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Natural Resources Committee
January 22, 2014

[LB699 CONFIRMATION]

The Committee on Natural Resources met at 1:30 p.m. on Wednesday, January 22, 2014, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB699 and gubernatorial appointments. Senators present: Tom Carlson, Chairperson; Lydia Brasch, Vice Chairperson; Annette Dubas; Jerry Johnson; Rick Kolowski; Ken Schilz; and Jim Smith. Senators absent: Ken Haar.

SENATOR CARLSON: Welcome to the Natural Resources Committee. I am Tom Carlson, senator from District 38 and Chair of the Natural Resources Committee. And members here, to my far left is Senator Rick Kolowski from Omaha, District 31. Next to him is supposed to be Senator Ken Haar and he can't be here today so that chair will remain empty. Next to him, Senator Jim Smith from Papillion, District 14. And then next to him is supposed to be Senator Ken Schilz from Ogallala, District 47, and he'll be here. And just coming in to my left is Laurie Lage, our legal counsel for the Natural Resources Committee. Then to my far right is Barb Koehlmoos, our committee clerk. Next to her is Senator Lydia Brasch from Bancroft, District 16; Senator Jerry Johnson from Wahoo, District 23; and then Senator Annette Dubas from Fullerton, District 34. And Senator Brasch is the Vice Chair of the Natural Resources Committee. Our pages for today, we have Steven Schubert. Steven, stand up, would you? And he's from Lincoln. He's a senior at UNL. And then J.T. Beck, he's from Fairfax County, Virginia, and a senior at UNL in political science. So we're glad for their services. Today, initially we have three confirmations that we're going to go through and that makes it just a little bit awkward because two of them are by telephone. So won't be anything for you to look at, but we'll conduct those phone interviews by telephone for the committee and then we'll get to the bill that we're going to have a hearing on. If you're going to testify today, there are green sheets back there in the corner on both corners. And pick up a green sheet, fill it out, and please have it filled out before you come forward, and hand it to Barb over there, put it in that box, and then that will take care of that. If you don't testify, you can submit something in writing if you want to and that will be in the official record. If you have handouts, hopefully you have 12 of them; and if you don't our pages can help you with that so that members of the committee can have a copy of whatever your handout might be. Now you can come up here to this chair and sit down, and it's not electric so don't worry about that. And you don't have to touch the microphone because it doesn't make any difference. If you lift it up it isn't going to help. In fact, if I sit clear back here it's going to pick me up anyway. So just leave the microphone where it is, sit down, relax, and enjoy your testimony. Those of you if you've got electronic devices, particularly cell phones, please either turn them off or put them on vibrate. And we as a committee don't use electronic devices during the hearing. We want to pay attention to you so that's part of the rules that we follow. In a hearing we don't allow any expressions of support or opposition vocally and we've never had one since I've been Chair of a committee. If we did, we would ask you to leave. So that's not what we're here for. We want people to be able to testify as they wish. I don't think we're going to

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use the light system today but if you're testifying, try and keep your remarks to five minutes or less. And if it starts to drag out, we'll turn on the lights. And if we do that, the green light says go and the yellow light...at the end of four minutes the yellow light goes on, you've got one minute left, and then when the red one goes off we've got a hole in the floor and the chair disappears. (Laughter) No, but we would just ask you to wrap it up, so part of our system. Now we are waiting for a telephone call. When we do these by telephone, the individual has to call in, so we're kind of at rest until we get that phone call. So go ahead and visit. Don't just sit there and look at us. (Laughter) Okay, Bob, you're on. [CONFIRMATION]

BOB GOODWIN: Hello. [CONFIRMATION]

SENATOR CARLSON: Oh, yes, hello. And thank you for calling in and we're sorry that you weren't able to get through. But we're... [CONFIRMATION]

BOB GOODWIN: I cannot hear you. [CONFIRMATION]

SENATOR CARLSON: Okay. [CONFIRMATION]

BOB GOODWIN: Can you hear me? [CONFIRMATION]

SENATOR CARLSON: I can hear you very well. Can you hear me now?
[CONFIRMATION]

BOB GOODWIN: No, you're...I can't. You're breaking up and very, very...just barely hear you. Should I try calling again? [CONFIRMATION]

BARB KOEHLMOOS: Is he...is he on a...Bob, are you on a landline? [CONFIRMATION]

SENATOR CARLSON: Are you on a... [CONFIRMATION]

BOB GOODWIN: Yes, I am on a landline. [CONFIRMATION]

SENATOR CARLSON: Can you hear me now? [CONFIRMATION]

BOB GOODWIN: Not very well. [CONFIRMATION]

SENATOR CARLSON: Not very well, huh. [CONFIRMATION]

BOB GOODWIN: Should I try again? [CONFIRMATION]

SENATOR CARLSON: Yes, please. [CONFIRMATION]

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BOB GOODWIN: Let me try just again then. [CONFIRMATION]

SENATOR CARLSON: All right. Let's try it again, Bob. [CONFIRMATION]

BOB GOODWIN: Well, it...I'm having the same problem with hearing you. I tried it on our main line and not...I was on a rollover line before and it...no, it's no better. [CONFIRMATION]

SENATOR CARLSON: All right. I think what we're going to have to do is just bear with me. Are you catching what I'm saying now? [CONFIRMATION]

BOB GOODWIN: I can hear what you're saying, yes. [CONFIRMATION]

SENATOR CARLSON: All right. We're going to ask you to give a little bit of your background and tell us about this appointment to the Nebraska Oil and Gas Conservation Commission and anything that you might have to say about it. And then as we have questions, which we normally do from the committee, I'll try and address those to you. [CONFIRMATION]

BOB GOODWIN: Okay. Now just for a second there you...or I mean towards the end there you were coming in more clearly so. [CONFIRMATION]

SENATOR CARLSON: All right. Is it still? Am I coming in clearly? [CONFIRMATION]

BOB GOODWIN: Yes. You're coming in clearly now. [CONFIRMATION]

SENATOR CARLSON: All right. Okay. [CONFIRMATION]

BOB GOODWIN: It's not very...it's not terribly loud but not poor. [CONFIRMATION]

SENATOR CARLSON: Okay, well, thank you for trying to cooperate on this. And I'll just give it to you and you tell us about some of your experiences and what you see on the Oil and Gas Commission because this is what we're about today and we want to hear what you have to say. [CONFIRMATION]

BOB GOODWIN: (Exhibit 1) Well, thank you very much, Senator Carlson and members of the committee. My name is Robert Prescott Goodwin, G-o-o-d-w-i-n. I was born in Sidney, Nebraska, on September 21, 1956. My father was a farmer and my mother was a housewife and were that way until I was probably about a freshman in high school. I graduated in 1974 from Sidney High School in Sidney, Nebraska, and then went on to college and graduated in 1978 with a B.S. in agriculture from the University of Nebraska in Lincoln. I was then married and have been married to the same beautiful woman for 35 years. And we have two children, a son and a daughter, who are 25 and 29

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respectively. In 1981 I received my J.D. in law from the University of Nebraska in Lincoln and after that I went into...I guess I hung a shingle in Lincoln, Nebraska, signed up with the district court for anything that would come my way, and did that until 1982 when I became the deputy county attorney in Keith County, Ogallala, Nebraska. I resigned that position in 1985, although I should mention that was a part-time position and at the same time, from 1983 to 1985, I was the county attorney of Arthur, Nebraska...in Arthur County, rather, in Arthur, Nebraska. I resigned that position in 1985 when I was appointed in November of 1985 as the county attorney of Cheyenne County, Sidney, Nebraska, and I was then elected in 1986. I held that position until 1989 when I joined the...what was then Peetz Sonntag law firm--actually, Peetz Sonntag Peetz law firm here in Sidney, and I have been practicing...we ultimately bought John Peetz out and I've been practicing in private practice at this firm for...since January of 1989 to today. It's currently called Sonntag Goodwin and Leef, P.C., and of course the name Sonntag should be familiar. He was appointed as an Oil and Gas commissioner in 1995 and it is actually his vacancy--at least that's my understanding--that I'm filling. It's a good commission here in Sidney, Nebraska, and it's close, and so it makes it very convenient for us to serve on this Oil and Gas Commission here. I'm hoping to bring to the commission my knowledge of trial law and I understand that these hearings are quasi judicial, and so I think that I can be of assistance, as was my partner, Tom Sonntag, in conducting hearings. And I know the rules of evidence and swearing in parties and questioning...know what kind of questions to ask of expert witnesses. I guess my interest in the commission came from my background in agriculture. As a child, of course, I drove tractor for my father and I was aware of oil and gas activities and particularly open pits around our area and, you know, always was happy to see when they were kept in a good, clean, environmentally safe condition. And then just my college experience and then coming back here, my private practice has been mostly estate planning, real estate, business organization. But my real estate practice is probably more than anything, and I've done some work in title searches for determining landowner percentage ownerships and those sorts of things or severed mineral interest-holder interests. I served on the Governor's Commission for the Protection of Children under Governor Nelson, Governor Johanns, and Governor Heineman, and resigned that position and was appointed on the Supreme Court Commission for Children in the Courts and currently continue to serve on that commission. I was also...served on the committee for discipline of the bar association for, oh, I think it was a year or two filling a position of someone who had resigned. So I guess as far as what my purpose was in being on the commission was...is I think that we need to continue to have a fair regulatory environment that is not onerous to producers, but that prevents waste and protects the environment while at the same time promoting the exploration and production of oil and gas. I don't find that those positions are...necessarily run opposed to one another. In fact, I think it's good that we keep these sorts of policies in mind in our work as...when serving on the commission. We got a...we have a very, very good, excellent commission and you all should be proud of it. Our director, Bill Sydow, is one of the, I think, eminent people in the area. The deputy, Stan

