah. Would you consider doing it the other way? (Laughter) I had a deer on the front of my pickup two weeks ago. [LB299]

KIRK NELSON: Oh, boy. My. Timing is everything isn't it? (Laughter) [LB299]

SENATOR HUDKINS: Going to the depredation permits, how many animals would you be allowed to harvest? [LB299]

KIRK NELSON: Typically we'd give them five to ten. The senator mentioned he's done it. And then if you harvest your ten, we'll give you five or ten more. [LB299]

SENATOR HUDKINS: And then we would report to you... [LB299]

KIRK NELSON: Yep. We'd give you the tag or the seals and you'd have to seal them and then you have to find a home for the meat, you, typically a neighbor, yourself, or whoever. [LB299]

SENATOR HUDKINS: Okay. All right. Thank you. [LB299]

SENATOR LOUDEN: Other questions for Kirk? I would like to add, Kirk, that this is my fifth year down here and working with Game and Parks and I really do feel that you folks have improved considerably on the way you do business and your thinking about promoting the wildlife and promoting it for economic help and development and bringing in people from out of state for it, so I appreciate that. [LB299]

KIRK NELSON: We're trying our best. Thank you, I'll pass that on to Rex, Senator. [LB299]

SENATOR LOUDEN: Okay. Thank you. Proponents? Proponents, yes. [LB299]

WES SHEETS: Good afternoon, Senator Louden, members of the Natural Resources Committee. My name is Wes Sheets, that's spelled S-h-e-e-t-s. I appear before you to represent the Nebraska Division of the Izaak Walton League. We're the sportsmen's

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side of this equation I guess. First we'd like to thank Senator Hudkins for introducing this piece of legislation. We think it's very appropriate. Sportsmen generally are in high concert with the Game and Parks Commission and the way they operate and do business. What we see in this legislation is that it will allow them to do their job even better than they've done in the past. Senator Loudon complimented the department for improving perhaps over the last five years. We certainly believe that they are a viable agency and are working in the best interest of all Nebraskans, whether it be a landowner or whether you be a sportsman wanting to make use of this great resource. So we just come before you to recommend that you move this legislation on and give the Game and Parks Commission the needed tools that they can use to continue to do the good job they're doing now. And I might, on a personal note, as an old fisheries biologist, and I'm very familiar with that paddlefish issue. I personally have a problem coming up with \$35 to buy a paddlefish tag, but I think the approach that the department is taking is most appropriate and I will be urging them not to not price me out of the market just yet. As an old retiree on a fixed income, I'd like to harvest a couple more of those great fish. With that, I'd answer any questions that you might have of the Izaak Walton League or urge you to move the bill forward. Thank you very much. [LB299]

SENATOR LOUDEN: Any questions for Wes? Thank you, Wes. [LB299]

JOE HERROD: Good afternoon, Senator Loudon, and members of the Natural Resources Committee, my name is Joe Herrod, H-e-r-r-o-d. And I appear here today for the Nebraska Council of Sportsmen's Clubs. We want to thank all of you for coming to our luncheon Monday and a quite a bit of time before we met was spent on debating and talking about the various aspects of this bill and we are totally in support of this bill. The price increase thing, the one thing about the price increase thing, these electronic issuances of licenses, if I can't drive anyplace to buy anything for the dollar that I'll spend to do it electronically with the Game Commission. So I think that's a wonderful thing and I really don't think it's a price increase, I think it's really a great price savings. Just after we had another hearing one time, a fellow was outside talking about buying his license that he used to be able to get for free and he was happy to give the \$5 so we could get the \$42 but where did he go to get it? I said, well you have a computer don't you? Oh, yeah. I said, well yeah, that's all you have to do. Just go to Game and Parks. Oh, wow, that's great. So I think that's out there. Some of the other things that are in this bill--I've been a long-time member of Ducks Unlimited and Ducks Unlimited has what they call a Legacy Greenwing Program where you can buy your grandchildren a membership in Ducks Unlimited and they get a little magazine called Puddler magazine while they are little. And then up to a certain point, they become a full-time member that takes them to 21. That money also is dedicated to a project someplace and they get their name in a bronze plaque so they can go out to that project and say, yeah, I was a part of this and we have various of those over there. And I got to thinking sitting here, we need to be able to get creative on that. I just have two brand new grandsons, one in Texas and one in Colorado and I was thinking, what if there was some way that I could