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Belieu, I've known him forever because I've been born and raised in Sidney. And the petroleum engineer, Josh Dack, is also...seems very, very capable. The rest of the employees there, too, are just great people. I don't know if you know them all. But Edna Bruns, she's our statistician. She does a great job. The accounting clerk is Sandra Lunniss who does a great job, and, of course, Diane Viher who is our administrative assistant. I've enjoyed meeting Tim Wistrom who is one of the commissioners, and James Gohl who is also a commissioner--Jim, as we call him. And they seem to be genuinely concerned about, you know, our mission statement and promoting oil and gas development in a safe, you know, environmental manner. So I don't know...I think it's also another thing that I really was interested in. And you folks are probably aware of the FracFocus Web site, and this was a voluntary reporting Web site so that those individuals involved in fracking could voluntarily report fractured components and chemical constituents and that sort of thing. And I believe that our regulations or the rules of our commission were...are now in the Attorney General's Office, but I believe that we have...are attempting to basically take on that function and making reporting of these substances a requirement which could be supervised by the Oil and Gas Commission. I'm just kind of trying to think of anything else I could say. My sympathy obviously lies with the landowners because that's where I come from. And I guess with that I'll open it for any questions you may have. [CONFIRMATION]

SENATOR CARLSON: Okay, Mr. Goodwin. Thank you for your report and appreciate your information. And are you hearing me okay now? [CONFIRMATION]

BOB GOODWIN: I am. [CONFIRMATION]

SENATOR CARLSON: Okay. I'll ask the committee if there are any questions that they might have. Senator Schilz. [CONFIRMATION]

SENATOR SCHILZ: Thank you, Senator Carlson. Mr. Goodwin, thanks for getting on the phone today. I hope the wind isn't as bad as it's been out there. [CONFIRMATION]

BOB GOODWIN: It's gone down a little bit but I understand we're in for more. [CONFIRMATION]

SENATOR SCHILZ: That's what I hear. Well, thank you today and thanks for the...your comments today. That was probably about as good an explanation of what's going on and introduction that I've heard. So I just wanted to comment and tell you thank you for your willingness to serve and for stepping forward and representing this group. It's a lofty endeavor and we need to make sure that oil and gas is well represented here in the state, so thank you very much. [CONFIRMATION]

BOB GOODWIN: You're welcome. [CONFIRMATION]

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SENATOR CARLSON: Okay, thank you, Senator Schilz. Any other questions from the committee? Well, I think that you have filled us in pretty well. We appreciate your willingness to serve and the attitude that you seem to have about what the Oil and Gas Commission does. And with that then, Mr. Goodwin, we thank you for calling in and you'll be hearing from us soon. [CONFIRMATION]

BOB GOODWIN: Well, thank you. And I also would like to thank the committee and you senators for allowing me to appear telephonically. That was, you know, quite a burden off my shoulders to be allowed to attend in this manner, so thank you for that. [CONFIRMATION]

SENATOR CARLSON: Okay. We understand that. And it's a little bit clumsy not to be able to look somebody in the eye but we'll look for another opportunity when we can do that. [CONFIRMATION]

BOB GOODWIN: I look forward to that. [CONFIRMATION]

SENATOR CARLSON: Okay. Thank you. [CONFIRMATION]

BOB GOODWIN: Thank you. [CONFIRMATION]

SENATOR CARLSON: Now we wait for the other one. Okay, Tim, are you hearing me? [CONFIRMATION]

TIM WISTROM: Yes, I am. I'm hearing you fine. [CONFIRMATION]

SENATOR CARLSON: All right, Tim, this is Tom Carlson, Chair of the Natural Resources Committee. We have the committee here. We have a good audience that's very anxious to hear what you have to say. And so in a moment I'll just ask you to...you know, we had an interview with you a year ago, so it's not like we haven't talked to you before. But this is a reappointment and so why don't you again give us a little bit of your background and why you want to continue to serve in this manner, and then we'll see if the committee has any questions for you. [CONFIRMATION]

TIM WISTROM: (Exhibit 2) All right. Born and raised in Dix, Nebraska, graduated high school there, did three years of college, and at that time came back home and started my own business in 1975, an oil business, and been doing that ever since. My wife and I in 2008 bought a small farm five miles west of Kimball, so I've got a small farming operation now to go along with the oil business. Been on the board, served for a year. I finished Perry Van Newkirk's term on the Oil and Gas Commission and served for a year and actually found it quite enjoyable, so looking forward to doing it again. [CONFIRMATION]

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SENATOR CARLSON: All right. Thank you. And any questions of the committee for Tim? What's been the bulk of your discussion or time spent in the year that you've been on the commission? [CONFIRMATION]

TIM WISTROM: You know, probably the biggest thing that happened while I was...while I've been there is we had some rule changes that were necessary as it had been a long time since they had been upgraded. And that was probably one of the more important things. The rest of it is just a matter of just serving, I think. And most of the people that come before us are upstanding people and you just make sure that everybody is treated fairly and always try to rule in the best interest of the state of Nebraska.
[CONFIRMATION]

SENATOR CARLSON: Now on these rule changes, kind of tell me about what kind of time the commission put in on those because we had requested them a year ago and now I understand they're in the Attorney General's Office. [CONFIRMATION]

TIM WISTROM: Yes. That's probably a better question for Mr. Sydow. When I...it happened to be my very first meeting was the first meeting that we voted to approve them, so all of the legwork was done by the time I had got there and I'm not...I can't be honest with you on how long it did take to draw all those up. I know they had a committee and sat down and come up with what they felt were needed rules and regs.
[CONFIRMATION]

SENATOR CARLSON: Okay. Any questions of the committee? Well, we appreciate you're willing to do this and the fact that you stepped in and served that term out. And so thank you for calling in, Tim, and you'll be hearing from us fairly quickly.
[CONFIRMATION]

TIM WISTROM: Okay, well, thank you very much. [CONFIRMATION]

SENATOR CARLSON: Okay, thanks. Now I left this out on the other one and I didn't mean to. But do we have anybody here that would like to testify in favor of either Bob Goodwin or Tim Wistrom? Is there anyone that would want to testify in opposition to their appointment? Seeing none, anyone that would want to testify in a neutral position? And seeing none, then that ends the appointment hearings for Bob Goodwin and Tim Wistrom. And now we'll move to our next hearing which is for-- I lost it here--Chuck. Chuck Haase, is that right? [CONFIRMATION]

CHUCK HAASE: It's Haase. [CONFIRMATION]

SENATOR CARLSON: Haase? [CONFIRMATION]

CHUCK HAASE: Yes. [CONFIRMATION]

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SENATOR CARLSON: Okay. You can take your seat there. And on the telephone we didn't say this, but as you begin to speak, please state your name and then spell it. And so tell us a little bit about this appointment to the Nebraska Power Review Board.
[CONFIRMATION]

CHUCK HAASE: (Exhibit 3) Okay. Thank you, Senator Carlson. My name is Chuck Haase, and it's H-a-a-s-e, and I'm a Grand Island resident and I've been there for the last 40 years. And my wife is behind me and we've been married for 36 years and together we have three daughters, married daughters, and three sons-in-law and nine grandchildren. My education started in Omaha. From kindergarten through the eighth grade I was in the Omaha District 66 school system and then I moved out to Silver Creek, Nebraska, where I graduated from high school. I went on to Kearney State College and got a bachelor's degree in business administration and then I got a...continued to get a master's degree in business from the University of Nebraska at Kearney. My employment included part time, I was in the Nebraska National Guard for over 22 years. I retired from the National Guard in 1994 with the Nebraska STARC. I also worked for the city of Grand Island in various management capacities and retired from there after 25 years in 1999. And then for the last 13 years I worked for Charter Communications. I've had a couple of different management jobs there but today I'm the facilities and fleet manager for Charter and I cover all of the territory of Nebraska and Minnesota. So I have two states that I cover. I belong to a number of organizations from the American Legion; I'm a state committee member for the ESGR, the Employer Support of the Guard and Reserve; and I'm also a current Grand Island City Council member. I've been on the city council...this is my sixth year and I'm actually...for 2014 I'm actually the council president in Grand Island. And of course, there's a number of other community and church groups that I've belonged to over the years. My goal in requesting to be on the Power Review Board really is about...I'm pretty proud that Nebraska is the only 100 percent public power state. And this is a public resource that's probably seen nowhere else like it is here and I think seeing that it's done efficiently I think has been...was my goal. I've been in public service in different capacities over the last 40 years, and this is just an extension of that, and I'm really looking to serve in that capacity. For the brief time that I've been on the Power Review Board, I've seen a lot of cooperation amongst the utility providers. I've seen an extreme interest in renewables. So it's one of those....it seems to be operating very smoothly and very well amongst the participants, so that is what I...that's about me. [CONFIRMATION]

SENATOR CARLSON: Okay. All right. Thank you. Any questions of the committee?
Senator Johnson. [CONFIRMATION]

SENATOR JOHNSON: Thank you. Thank you, Chuck, for coming in. Having experience with city government and probably...are there other representatives from municipalities and that on the Power Review Board or would you be maybe the token that can speak

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for your municipalities? [CONFIRMATION]

CHUCK HAASE: (Laugh) I think I would be the token representative that has some municipal experience that... [CONFIRMATION]

SENATOR JOHNSON: Well, being a former mayor I appreciate that, bringing that perspective to it. Thank you. [CONFIRMATION]

SENATOR CARLSON: Other questions? Yes, Senator Smith. [CONFIRMATION]

SENATOR SMITH: Senator Carlson. [CONFIRMATION]

SENATOR CARLSON: Yes, Senator Smith. [CONFIRMATION]

SENATOR SMITH: Thank you, Senator Carlson. And thank you for being here today and thank you for stepping out and being willing to serve the state of Nebraska in this capacity. So when you were with the city of Grand Island, you were actually working the capacity with the public power...the municipal power company, right? [CONFIRMATION]

CHUCK HAASE: Yeah. For the 25 years I was an accountant and I was a business manager and those were in the utility section of the city. And then my last six were as the director of finance and so that was overseeing the utilities and the city. It was actually under both operations. [CONFIRMATION]

SENATOR SMITH: Okay. Through that capacity and working with the municipal power company there, have you had any experiences in working with the Power Review Board in the past or were you aware of your municipality having worked with the Power Review Board and kind of what's your exposure and experience with that board? [CONFIRMATION]