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buy them a lifetime Nebraska hunting license and I'll be in my 80s by the time they're 16 and would need a license but maybe that would be just the encouragement that they needed to come back to Nebraska and say, you know, Grandpa bought me a hunting license. I can go back to Nebraska and go hunting and fishing now. Maybe that would work. So anything we can do to open up ideas of things to talk about I think is great. And then I'd also like to make a quick comment on the Educational Lands and Funds because I do see this is a tough situation. I have a neighbor out--I have ground out in western Nebraska and I had a neighbor out there that had some river ground. It was Educational ground and he was afraid--it is very important. He lives across the section from it and that's where he winters all of his cattle and it was very important for him to keep it. He talked to me and he says, Joe, I'm going to lose this ground. Somebody's going to go and bid this up for the hunting on it. Well, to make a long story short, what he was worried about was ten or twelve guys all throwing in \$2,000 or \$3,000 and getting the ground and he didn't want to deal with that. So he asked me to try to find somebody that would be interested in allowing him to keep the ag ground so that they would pay the bonus on the lease. He would continue to pay the lease but they would pay the bonus. And I did do that and then the bonus sold for \$19,000 but if you average that out over seven years, that bonus, and divide that out that's pretty cheap hunting. So we're going to see an awful lot of that going on with Educational Lands. And so yeah, that's--I mean it's just a little comment. Any... [LB299]

SENATOR LOUDEN: Thanks, Joe. Any questions for Joe? Senator Wallman? No. Anybody else? Thanks. Any other proponents for LB299? Opponents on LB299? Anybody to testify in neutral? [LB299]

KRISTEN GOTTSCHALK: Good afternoon, Senator Louden, and members of the Natural Resource Committee. My name is Kristin Gottschalk. K-r-i-s-t-e-n G-o-t-t-s-c-h-a-l-k. I'm here testifying on my own behalf, not necessarily with respect to what's in the bill that was just discussed. As a former Game and Parks employee I can agree with all of the things that they're proposing to do with those monies and do feel comfortable with that. But actually my reason for being here is to propose an alternative amendment to this bill as well, dealing with trapping and right-of-ways. I need to give you a little bit of background as to why I have interests. I live north and west of Colon, Nebraska. I am a rural Saunders County resident. I commute to Lincoln every day. We have a farm acreage. We have horses, dogs, cats, chickens, geese, ducks, you know, kind of your usual menagerie. And we do walk the roads quite frequently with the dogs. The day before Thanksgiving I was taking my dogs for a walk, it was a beautiful day and I try to take advantage of those days. Well, I went out with four dogs and I came back with three. I had one dog trail behind me and then as dogs do, they run up and down the ditch, they chase rabbits and they roll in anything that smells really bad and have a great time on those walks. Well, I was missing one dog. I went back and I did find my dog in the ditch in a kill trap and of course, he was dead. Now I really want to emphasize that the person that set that trap was a bad actor. He was not an ethical