CHUCK HAASE: I'd say there's one exposure. In the late '70s the city of Hastings and the city of Grand Island had put together a proposal to build a coal-fired power plant somewhere around the neighborhood of Doniphan. And they came to the Power Review Board asking to build a joint facility in Doniphan and it was rejected by the Power Review Board and it came back. Hastings built their own; Grand Island built their own. And it was a wonderful thing for both Hastings and Grand Island in the end, but it was one of...that's the only experience. And I was pretty young. I was a pup at that point. [CONFIRMATION]

SENATOR SMITH: So as you are looking at going onto that board, is there any preconceived ideas that you have as to the strengths or the weaknesses of that board or anything that you would like to see addressed with that board? [CONFIRMATION]

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CHUCK HAASE: No, I...in addressing the people that are on there now, I think there's a lot of strengths. I think they have, by design, people that have specific knowledge in different aspects and, you know, what I bring to the board is maybe a little bit different. My background is probably a little more financial with a, you know, a foot in the utilities. So I understand how the utilities operate from a municipal side and have a pretty strong financial background so. [CONFIRMATION]

SENATOR SMITH: Great. Thank you. [CONFIRMATION]

SENATOR CARLSON: Other questions? Now I think you indicated an interest in renewables. [CONFIRMATION]

CHUCK HAASE: Yes. [CONFIRMATION]

SENATOR CARLSON: Kind of tell us a little bit about that. [CONFIRMATION]

CHUCK HAASE: Well, there's a lot of opportunity and one of the...at the federal level you're seeing a lot of regulation regarding coal and of course there's been a lot of issues over nuclear, you know, being discussed. And so the renewables is just one of those sources that I think we have an opportunity. And in what little bit of time I've been on the Power Review Board I've seen a couple of different applications for renewables and I find it...it's a good use of both the land use and also the utility to provide utility service and electricity. [CONFIRMATION]

SENATOR CARLSON: Now does Grand Island generate its own power?
[CONFIRMATION]

CHUCK HAASE: Yes. [CONFIRMATION]

SENATOR CARLSON: All of it? [CONFIRMATION]

CHUCK HAASE: They have an interlocal, you know, agreement with NPPD but we're pretty much self-sustaining. But there's a connection that there's always power going to and from. [CONFIRMATION]

SENATOR CARLSON: And you're satisfied with the kind of rates that Grand Island residents enjoy? [CONFIRMATION]

CHUCK HAASE: Yes. I like the Grand Island rate structure and I think the whole public power in Nebraska rate structure probably ranks very favorably compared to other states. So it's one of our diamonds in the...that we have so. [CONFIRMATION]

SENATOR CARLSON: Okay. Any other questions? Well, seeing none, thank you for

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coming. Thank you for your testimony. [CONFIRMATION]

CHUCK HAASE: Okay. Thank you, Senator Carlson. [CONFIRMATION]

SENATOR CARLSON: Uh-huh. [CONFIRMATION]

CHUCK HAASE: Thank you, Senators. [CONFIRMATION]

SENATOR CARLSON: Anyone wishing to testify in favor of Chuck Haase? Anyone want to testify in opposition to this appointment? And anyone who wants to testify in a neutral position? All right, seeing none, then that closes the appointment hearing for Chuck Haase. Thank you for coming. Okay. And we're ready to open the hearing on LB699. Senator Larson is here. Welcome to the Natural Resources Committee and we're ready to hear your opening, Senator Larson. [CONFIRMATION]

SENATOR LARSON: Thank you, Senator Carlson and members of the Natural Resources Committee. I'm Senator Tyson Larson, T-y-s-o-n L-a-r-s-o-n, representing Legislative District 40, and I am here today to introduce LB699. LB699 has two components. The first of this bill would allow developmentally disabled individuals to obtain a hunting permit if that person receives a license-purchase exemption certificate from the Game and Parks Commission. Currently state law permits hunting permits from being issued to any person who is known to have a significant physical or mental disability and who is unable to safely carry or use a firearm because of such disability. LB699 would create an exemption so that individuals with disabilities can obtain a hunting permit if certain qualifications are met. The idea of this portion of LB699 was brought to me by a constituent in my district who works with an organization called Special Youth Challenge, or SYC. SYC provides opportunities for young men and women with special needs to participate in supervised turkey and deer hunting programs. Some of the SYC participants are able to fulfill the current statutory requirements to obtain a hunting permit; however, there are others who want to participate but because of their disabilities are unable to pass the required certifications to successfully get a hunting permit. We reached out to Game and Parks regarding these issues and they worked hard to draft language that would allow these individuals to participate safely in hunting programs. Under the new language outlined in LB699, individuals with disabilities may be issued a hunting permit if they obtain a license-purchase exemption certificate from Game and Parks. In order to get a license-purchase exemption certificate, an individual with a disability must provide written authorization from a physician indicating that the person is capable of understanding and following directions and is not a danger to himself or herself or others. Additionally, if the individual is unable to successfully complete the hunter education requirements due to his or her disability, the individual will be exempt from those requirements if they hold one of these exemption certificates. The bill prohibits Game and Parks from issuing an exemption certificate to anyone who has been found

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to pose a danger to himself or herself or to others by a court or mental health board. It will also require that an individual holding an exemption certificate be supervised by another hunter who is not developmentally disabled. The second component to LB699 was brought to me by Game and Parks. It consolidates the hunter education program into one course for all hunting implements. Currently there are separate education programs for firearm and bowhunting. The portion of LB699 would eliminate the separate bowhunter education program and group all hunting implements, including firearm, crossbow, bow and arrow, and airgun, into one educational program. This would encourage more individuals to get involved in bowhunting who may not have otherwise been interested in the sport by having the training for a particular implement up front. This part of the bill would eliminate these programs per se, as bowhunting program...this part of the bill would not eliminate these programs per se, as bowhunting programs can still be offered as more of an advanced-course option for those who want to learn more. Thank you, and I'd be happy to take any of the committee's questions. [LB699]

SENATOR CARLSON: Okay. Thank you, Senator Larson. Any questions of the committee? All right. We appreciate you bringing the bill. Are you going to be here to close? [LB699]

SENATOR LARSON: I'll stay for the close on this one. [LB699]

SENATOR CARLSON: Okay. Thank you. Now we'll open it up for those of you that are proponents of LB699. And come on forward. Others that would be proponents, come right on up and take a chair in the front row and then we'll move along a little bit better. And as you come and testify, try and relax and enjoy this. We're not a difficult group to get along with, so I'll ask you to start with stating your name and spell it and then go ahead with your testimony. [LB699]

BENJAMIN GREENFIELD: Thank you, Senator. My name is Benjamin Greenfield, B-e-n-j-a-m-i-n, Greenfield, G-r-e-e-n-f-i-e-l-d. I come to you wearing a couple hats today. First and foremost, I am a hunter. I grew up hunting with my family, the Kropp family here in Nebraska with my grandfather, Bill Kropp, and my uncles, Tom and John Kropp, as well as my dad and brothers, and learned to enjoy and appreciate nature and the outdoors from an early age. The other hat I come wearing now is that I was diagnosed seven years ago with limb-girdle muscular dystrophy, and throughout the last seven to ten years I have dealt with trying to maintain my ability to go out and enjoy nature and to hunt and fish and things like that while dealing with a disability. I currently speak for the Muscular Dystrophy Association of Nebraska, two years ago was nominated and voted as the Nebraska Muscular Dystrophy person of the year and last year as the Nebraska Muscular Dystrophy Association goodwill ambassador. And so I go around and speak a lot here in Nebraska, especially in Lincoln and Omaha, about how muscular dystrophy and these different diseases affect Nebraska's children. I have

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a little bit of a unique insight in the fact that I deal with a neuromuscular disease myself, but I'm so very blessed in comparison to a lot of these kids that deal with different types of muscular dystrophy, such as Duchenne muscular dystrophy that affects these kids sometimes as early as two and three years old. There is a contingent of our population of these kids with muscular dystrophy that are just simply unable to do the physical requirements needed to pass certain exams to allow them to go out and appreciate nature the way that I was allowed to do and the way that many of the youth in Nebraska are allowed and able to do. So I guess this bill...I'm a proponent of this bill only because I've worked with some of these kids and I've talked to some of these kids and they want nothing more than to feel and appear like any other normal kid, to be able to participate in normal school activities, normal outdoor activities. And this is just another step that we can take to allow these kids these freedom, knowing that with kids with these type of severe disabilities, the risk of them hurting themselves or someone else is virtually none at all because they can't physically do all this alone anyway. So they're going to have somebody right there helping them hold things that they can't hold. Some of these kids can't raise their arms above their heads or they can't walk out to where they need to go so they need to be pushed, they need to have these types of things. These people that have taken this mission upon themselves to help these kids enjoy the outdoors have set things up to allow these kids a blind or an area that's very safe and very efficient and allow these kids to experience things that we were able to. So I appreciate your time and letting me come and testify on behalf of myself and the Muscular Dystrophy Association and also this program as well. Any questions for me? [LB699]

SENATOR CARLSON: Okay. All right, now hold your spot there. [LB699]

BENJAMIN GREENFIELD: All right. [LB699]

SENATOR CARLSON: We'll be kind but we want to be able to ask you some questions. [LB699]

BENJAMIN GREENFIELD: Sure. [LB699]

SENATOR CARLSON: Thank you for your testimony. Any questions of the committee? Yes, Senator Brasch. [LB699]

SENATOR BRASCH: Thank you, Chairman, and thank you, Mr. Greenfield, for coming forward with your testimony. You have some excellent examples that you've given and personally experienced the difficulty yourself. Do you see any impact that will have positive or, you know, the results that...allowing individuals, youths to hunt? [LB699]

BENJAMIN GREENFIELD: Sure. One thing that I think should be clear here, that this is not a new precedent in Nebraska. I currently was able to apply through my neurologist and get a special permit that allowed me to use a crossbow to hunt deer because I was

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no longer able to pull back my compound bow. So I had a special permit to do that when my arms got so weak that I couldn't physically do that. And the last two years I've also applied for a special permit that has allowed me to pheasant hunt off of a four-wheeler on private ground so...and I haven't shot a deer for three or four years but I've gone all throughout the season. I haven't shot a pheasant for three or four years because there's none around. But it's allowed me to get out there in spite of my disability and continue to do this. I look at this as another step. You may have five or six kids in the state that are able to do this that previously wouldn't have been able to. Throughout a 10- or 15-year period of time that may be as many as 50 to 100 of these kids that get to experience something in their lives knowing that a lot of these kids' lives are shorter into that 12- to 13-year range. And so it gives them a real, real opportunity to experience the beauty of nature and I think that's what the goal is behind this program. [LB699]

SENATOR BRASCH: So it's giving them more abilities is what you're saying. [LB699]

BENJAMIN GREENFIELD: Right, allowing them a chance to do a lot of the things that many of us have taken for granted when we were growing up is what it's about. [LB699]

SENATOR BRASCH: Thank you. I have no other questions. [LB699]

SENATOR CARLSON: Other questions? Yes, Senator Dubas. [LB699]

SENATOR DUBAS: Thank you, Senator Carlson. Thank you, Mr. Greenfield, for coming forward. Is there any special equipment that can modify either bows or firearms to help handicapped individuals? [LB699]

BENJAMIN GREENFIELD: You know, some of these guys behind me would probably be better... [LB699]

SENATOR DUBAS: Okay. [LB699]

BENJAMIN GREENFIELD: ...apt to answer those questions than I am. The crossbow is one that I was thinking about right away and recently here in just the last couple years it's been expanded to where everybody can use a crossbow now. There is not a...so my permit is void now. And so I'm sure there are adaptations. There are lighter, lighter weapons, different adaptations even as far as hunting structures. But I would guess that some of these people that are actually part of the SYC, the group, could answer your questions far better than I will be able to. [LB699]

SENATOR DUBAS: All right. Thank you. Thank you. [LB699]

SENATOR CARLSON: Okay. Any other questions? Well, we appreciate your testimony.

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And being a relative of the Kropps, you've seen a lot of good athletes, haven't you?
[LB699]

BENJAMIN GREENFIELD: Yes, sir. Actually, I was appointed...nominated to go to the Air Force Academy to play basketball and was medically disqualified, and so I didn't...wasn't able to fulfill that lifelong family dream that they all were able to do. But my Uncle Tom is still the coach over at UNK and I enjoy watching his team play and for sure, great people, great people for sure. [LB699]

SENATOR CARLSON: Well, we appreciate your testimony and your attitude. Thank you. [LB699]

BENJAMIN GREENFIELD: Thank you. [LB699]

SENATOR CARLSON: Thank you for coming. [LB699]

BENJAMIN GREENFIELD: Thank you so much. [LB699]

SENATOR CARLSON: Okay. Next proponent. Welcome. [LB699]

R.B. DRICKEY: (Exhibit 4) My name is R.B. Drickey, R.-B. D-r-i-c-k-e-y. Good afternoon, Senators. I'm a lifelong resident of north-central Nebraska. My wife, Bev, would tell you that I spend too many hours at our small business. We have three daughters and eight grandchildren. My interest in the outdoors began when I used to follow my father pheasant hunting with an empty BB gun. As time grew on I was able to hunt alongside him. However, I'm not here today to talk about the good old days. I would like to bring to your attention a special group of people. I'm part of a group of men and women who take special-needs children, young people, turkey and deer hunting. The name of our group is Special Youth Challenge, or SYC. Each of our hunters has a story, but I would like to share with you how this bill could have a positive effect for Hayden. In the summer afternoon in 19...in 2012 the phone rang. The conversation went something like this: Hello, my name is Paul. I understand you're with the group that takes special-needs children hunting. How does your program work? I have a special-needs son but he's only 11, but he'll be 12 the first part of September. And thus began our relationship with Hayden and his family. Hayden was able to attend deer camp in 2012 and was successful. In 2013, Hayden had an 11.5-hour surgery. But in 2013, in the fall, Hayden and his dad were back at deer camp. It had rained for two or three days before our hunt and it was miserable. I mean cold and rainy and wet and...but...and the roads were sloppy and I mean it was a disaster as far as deer hunting. Hayden was able to get down to his blind which had been previously set up and he was successful again. Hayden has a special wheelchair due to the generosity of the Make-A-Wish Foundation. Hayden, as his dad and his two guides were headed out to get the deer, Hayden mentioned that he would like to drag his deer back. So the

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guides scrounged around, found some baling twine, fashioned a rope out of it, tied it to his chair. Off Hayden went, deer in tow, across the field, down through the road ditch, up on the road where his driver was waiting to pick up the hunting party. Two-thousand thirteen was Hayden's second year of using an apprentice certificate. It could be his last. Nebraska Game and Parks, enforcing the statutes passed by the Unicameral, requires that all hunters 12 and over pass a hunter safety certification course. Now if you don't have a hunter certification, hunter safety certification card, you can hunt with an apprentice certificate for one year, and that can be renewed for one more year for a total of two years. Some of our hunters do have their hunter safety certification and some of the others are probably able to get that. However, and this is why we are here today, some of our hunters cannot pass the required course. As I understand this bill, it is to amend the present statute which states in layman's terms: If you can't pass the test you can't hunt. The proposed change would allow these special-needs kids to obtain an exemption certificate from Game and Parks if they follow the guidelines set forth. In conclusion, this bill is not about water, this bill is not about pipelines, it will not cost the taxpayers a penny. What it does affect is our most precious natural resource: people, very special people. Hayden and some of these others need your help. They need this bill to pass. This bill would remove the roadblock that some of these hunters are facing. It's the right thing to do. Ladies and gentlemen, I'm going out on a limb here a little bit, but I'm asking you to pass this bill with a unanimous vote. Thank you. [LB699]

SENATOR CARLSON: All right. Thank you for your testimony. Any questions of Mr. Drickey from the committee? Senator Kolowski. [LB699]

SENATOR KOLOWSKI: Thank you, Senator Carlson. Mr. Drickey, just a question on...that's just been going through my mind listening to the speakers that we've had so far. With the possibility of severe physical or mental handicaps on the part of a participant--and I'm speaking from a perspective I was a high school principal and I had the most severely handicapped kids in the Millard schools in my high school--do you have any concerns, especially with firearms, if you had some of the kids out there that just have to be watched all the time for personal safety of their own plus all those around them? And I'm thinking if they're hunting with one person and if something happened to that person who was guiding them in the middle of the woods, what would they do in that capacity then if something...if someone went down with an accident? [LB699]

R.B. DRICKEY: If I might, I might defer that question to one of our other people here. [LB699]

SENATOR KOLOWSKI: Sure. [LB699]

R.B. DRICKEY: He will explain in detail how our...how safe our gun system is and our blinds and our guides and the whole nine yards. So if I could do that... [LB699]

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SENATOR KOLOWSKI: I appreciate that. Thank you. It's...I'm not asking from a negative side. I'm just... [LB699]

R.B. DRICKEY: No, no, I understand. [LB699]

SENATOR KOLOWSKI: ...a clarification. [LB699]

R.B. DRICKEY: And it's a legitimate question. [LB699]

SENATOR KOLOWSKI: Thank you. [LB699]

R.B. DRICKEY: Thank you. [LB699]

SENATOR CARLSON: Okay. Any other questions? Well, thank you for your testimony. [LB699]

R.B. DRICKEY: Thank you. [LB699]

SENATOR CARLSON: Okay. Next testifier. Welcome. [LB699]

RUSS WENTWORTH: Welcome. Thank you. My name is Russ Wentworth, W-e-n-t-w-o-r-t-h. Thanks for the opportunity to speak to you guys. I'm going to address our equipment and how we take the hunters hunting. We have two guides with each hunter and we also have a parent or a guardian. The blinds we set up are eight by eight, plywood, we've made out of wood with a roof and hunting...visible hunting windows in them on three sides with a door in the back. You can stand up in them, and so they're very comfortable. We put heaters in there to keep the disabled youth warm and comfortable. Inside the blind we carry the guns in, in cases, so we're not out tramping around in the woods carrying loaded guns. We bring the guns into the blinds unloaded, in cases, and we set them on our turrets. Our turrets are four-legged stands and there are some pictures in the handouts of the turrets. They allow the gun to swivel to the side and up and down so we can make a clean, you know, very accurate shots with the guns. We strap them...we strap the guns to the turrets with...there are these...oh, the term or the...they're a plastic tie strap is what they are. They're very secure. We can reuse them. But they really clamp the gun down tight so the hunter can't take them off or, you know, there's no reason to want to take them off. So that provides a pretty high level of safety there. Some of our hunters are not able to pull a trigger with their finger. In fact, most of them are weakened in some way so they can't. So we use buttons. They have two buttons, one for the hunter and one for one of the guides or the parent if he wants to be the one to depress the buttons. The buttons are wired into a battery system that go to a solenoid and we've...I have a friend named Tom in Ainsworth that's disabled. He was injured in a hunting accident, fell out of a tree stand and is paralyzed

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from his chest down. And he helped us build these trigger mechanisms that were machined with a solenoid so the battery that the buttons hook to are wired up to the solenoid and both buttons have to be fully depressed and held down for the gun to fire. And so the father or the guide holds the gun when the gun is on target, or some of the hunters can also manipulate the gun themselves. But the guide, when he sees that it's on target, holds the button down and tells the hunter that he is ready. And so whenever the hunter is ready, he pushes his button and the gun can fire then. So the other part I wanted to tell you about is our iScopes. The pictures in there are the older versions of cameras that we use. On the back of the small pamphlet in your books there is a picture of our new system which has an iScope. It's called an iScope. And you can put an iPod or an iPhone in that iScope. So that actually looks through the hunting scope and you can still variable the scope to three to nine power. But the iPhone looks through the scope and it's...so it's a little bigger screen so the hunter doesn't have to have his eye right up to the scope for the right...he can sit in the chair, like I am now, with a gun here and still see the target through the iPhone or iPod. So is there any other...I'm available for questions. That's about all I... [LB699]

SENATOR CARLSON: Okay. Thank you, Russ, for that testimony. Senator Johnson. [LB699]

SENATOR JOHNSON: Thank you. Thank you for your testimony and providing this opportunity for the disabled to enjoy this sport. I've never been a hunter but I know a lot of people that are. And my question is...I think what you've presented here definitely takes care of the disabled person that's doing the hunting to make sure they're safe. At what level would you say it's too risky for somebody outside of the blind or somebody that's moving out there for that person to recognize? Is there a way to standardize that or evaluate that side of it? [LB699]