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trapper, he broke the law in numerous ways and the amendment that I am proposing isn't going to deal with somebody like that because regardless of what the law was, he didn't feel compelled to abide by it. The trap was not set under water the way that the trap should have been set. The trap was baited and the trap was also not marked as to who the owner of the trap was. So this was a bad actor. And my amendment is not meant to address that per se. But I bring this up because it was an education process for me. The other thing that I thought was illegal was that the trap was set in the right-of-way. And keep in mind, when you walk with your kids in the country, you live in the country, you tend to spend a lot of time in the road ditch. You walk on the road, a car comes and you go down into the ditch. When your kids are young and my kids are grown although they still do this, if the ditches are full of water, we go and we catch frogs in the water-filled ditches. We spend a lot of time outside. When I found out that it indeed was not illegal when we reported this to our local conservation officer, a wonderful person, we explained to him what happened. He said that it was not illegal for them to trap in the ditch, the other aspects of what he did were illegal and he wished that it was illegal. Now some counties actually have resolutions that prohibit it. I believe Lancaster and Douglas and I think Lincoln County may also have a resolution and that's information I got secondhand, I haven't checked the resolutions in counties. But they did feel that in those counties that there was a reason to prohibit it for safety reasons. And I bring this up, you know, the event that led me to the understanding was tragic. I was devastated. My favorite dog, it was a very hard event, but it does seem prudent in the understanding now that road ditches are available for trapping. It seems prudent for the state to establish a policy regarding the use of right-of-way for trapping. And I did talk to Mark Brohman, temporarily with Game and Parks Commission, about this issue and we chatted for a little bit and he came back to me with some issues. And among the issues he brought up was the fact that counties in some situations do like the ability to have someone trap in the county right-of-way, especially when you have a situation where you have a beaver dam at the base of bridges and it can cause significant problems. And it would be prudent then to provide some kind of exemption or a temporary permit process to allow trapping in the right-of-way when there is a public purpose for doing that. When I brought that issue up to our local conservation officer, he says, well that's great. Do that, but also require that they notify the landowners adjacent that those traps would be there. In our situation, had I known traps had been in place, if it had been a legal situation, we obviously would have avoided that area with the animals and we wouldn't have had the situation we did. I also spoke with the Cattlemen and with the Farm Bureau to let them know that I was proposing this on a personal issue in case there are situations where they might feel the need to oppose this or feel a need for some kind of exemption. Mark Brohman brought up that there are probably trappers in the western part of the state that may have objection to this. I do know in talking to some of the trappers in Saunders County, they didn't indicate any objection and in fact, indicated support. Another issue that was brought up by Mr. Brohman was the fact that when you live in the country, you pay property taxes to the center of the road and would this interfere with property owner rights. That I don't really have an answer for. I just



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have a feeling that--and I should mention too, when I spoke to Farm Bureau, I spoke to Cattlemen, I spoke to counties--when I brought this up, the reaction from every single one of the lobbyists I spoke with was, isn't that already a law? Isn't that already illegal? So there is an assumption that maybe it is and if it isn't, that it should be. So I did drop language off with Jody, sample language, indicating more of an idea more than hard language but I do hope the committee would consider adding an amendment to this bill to address that issue. Thank you and if you have any questions, I'd be happy to answer them. [LB299]

SENATOR LOUDEN: Questions for Kristen? I do. What kind of a trap was it? [LB299]

KRISTEN GOTTSCHALK: It was a Konabear trap and it was... [LB299]

SENATOR LOUDEN: Okay, and a very big one? [LB299]

KRISTEN GOTTSCHALK: It was large enough to kill a coyote. It was a Korgi that was killed and it was a large end Korgi, he was a big boy. [LB299]

SENATOR LOUDEN: Did it have a name on the trap? I mean, I... [LB299]

KRISTEN GOTTSCHALK: There was no identification on the trap. [LB299]

SENATOR LOUDEN: I thought when we trapped coyotes we had to put our name on traps. [LB299]

KRISTEN GOTTSCHALK: You're right. [LB299]

SENATOR LOUDEN: But this one didn't have. [LB299]

KRISTEN GOTTSCHALK: This one was not marked. And it baited which is, of course, not... [LB299]

SENATOR LOUDEN: So therefore they were breaking the law. [LB299]

KRISTEN GOTTSCHALK: Absolutely. [LB299]

SENATOR LOUDEN: By having a trap out there without your name on--yeah, you don't have to flag your sets but you have to put your name on the trap, I knew that. [LB299]

KRISTEN GOTTSCHALK: There was no name on the trap. I mentioned before, I don't have an objection to trapping. It was just, we had a bad actor in our area that brought to light a situation that I would have understood or felt should have been against the law and that would be in trapping in the road ditches, the right-of-way. [LB299]

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SENATOR LOUDEN: Other questions for Kristen? [LB299]

SENATOR WALLMAN: Was it during trapping season? [LB299]

KRISTEN GOTTSCHALK: It was the day before Thanksgiving and I'm not sure, somebody else would have to answer what would actually be open. Having studied wildlife biology I don't know too many animals that pelts are in prime the day before Thanksgiving and especially in warm years, so again... [LB299]

SENATOR WALLMAN: They do the same thing in my area. They come from Missouri and put them under bridges and you can't find out who owns the trap. So I take them. (Laughter) [LB299]

KRISTEN GOTTSCHALK: Well, this particular trapper still has traps along the creek there and they probably won't be there by the end of the week, but... [LB299]