RUSS WENTWORTH: Part of the reason for having several people in the blind is to watch for obstacles. But we try to...we try really hard to set our blinds up so the path that we'll be shooting at is clear of, you know, anything we don't want to hit. [LB699]

SENATOR JOHNSON: Okay. [LB699]

RUSS WENTWORTH: Let's see, is there any other... [LB699]

SENATOR JOHNSON: Well, no. That...I mean, yeah, you try and give them a protected area to be shooting in... [LB699]

RUSS WENTWORTH: Exactly, yeah. [LB699]

SENATOR JOHNSON: ...and keep a boundary for others. [LB699]

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RUSS WENTWORTH: Um-hum. [LB699]

SENATOR JOHNSON: Okay. [LB699]

RUSS WENTWORTH: And there's more eyes in there watching... [LB699]

SENATOR JOHNSON: Right. [LB699]

RUSS WENTWORTH: ...for obstacles, obviously, with three other people. We have had...like the story R.B. was telling about Hayden, he was the last hunter to get his deer that first season. We had six people in the blind with him... [LB699]

SENATOR JOHNSON: Okay. [LB699]

RUSS WENTWORTH: ...observing, and a cameraman. Campfire Stories, a TV show on Pursuit Network, has filmed some of our hunts and put it on TV. So they were in there with a camera as well. And so we take every precaution we can to not shoot into an area that's occupied or buildings or livestock. We're around cattle sometimes, too, so we... [LB699]

SENATOR JOHNSON: Thank you for providing that comfort level for me. Thank you. [LB699]

RUSS WENTWORTH: Um-hum. [LB699]

SENATOR CARLSON: Okay. Other questions? I'm going to ask you this and it's more for the record: What happens to the game that is shot? [LB699]

RUSS WENTWORTH: That's a good question. As a group we butcher it for the disabled youth and cut it up into manageable pieces and they take it home if they want to. Most of the time...so far all of them have wanted to take it home. But we process the game that day and the day after. Our hunts are Friday, Saturday, and Sunday, so we have a banquet on Friday night and then Saturday morning we go hunting. We have a short meeting at noon and then go hunting again in the evening. And if there's some game brought in Saturday morning some of the guys start processing it then. And then Sunday morning is our last hunt. So by the end of Saturday afternoon or early in the Saturday afternoon...or Sunday afternoon all the deer have been processed or turkeys have been processed and ready to send home with the disabled youth and their parents and their family. [LB699]

SENATOR CARLSON: Okay. Good. Thank you. Any other questions? Seeing none, thank you for your testimony. [LB699]

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RUSS WENTWORTH: Thank you for listening. [LB699]

SENATOR CARLSON: Okay. Next proponent. [LB699]

JORDAN HITCHCOCK: My name is Jordan Hitchcock. It's J-o-r-d-a-n and Hitchcock, H-i-t-c-h-c-o-c-k. Thank you for this opportunity. Over the past two years I've been involved with two hunts. I've been the guy holding the button with the kids so I've had a unique opportunity to do that. And not only has it been beneficial for the kid, but it's been beneficial for me to be able to be a part of that. And it's something...those kids, they have trials that they face in life just like all of us, only theirs a lot of times are more visible. And sometimes our trials we can't necessarily...we've got pain and stuff that we can't see on the outside. But to see those kids and the hope that they have despite, kind of, the odds that they face, it's powerful. And in that weakness but yet the courage that they show despite of that is something that...it's special. And so just the opportunity for these kids that they have had those two years of the apprenticeship, it's...I mean it's something that they don't just want to stop doing, but something that they want to keep doing. And so I just suggest that you guys think about kind of maybe where these kids are coming from and the opportunities they have. And it's always a joy for me to go do that and there's funny stories and I really...the people behind me, they do most of the work. I just get to show up and goof around with the kids and joke with them, so I kind of got the good deal. But if you guys have any questions about maybe what the hunt is about or kind of any of that other...any other aspect, I'd be available for that as well. [LB699]

SENATOR CARLSON: Okay. Thank you, Jordan. Any...Senator Kolowski. [LB699]

SENATOR KOLOWSKI: Thank you, Senator Carlson. Jordan, thank you for your testimony and thank you for your life lessons that you've shared. Not everyone can experience those and what you've learned from those are extremely important. How do you go about getting more students your age involved in that opportunity of doing the hunt or assisting in this capacity? [LB699]

JORDAN HITCHCOCK: One of my buddies, actually, that I go to high school with, he comes and helps with me. And then there's another kid that's my age. His name is Levi and he lives up in that area. I'm from Lincoln but I grew up on a...for the first eight years of my life on a ranch south of Ainsworth. So they do all those hunts up in that north-central part, and so I've been kind of known. Like Russ, I went to church with him and from...since I was...he knew me before I knew him pretty much, but...and so there's been some of those opportunities and we're always...I think they're always looking for people to come be a part of it and just...I mean it is, it's a blessing for both the hunter and the people being involved. So if you know somebody that's interested in being a part of it, I'm sure R.B. or any of these other guys would love to hear that and to give them the opportunity. [LB699]

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SENATOR KOLOWSKI: Thanks again. [LB699]

SENATOR CARLSON: Okay. Thank you. Any other questions? Thanks for your testimony. [LB699]

JORDAN HITCHCOCK: Thank you for the opportunity. [LB699]

SENATOR CARLSON: All right. Next proponent. How many more proponents do we have? Okay. Welcome. [LB699]

AKACIA WENTWORTH: Hi. My name is Akacia Wentworth, A-k-a-c-i-a and W-e-n-t-w-o-r-t-h. I'm also a volunteer with SYC. Both my parents are involved and they got me involved. At first I was a little bit lenient, taking my time. I wasn't always sure how to act with disabled kids. I hadn't ever really grown up around them much. The first girl that we had, the first girl hunter, Dad ask me if I wanted to help guide her and I've never actually hunted deer. I've hunted game birds. And I said, sure, as long as you help me guide. So there was my dad and I and then Becca. She had cerebral palsy and she's from Colorado. She had...she can't speak. She's wheelchair bound and...but she communicates with you very easily. If she wants to say yes or no she'll look a certain direction. And if she likes something she would smile and she could laugh with you and stuff. The thing that she loved the most is when you made fun of her dad. She always thought that was really funny. But that morning in 2013 it was snowy and it was really early and I was personally grumpy because I hate the cold and I hate getting up in the morning. But when I walked in the room, just seeing Becca, how excited she was, and you can just tell she just couldn't stop smiling, it just made that all worth it. And she got her deer that morning. As I said before, Dad and I went out, and then her dad and I after she made a clean shot, the deer just dropped right where it was. Her dad and I walked out into...it was an alfalfa field, walked out and were carrying...we were bringing the deer back to the blind so that Becca could see what she got. And as we were walking back, her dad had a few tears in his eyes. And so it's not only special for those kids, but it's also very special for their families. They know those kids don't get to experience everything that they want them to from the beginning. So it was just so special for her dad that she was able to go out there and have that experience and they could share that memory together. That's something that they can always go back and look at. And also, I've never hunted before but this last December in muzzleloader season I've shot my first deer. So Becca was a little bit inspiration for that. So the main point for me being here is I wanted to share Becca's story with you and I also just wanted to let you be aware that there are so many kids like Becca or like other kids that have been there and have experienced that and they look forward to that every year. But after their two years is up, they can't come back. That's something that's very disappointing to them. We have one boy, has severe diabetes, he's up for organ transplants. Last year, just so he was strong enough and healthy enough to be able to come, he had made jewelry,

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beaded jewelry, and he beaded that and gave that to all of us girls and some of the men took some of them too. So that's just my testimony. If you have any questions I would love to answer them for you. [LB699]

SENATOR CARLSON: All right. Thank you for your testimony. Any questions of the committee? Senator Brasch. [LB699]

SENATOR BRASCH: Thank you, Mr. Chairman, and thank you, Ms...Neeworth (phonetic)? [LB699]

AKACIA WENTWORTH: Akacia Wentworth. [LB699]

SENATOR BRASCH: Akacia, okay. Thank you again. What you've done is remarkable. You are to be commended for your work and you've explained very well the benefit for the person that needs the extra help and what it's done for you and those around you. If this bill passes, do you see it being a national program? Is it just local or is it just the start or is it patterned off of another? [LB699]

AKACIA WENTWORTH: As far as I know, I think you might have to ask R.B., but I know we heard about it from some people in Iowa. [LB699]

SENATOR BRASCH: Okay. [LB699]

AKACIA WENTWORTH: So it's in Iowa and it might be in Missouri too. [LB699]

SENATOR BRASCH: Um-hum. [LB699]

AKACIA WENTWORTH: I wouldn't quote me on that. But it might be in Missouri. We heard about it. And then Keith, he's coming up to testify later, he can answer that better for you. But I would love for it to be a national thing. And of course we can only have so many kids as we have volunteers. [LB699]

SENATOR BRASCH: Um-hum. [LB699]

AKACIA WENTWORTH: And we've been getting some of our friends involved. And with our fund-raisers, we have a fund-raiser and auctions every summer to raise the money so these kids don't have to pay for this. They can come and we pay for everything for them and provide the lodging for them as well. [LB699]

SENATOR BRASCH: Well, the fact that you took time, you came here today, and you told us your experiences is very commendable. Thank you... [LB699]

AKACIA WENTWORTH: Thank you. [LB699]

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SENATOR BRASCH: ...for doing this and for your work as well. [LB699]

AKACIA WENTWORTH: Thank you. [LB699]

SENATOR CARLSON: Okay. Thank you. Any other questions? Okay. Thank you very much for your testimony. Next proponent, please. [LB699]

GLENN SMITH: My name is Glenn Smith, and thank you for letting me be here. That's G-l-e-n-n S-m-i-t-h. And I represent Camp Witness Bible Conference Association. We're a small Bible camp in north-central Nebraska and we are actually the parent organization for SYC-Northern Nebraska. We are a 501(c)(3) and we are the corporation with...which has basically adopted SYC of Northern Nebraska. There are other chapters and I think that will be spoken about after myself. But as a nonprofit organization, when Keith originally came to us, our board which is made up of nine members reviewed this situation and said, this is something that we would like to kind of take under our wing. And since we have housing and cooking facilities and are close to some very excellent hunting, we took them in and in that process...the main reason I wanted to speak to it was the fact that as we took this under our wing, so to speak, we needed to adjust our insurance policies to cover this type of activity. And what was interesting to us is that we actually went out and shopped insurances and were able to actually find an insurance company that actually lowered our premiums after we added this in because they were so impressed with what we were doing and how we were handling the process and what we had in place to protect the young people and protect all those that were participating. What's interesting is that...you may not necessarily get this picture, but for almost every hunter/camper--I call them campers; they call them hunters--but for every hunter/camper that is there, there is usually about ten volunteers that it takes to put this on. So if we have ten campers/hunters, there may be as many as 100 volunteers there that weekend making sure that everything goes off, that meals are there and all of the different necessary things are there. I just...we are very excited about what this has allowed Camp Witness to help support and the fact that this has been such a positive experience for not only the hunters and campers but their parents. And we have volunteers that have come and said, you know, I will be back every chance I can because this is such a way to give back and it is such a heartwarming experience for them as well. So that's really all I needed to say so I am available for any questions that you might have. [LB699]

SENATOR CARLSON: All right. Thank you for your testimony. Any questions of the committee? Seeing none, we thank you for what you do. Thank you for being here. Next proponent. Welcome. [LB699]

DR. ZEKE PIPHER: Thank you. It's a privilege and an honor to address the committee today. My name is Dr. Zeke Pipher and I'm a pastor of an Evangelical Free church in

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Central City, Nebraska. I'm an author and I'm also... [LB699]

SENATOR CARLSON: We need you to spell your name. [LB699]

DR. ZEKE PIPHER: Oh, okay. I'm sorry. Z-e-k-e, and then the last name is P-i-p-h-e-r. And I'm a pastor and an author. I'm also a freelance outdoor writer and I write for five different national hunting magazines, including Field and Stream, Bowhunter Magazine, Deer and Deer Hunting. And most of the articles that I write tend to be about safe and ethical hunting practices. I also love to write about helping young people enjoy time afield with their family and with their friends. I would say from my experience researching those subjects specifically, I can assure you that this legislation we're discussing today is very, very important and very worth our time. When people spend time outside safely and responsibly it really does add a richness and a sense of contribution to their lives. And I'm here today because I want to make sure that this richness and sense of contribution is available to all young people and all adults in Nebraska across the board. One of my close friends has a child with cerebral palsy and this young man with cerebral palsy has four brothers and all five of these boys are hard-charging, hardworking, hard-playing young men. And I know my friend well and as a father, one of his main goals is to help his son with cerebral palsy know that he is participating in life and contributing to his community just like his other boys. And he's up against some challenges there because his son does have very real challenges and limitations. The sportsmen and sportswomen lifestyle is one of great satisfaction and it's a real sense of contribution as well. The opportunity to pursue wild game is a chance to participate in our state's wildlife management practices. It's a chance to help provide food for our families but also other families in need as well. And it's just a chance to be shoulder to shoulder with other men and women who enjoy the same pursuit in a deer or a turkey blind. And so I can attest firsthand as a sportsman that these are all things that really do make us feel like we're making a contribution. We're doing something good and, of course, we're having a lot of fun while we're doing that. The legislation that we're discussing today, in my opinion, removes an obstacle from the lives of people who have had more than their fair share of obstacles already. It does, in my opinion, nothing but good and it gives young women with cerebral palsy a chance to build relationships with other sportswomen. It gives young men with autism a chance to provide food for their families. I would say in short, it removes unnecessary limitations from people who have very real limitations that they probably won't overcome. So in my opinion, this legislation promotes fairness and allows children with special needs and adults with special needs to share the same gifts that the outdoors provides for all of us. And so with that I would just strongly urge you to pass this legislation out of committee and again, I appreciate the chance to address you today. [LB699]

SENATOR CARLSON: Okay. Thank you for your testimony. Any questions? Yes, Senator Dubas. [LB699]

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SENATOR DUBAS: Thank you, Senator Carlson. Thank you, Dr. Pipher, for being here. [LB699]

DR. ZEKE PIPHER: Yeah. [LB699]

SENATOR DUBAS: And so am I correct to assume that you're involved with the SYC group? [LB699]

DR. ZEKE PIPHER: Yes. I've been there and spoken to the group and...yeah. [LB699]

SENATOR DUBAS: Have you participated? Have you been a volunteer with any of the hunts? [LB699]

DR. ZEKE PIPHER: I haven't been along on the hunts. I've only been one time and as a speaker I was back at camp and waiting for the young people to get back with their deer. And when they do come back with a deer or a turkey, everybody comes out to celebrate. And so I've been a part of that and...yeah. [LB699]

SENATOR DUBAS: So you've really seen how the youth, their parents, and the volunteers are all benefiting from this program? [LB699]

DR. ZEKE PIPHER: Yeah. I would agree. Somebody had said that the parents benefit right alongside. I would say equally benefit, and you can see it in the parents' eyes that...you know, in some of these families everybody in the family enjoys hunting and they've always assumed that their young person with the disability just wouldn't get to do that. And so to see, you know, their son or daughter who's 20 actually get to participate, it's overwhelming for these parents in a good way so. [LB699]

SENATOR DUBAS: Thank you for sharing your experience with this. [LB699]

DR. ZEKE PIPHER: Yeah. Thank you. [LB699]

SENATOR CARLSON: Okay. Thank you. Any other questions? Well, Pastor Zeke, I have one. [LB699]

DR. ZEKE PIPHER: Okay. [LB699]

SENATOR CARLSON: Does "Evangelical Free" mean that you never take up offerings? (Laughter) [LB699]

DR. ZEKE PIPHER: It's free. It's... [LB699]

SENATOR CARLSON: I know better. I'm "E Free" too. [LB699]

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DR. ZEKE PIPHER: Yeah. I knew that. I knew that. [LB699]

SENATOR CARLSON: All right. Thank you. [LB699]

DR. ZEKE PIPHER: Thank you, Senator. [LB699]

SENATOR CARLSON: Next testifier. Welcome. [LB699]

GARY STAUFFER: Thank you. Thanks for the opportunity. My name is Gary Stauffer, G-a-r-y S-t-a-u-f-f-e-r. A little bit about who I am. I actually work for the University of Nebraska Cooperative Extension service. I'm an extension educator in Holt and Boyd Counties in O'Neill. And as part of my job I do a lot of work with the youth organization, with 4-H, been doing that for lots and lots of years as you can see by my gray hair. I've been a shooting sports leader in the shooting sports program for over 20 years and have been working with youth in that capacity for a long time. I also am on the state shooting sports committee. I've been nationally trained in shooting sports in three different disciplines--hunting wildlife, pistol, and shotgun--and actually teach a lot of shooting sports leaders throughout Nebraska safety and all the stuff that goes with our 4-H shooting sports program. So I was very interested when I first heard about this program. One of the things, to me, that it does: It allows kids to get outside. And I'm all for kids getting outside, getting in nature, doing things where they can get their hands dirty, you know, get their feet dirty, breathe fresh air, play in the dirt, play in the grass, see nature as it is. I see too many kids that are locked up in their houses and spend their whole life, you know, on video games and things like that. So I really love programs that get kids in the outdoors and in doing something. So I was pretty excited to hear about this. And again, with handicapped kids, I have a son myself who is hearing impaired so I know a little bit about having a handicapped kid. That's obviously not as handicapped as a lot of the kids that we've been dealing with, but it is a special challenge for parents to have a handicapped kid and be frustrated with the things that that handicapped kid has to deal with. And this program to me, if you see the people that are in this program that have come together to make this happen, you won't find a better bunch of people in the world. Okay. And a lot of them took off work today and are here testifying. It is a challenge for a lot of these kids to pass the hunter ed program. Not only do they have to take written tests, but they have to do some physical things that shows how they can carry guns and cross fences and do some things of that nature. And a lot of these kids are in wheelchairs, they're on crutches, they're in walkers, they just physically don't have the ability to do some of the things that are required to pass, you know, the hunter ed program. As far as the safety of it, it's kind of shocking to most people to know that shooting sports is not considered an unsafe event. We have to take out insurance on all the programs that we do in 4-H. And because we have such a strict training program and all shooting sports leaders have to be certified, shooting sports is a low-risk thing and we actually pay the lowest rate of

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insurance of all the activities we do. Now I've got horses too. That's kind of high risk, you know, (laughter) and some four-wheelers and some things like that. But because of the low rate of accidents, shooting sports is considered low risk because of the training. And again, I think if you look at these people, a lot of them have been longtime hunters as I have. They've got a lot of experience. A lot of them have worked with kids a lot. It takes, to me, kind of special people to be involved with programs like this because there's not a lot of financial gain to it, there's not a lot of notoriety. Some of these guys got on TV, but anyway, it's not a get-rich program. It's not a, you know, really thing to put a feather in your hat and write on your resume. But it's a tremendous good feeling to those of us that have been part of it. One of the things that I think some of these people have mentioned already is not only do the kids get to do something that they've really wanted to do, probably never had the opportunity to do, but the parents, you cannot believe how appreciative the parents are for this program. You know, sometimes, like you see, you will see tears running down big, macho dads' eyes, okay, and I've never seen such an appreciative bunch of people. When we were done with this program, the parents were so appreciative of everything that this group did for these kids. So I guess that makes me as a helper feel really good to know that somebody, you know, was willing to put out the time and effort that it took to care about a handicapped kid. Those kids go away with a very positive feeling. They've got to do something that their buddies, you know, just kind of took for granted that they could do. Now here's a chance for them to get that opportunity too. Lots of effort has been put into this program with all the setting the blinds up and developing the stands and the turrets and the guns and the triggers and the safety things. I don't know how you could get much safer. And it's a great group of guys and ladies. And like Glenn said, there's lots and lots of people behind the scenes that come and help for the weekend, whether it's cooking food or setting blinds up or tearing blinds down or hauling kids, just a super bunch of people. So to me it's a really strong program. Again, there is just an obstacle that kids can't do it unless we kind of do something about the legislation. So I'm very appreciative of you guys and ladies listening today and again would encourage you to look at this bill and hopefully do...something positive can happen for these kids. Thank you. [LB699]