SENATOR LOUDEN: Okay. Any other questions for Kristen? Thank you. [LB299]

KRISTEN GOTTSCHALK: Thanks. [LB299]

SENATOR LOUDEN: Anyone else wishing to testify in neutral? Do you wish to close Senator Hudkins? Could we have Kirk Nelson from Game and Parks come back to answer any questions? [LB299]

SENATOR LOUDEN: Yeah, if you wish. [LB299]

SENATOR HUDKINS: I would like Mr. Nelson--would you come forward please? There may be some questions on Kristen's amendment and just to get your take on the property rights issue. Obviously, this was an illegal trap no matter what you said about it. What is the Game and Parks' thoughts on an amendment, not necessarily this particular one, but one to at least address this kind of problem? [LB299]

KIRK NELSON: Well first off we are very empathetic with Kristen and the issue she went through. That person has been cited. I checked into that and we have identified who it is and he'll go through a legal process. We'd be interested in it, I mean if we could solve the property rights issue. That would be in my mind, the hang-up on this thing. Because Senator Louden, you are probably more versed in this than I am. Out west you've got a different setting. In the east you've got what Kristen talked about. That's going to happen quite often. Out west, oh my gosh, we need probably all the help we can get controlling coyotes and opossums and raccoons especially. I mean we've got rabies in some situations, and trapping is just a management tool, that's all it is in a lot of cases. I mean a lot of folks used to do it 30 years ago and make a pretty good living

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or some supplement their income. Now it's maybe for ranchers and that kind of setting, a situation where they are ridding themselves of some problem animals and folks with too many raccoons are dealing with them that way. So we've got to be a little careful that we don't hamstring ourselves to the point we've got fewer trappers all the time. We're down to 7,000 of them a year in the state. That's all we sell and we haven't raised the trapping permit fees for years because we don't want to do anything to discourage participation there; we need more trappers. So we are going to be sensitive to that; we're not going to want to be overly regulatory that some guys are going to hang up their traps and say, well...we've got bad actors, no doubt about it and we try to catch them whenever we can, but so those are the issues we deal with if--we probably wouldn't be opposed to putting something on the bill if we can get it worked out, if... [LB299]

SENATOR HUDKINS: Have you seen this specific language of the amendment? [LB299]

KIRK NELSON: Not at this time but we can take it with us and take a look at it; run it by our folks and see what everybody has to think. But the property rights thing is going to be a tough one. [LB299]

SENATOR LOUDEN: Senator Kopplin. [LB299]

SENATOR KOPPLIN: Is it not required to flag the traps or... [LB299]

KIRK NELSON: You have to have your name and address on them. [LB299]

SENATOR KOPPLIN: But not flagged... [LB299]

KIRK NELSON: No. [LB299]

SENATOR KOPPLIN: Thank you. [LB299]

SENATOR LOUDEN: Senator Christensen. [LB299]

SENATOR CHRISTENSEN: Thank you, Senator Louden. If we was to put an exemption on there for counties or whatever, I think we--I guess if you do counties you're fine, I guess I was thinking about badgers digging in the roads in counties and damage that can do. But if you have that county exemption, I think that would be good. [LB299]

KIRK NELSON: Okay. [LB299]

SENATOR CHRISTENSEN: There's times we get badgers digging and it gets hard on the road, so it's nice to be able to rid, so... [LB299]

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KIRK NELSON: Sure. And the beaver situation is another one. Some landowners can't find anybody to trap and they've got too many beavers plugging up their culverts and chewing holes in their dams and so forth and we can't find anybody to help them out. [LB299]

SENATOR CHRISTENSEN: What is the fee for trapping? [LB299]

KIRK NELSON: It's not...I'm going to guess \$25, in that range, \$20-\$25 for the first 1,000. We've got it, I think it's rated, 1,000 hides. [LB299]

SENATOR LOUDEN: Other questions for Kirk while he's here? Thank you, Kirk. Anyone else wishing to testify in a neutral capacity? If not, I guess then--do you wish to close? Senator Hudkins waives closing. So we close the hearing on LB299. [LB299]

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Disposition of Bills:

LB291 - Advanced to General File, as amended.

LB299 - Advanced to General File, as amended.

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Chairperson

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Committee Clerk