SENATOR CARLSON: Okay. Thank you for your testimony, Mr. Stauffer. Any questions? Yes, Senator Johnson. [LB699]

SENATOR JOHNSON: Thank you. Thank you for coming in. And, you know, in the real world of hunters that go out that have no handicaps other than they're not very good shot maybe and they don't always have success in shooting a turkey or a deer as you've...as has been referred to today. Maybe I should have asked this earlier. I didn't think about it. Maybe the pastor could speak to it too. But what's the emotional side? We've heard the success that they got their turkey, got their deer. What's the emotional side and is there any way you can make sure that they get a deer, I guess, to try and avoid from that letdown? Because I'm sure it's...they have their highs there but, boy, I think they could probably have their lows too. [LB699]

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GARY STAUFFER: You know, there's nothing that you can do to assure that people get a deer. We do the best we can. We...another really positive thing that I see is the landowner buy-in into this program. You know, it takes lots and lots of landowners to say, yes, you can come on my property and hunt. And a lot of those landowners are maybe reluctant to just let anybody come on their property and hunt. But Russ has kind of been our super guy that goes around and asks. And almost 100 percent of landowners will let kids come and hunt. So we get some pretty good hunting spots. [LB699]

SENATOR JOHNSON: Okay. [LB699]

GARY STAUFFER: I'm not sure that every kid has to get a deer to go away happy, okay? [LB699]

SENATOR JOHNSON: Um-hum. [LB699]

GARY STAUFFER: Last year in turkey season in the spring it was really, really hard to call turkeys in. They just didn't respond. And so we weren't 100 percent successful. But everybody slapped each other on the back and said, good job, buddy, you know, we'll get them next year, kind of a deal. [LB699]

SENATOR JOHNSON: Okay. [LB699]

GARY STAUFFER: This past fall with the rotten weather everybody got a deer. Everybody went home super tickled and happy and with something good to eat and, you know, that was wonderful. But real world says we don't always succeed. We need to do our best, give it our best shot, learn to accept, you know, maybe it's not really failure but, you know,... [LB699]

SENATOR JOHNSON: Yeah. [LB699]

GARY STAUFFER: ...frustration, like, doggone it,... [LB699]

SENATOR JOHNSON: Um-hum. [LB699]

GARY STAUFFER: ...didn't happen this time but we'll do it next time. And so I think all kids go away with that attitude that even if it didn't happen this time, at least we know we can do it and we know how to do it. You know, they've gained a lot of experience and a lot of abilities and all of us have learned through this whole program. [LB699]

SENATOR JOHNSON: Thank you. [LB699]

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SENATOR CARLSON: Okay. Thank you. Any other questions? Seeing none, thank you for your testimony. [LB699]

GARY STAUFFER: You're welcome. Thank you, guys. [LB699]

SENATOR CARLSON: Okay. How many more proponents? Okay. Welcome. [LB699]

KEITH CLINE: Welcome. My name is Keith Cline. I'm director of SYC, Special Youth Challenge, and I want to thank you for the opportunity of being here today. If you want to blame anybody why we're here today, you can probably blame me. I'll also tell you right up front that I'm the crybaby of the bunch. And as I start this, I had the opportunity in the spring of 2010 to participate in an SYC program that is already going in northern Iowa. And after being there and seeing what is happening firsthand, it was just laid on my heart that we can do this in Nebraska. And so I brought this idea back, shared it with some of my friends, and they got behind me and they...and what you see behind me is the result of that. And so actually SYC started in 2010. We had our first hunt in 2012 and since that time we have had two turkey spring hunts, we've had two deer hunts, and we...and actually last weekend we took some of these individuals out ice fishing. We put the blinds right out on the ice and put the heaters in them and let them experience the first time ever some of them have ever had a fishing pole in their hands. There were some questions here that was asked that maybe I could address a little bit. One is that there is...the group in Iowa is the group that has helped us get started. There is also a group in Minnesota very similar and there's a group in Colorado. And we do share resources. We share equipment, whatever it takes. And we will even share hunters if we run into...if we have more than we can handle, I've got the opportunity to send one to Iowa. If they've got too many, they've got the opportunity to send one here. So it is...is it national? Technically, probably not. Is the potential for it to be more chapters, I think even within the state of Nebraska, I think, yes, there probably is that potential. And I guess I'm here to...I guess one other thing I'd like to ask...somebody asked about how we get our hunters, and most of it is word of mouth. We do attend events like the Big Buck Classic, the Niobrara Bowhunters banquet, different avenues that we can get the word out. And because of that we have received the youth that we've received. So far we have affected 14 different youth in these hunts ranging from across the state of Nebraska, from Omaha to up in northern-central part of Nebraska. We've also had a youth from Colorado, and we've had two youths come from South Dakota, participate in these hunts. The reason I'm here today on behalf of SYC is asking you to support the changes that have been presented by the Nebraska Game and Parks regarding the proposed changes of the hunter education legislation pertaining to the developmentally challenged. We have been in communication with the Game and Parks Commission since the spring of 2013. I've attended many of the commissioners meetings and I...from the feedback I've been getting from them, we really enjoy their support for what we're doing to try to make this happen. And also we've been in touch with many of the employees of the Game and Parks Commission trying to help them...what it takes to

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pull off something like this. And they have been very receptive, sharing with us what they can do. And so I'm excited on how fast this has went forward. But one of the main points I'd like to make here today is that safety is our number one concern. We try extremely hard to do everything we can to make this as safe as possible. And I think that the wording in the legislation is very prudent and very thoughtful that we can keep this a safe event and it gives a certain segment of our population the opportunity to participate in these particular activities. After working with these special youth for the last two years, I have firsthand seen that this can be done safely and ethically. And I really appreciate what the Game and Parks has done by giving us that two-year exemption because it gives us two years to see not only can they hunt, but do they want to continue hunting. But the problem is, is that after this two-year exemption, if they can't pass the requirements they can no longer hunt. And it just seems rather ironic that we can have a hunter that has harvested both deer and turkey for two years and all of a sudden say, you are no longer legally allowed to buy a permit. And that's basically what we're asking here is that if...that they would be allowed to buy this permit. One thing I'd like to also point out is that we believe in the hunter safety education system and we do all we can to get our hunters to pass the system if they can, in fact, even to the point that many of us tomorrow night are going to be trained to be hunter education instructors. So we're not only saying this, we're going to get involved and do what we can to get these kids able to pass the test without using the exemption. And in fact, even one of our hunters expressed to me yesterday if he could train to be an instructor. He's about 26 years old and I told him what he had to do on the Web site and he's going to try to become a hunter education instructor himself. I appreciate the special wording in this bill that says that the only way you can get this exemption is, number one, they cannot be a threat to themselves or someone else, and that it has to be done by a written notification of a physician. And it's not us making that call and it's not even the parents making the call. And I think that is appropriate enough of a restriction to make it hard enough, but yet still give these young ladies and young men the opportunity to get out into the field and experience something that they've already done for two years. And as I will close, the one experience that I think will touch my life forever is that we had our first young lady, and "Kay" talked a little bit about her, come to camp. And when I read on her application her father said that she is 100 percent disabled and on a feeding tube but she has an infectious personality. And so I will admit I was a little apprehensive because by far, this was the most developmentally challenged youth that we have had yet. We start off on Friday afternoon. We take them out to a rifle range and we set up the equipment. We have them practice with the equipment. And we were shooting little blue rocks off a pail. And when you could see her, the joy just spilled out her wheelchair that she was able to shoot that gun and just...unbelievable. And then throughout the weekend, the smiles that she put on that camp...and she's in your brochures. You'll see the smile on her face. But the thing that touched me the most is that after she...when she was getting ready to leave and I went up to tell her and her parents goodbye, I reached out and grabbed her hand. And she kind of all stiffened up and I didn't know what to do. I backed up. I thought I scared her. And her mom said, no, she just wants to

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give you a hug. And I bent down and she gave me a hug and I just came down to where she knew everything that was going on that weekend, she just can't express like you and I can. And so I just...and it's through no fault of her own that after two years she will not be able to pass the hunter safety requirements. There's just no way that she can do it because of her disability. And I just think it's because of hunters like that, that we are asking that you would pass this bill. And I would hope that we would find somebody that would be willing to put it as a priority so that we could get it to the floor this year. And with that I would be willing to answer questions if anybody has any. [LB699]

SENATOR CARLSON: Okay. Thank you, Mr. Cline. Any questions? Senator Johnson. [LB699]

SENATOR JOHNSON: I don't want to hog all the questions here. Hope I can get through my statements too. Your passion is coming this way. When you train these individuals, do you try and train them in both firearm and bowhunting? Is there a difference there? Do some of them fit better into one or the other? And is it one permit or do you issue it for different types of firearm and bows? [LB699]

KEITH CLINE: We have been strictly firearm. To be honest, the youth that we have had would not...we do not have the equipment that would allow them to shoot a bow. [LB699]

SENATOR JOHNSON: Okay. [LB699]

KEITH CLINE: It's just a special...it's just...I suppose it could be done, but we're not set up. We are strictly firearm right now. [LB699]

SENATOR JOHNSON: So it's because of the equipment more that you're not going that route? Or is it the difference in the capability of the handicap? [LB699]

KEITH CLINE: I would say that the rifle is much easier. I am a very devout bowhunter. And if I could bow and arrow I would in an instant. But as of right now, no, we're strictly firearm, set up for firearm. [LB699]

SENATOR JOHNSON: Okay. [LB699]

KEITH CLINE: I would not say that that could not be a possibility, but as of now that's all we do. [LB699]

SENATOR JOHNSON: Okay. Thank you. [LB699]

SENATOR CARLSON: Senator Brasch. [LB699]

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SENATOR BRASCH: Thank you, Chairman. And thank you, Mr. Cline, for your work and your giving of yourself and helping these individuals, whether they're youth or young at heart. A good question was just raised because as I'm looking through e-mails we received in our office, there have been concerns raised by the Bowhunters Association and the bowhunters. Are you aware of that? Have they talked to your group at all and...? [LB699]

KEITH CLINE: No, they haven't. I am actually a member of the Nebraska Bowhunters Association and I'm assuming their concerns are probably the last half of the bill that deals with the combining of hunter education. I... [LB699]

SENATOR BRASCH: Exactly, yes. [LB699]

KEITH CLINE: Yeah. [LB699]

SENATOR BRASCH: And this is where they're...three or four sheets here of people, you know. [LB699]

KEITH CLINE: Um-hum. [LB699]

SENATOR BRASCH: And I think that group would need to be respectfully addressed. And perhaps Game and Parks will do that, you know, after you follow but... [LB699]

KEITH CLINE: Yeah. That's something that I have not been in that loop and really the back half of this bill I...it wouldn't be prudent for me to comment on because I wasn't part of...I was pretty much on the developmentally challenged part of the bill. [LB699]

SENATOR BRASCH: Um-hum. And I do believe it's a wonderful program that when you work with someone with a disability, you discover their exceptionalities... [LB699]

KEITH CLINE: Yeah, absolutely, um-hum. [LB699]

SENATOR BRASCH: ...within yourself and not just with them. [LB699]

KEITH CLINE: Um-hum. [LB699]

SENATOR BRASCH: And so I do agree being outdoors within itself is very medicinal, beneficial. [LB699]

KEITH CLINE: Um-hum. [LB699]

SENATOR BRASCH: And I do believe that when I'm hearing the description of it brings 100 people together to help an individual, we do need to see more of that, that sense of

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community and one on one. So I wish you luck in moving this forward, but I would recommend that the Bowhunters Association be addressed by you or individuals within your group as well. [LB699]

KEITH CLINE: Yes. I was hoping maybe to see Janice today. She's the legislative part of the NBA. But I haven't seen her yet. But I probably will be talking to her personally. But as far as the back half of the bill, I really can't comment much on it because I don't know much of the details of that part of the bill. [LB699]

SENATOR BRASCH: Very good. Thank you. I have no other questions. [LB699]

KEITH CLINE: Um-hum. Okay. [LB699]

SENATOR CARLSON: Okay. Thank you. Any other questions? Seeing none, thank you for your testimony. [LB699]

KEITH CLINE: Thank you. [LB699]

SENATOR CARLSON: Tim, I think it's your turn. [LB699]

TIM McCOY: Thank you Chairman Carlson, members of the committee. For the record my name is Tim McCoy, T-i-m M-c-C-o-y. I'm the deputy director at the Nebraska Game and Parks Commission. We come to you today in support of this bill. We obviously worked with the senator on both parts of the language. The language to try and deal with the issue with developmentally disabled individuals, I can't really take credit for. We actually lifted that from Missouri. They had recently developed some strategies to address this same sort of issue to provide that opportunity. And so we looked at that and looked at that and the opportunity we had to utilize the accompaniment standards that we already have for those licenses that provide those exemptions that the SYC group had been using and thought that was a good way to go. You know, the second changes are...there are several changes in here related to hunter education that we discussed with Senator Larson because this section was going to be open and there were things that we've been discussing internally for awhile. There are some changes up front to allow for some more flexibility in the program. There's really two things going on there. One is the International Association of Hunter Education, IHEA, is reviewing their standards. There may be some changes in terms of the hours required for hunter education requirements coming in the next year or so. And so part of removing the hour requirement in the bill is tied to allowing us to continue to match what the national standards are. Those are important because there is reciprocity with hunter education certificates across with other states in the country. So that's an issue for...one of the reasons we included that. The other reason for changes is there's already states that have went to some on-line hunter education opportunities, especially for individuals that are no longer minors, and most of those are not limited to residents. So we already

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have folks with an opportunity to go on-line in perhaps another state and take hunter education, and that is honored in Nebraska. And so we're looking to how those things may change in the future. There may be a time where for some of those groups we may look at that. But it provides that sort of flexibility. In terms of bowhunter education, there is not a uniform application of bowhunter education across the country. There are actually only nine states in the country that require bowhunter education on top of hunter education, and we are one of those nine states. We've discussed this over and over. If this is potentially a limiting factor for some of our...for the majority of our hunters, they take both, so that's ten hours in regular hunter ed and right now ten hours in bowhunter ed. That's a lot of continuing education to require for a very safe activity, as was mentioned earlier. The other thing we looked at with bowhunter education was hunter education started with safety issues. Bowhunter...bowhunting accidents have been extremely rare. There's been one in this state in the entire history we have of records of actual accidents involving a hunting implement. The accidents that do happen, the primary one is tree stands, a hunter falling out of a tree stand. That can happen not just with a bow, but with a rifle and with a muzzleloader, so...and speaking in those different types of hunting, you know, we have two hunter education classes that really one of them is separate for one class of hunting implements people can use. We don't do that for pistols. We don't do it for muzzleloaders. So because of several of those things, we thought there was an opportunity here to remove that requirement. Now...and Senator Larson stated this and I want to reiterate that. Our intent is not to remove the allowance for archery...bowhunter education in Nebraska. It's to remove it as a requirement for somebody to buy that permit. We provide a lot of additional education activities in hunter education and outdoor education. We would envision keeping that and still having that offered. We can still have volunteer instructors that offer it, look at offering it other ways for students who want it. The other reason that we talk about probably needing to have that is if we do have individuals that are going to hunt in another state where it does require that archery education, we'd want to provide that opportunity here for our hunters or for families that are wanting to get into archery but they want to go through that class. So with that I will try and answer any other questions you might have. [LB699]

SENATOR CARLSON: Okay. Thank you, Tim. Any questions of the committee? Now I want to ask for clarification. The commission can already issue special permits for the developmentally disabled. But that's the two year? [LB699]

TIM McCOY: The...we can allow an exemption for two years that allows them to hunt without a hunter safety card. They can do it for one year and they could renew it for another year. After that they are no longer exempt from the hunter safety requirements, and that's the real issue that the SYC folks are running into. One of the earlier testifiers mentioned, we do have the ability to provide for special permits that allow people that have some sort of a handicap some special dispensation if they need to use an ATV or to be able to hunt from a vehicle on private land. We do have the ability to provide that

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for people that have especially some sort of a handicap in order to allow that. Those cases have always been people that already have passed hunter safety or already can legally get a permit. To get a deer or a turkey permit these individuals need to pass hunter safety, so this provides an avenue that allows us to do that but keep it limited to the scope of really the intent. [LB699]

SENATOR CARLSON: (Exhibits 5-7) Okay. Any other questions? Okay, Tim, thank you for your testimony. Now I think that takes care of our proponents on this bill. We do have a letter to be put into the record and it is from Allen Spangler, support of LB699. Then we have another letter from Wes Sheets, Gary Brunberg and Wes Sheets, that is a letter of support for Section 1 and not for Section 2. So I'll put that in here. And then we do have a couple of letters of opposition and I'll enter those a little bit later. All right. We've had proponents of the bill. Now anyone that wants to testify as an opponent come forward. And how many people do we have to testify as an opponent? Okay. Welcome. [LB699]

ROD MOELLER: Senator Carlson, committee members, good afternoon. My name is Rodney Moeller, R-o-d-n-e-y M-o-e-l-l-e-r. I am representing the Nebraska Firearms Owners Association. We are in opposition to this bill as written and submitted. Our organization is very supportive of education. We have several members who are hunters education instructors and our members are confused by some of the language in this bill. The instructors have been the most vocal in opposition within our organization. The quality of the hunter education program in the state of Nebraska is very high. We have a great program here. We have many wonderful hunter education instructors. There is a concern that this would damage the programs we currently have. I've looked at the published statement of intent. I've asked around about the intentions of this bill. Senator Larson made some comments about the intentions. I'm kind of concerned that what is written, the language that is presented in this particular bill doesn't seem to match what Game and Parks is claiming. We can support the concept of expanded hunting opportunities for certain disabled individuals. That part of this bill we are not in opposition to. The issue with this bill are the vague language related to hunter education program. We're hearing that the intention is to perhaps provide Game and Parks with some latitude in developing additional educational programs, provide that in additional forms. That certainly is not what the language of this bill currently does. The language is clumsy at best. The language does not appear to be providing an alternative program in addition to what is currently offered. It appears to be doing away with what is now offered and combining them into a single course intended to cover all possible hunting platforms. Without properly spelling out the goal, without providing the game plan, and without spelling out the endgame, we cannot support this bill. Unfortunately, this is a product of trying to take two completely different issues and combine them into a single bill. I will say I was impressed with the testimony I heard in support of this bill. It sounds like we have a wonderful organization in this state providing some great services. I think that's wonderful. Unfortunately, it's the second

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part of the bill that we just can't support in this current form. If we can find a way to address the language concerns and actually have it spelled out as Game and Parks says that the intention of the bill is, our position may change. Thank you. [LB699]

SENATOR CARLSON: Okay. Thank you for your testimony. Tell me again who you represent. [LB699]

ROD MOELLER: The Nebraska Firearms Owners Association. [LB699]

SENATOR CARLSON: Okay. [LB699]

ROD MOELLER: NFOA. [LB699]

SENATOR CARLSON: Any questions? [LB699]

ROD MOELLER: We usually testify in a different committee. [LB699]

SENATOR CARLSON: Pardon? You're used to... [LB699]

ROD MOELLER: We usually testify in front of a different committee. [LB699]

SENATOR CARLSON: Okay. I imagine you may be. Senator Schilz. [LB699]

SENATOR SCHILZ: Thank you, Senator Carlson. Thanks for coming in today. And as I look at this and I heard you talk about specifics and things like that, when we look at this and you say that the statement of intent and the bill doesn't match up, can you explain that a little bit, expound on that a little bit so that we understand what you're talking about? [LB699]

ROD MOELLER: I'm sorry, Senator, I might not have been clear. The statement of the intent and the bill as presented do appear to match up. [LB699]

SENATOR SCHILZ: Okay. [LB699]

ROD MOELLER: It's that those two things don't match up with what the Game and Parks Commission are saying they're trying to accomplish with presenting this bill, which is to establish additional opportunities, to not do away with currently anything that's currently offered, and to provide additional methods like perhaps, you know, not just, you know, a combined course, but to perhaps create an on-line venue or some other presentation. [LB699]

SENATOR SCHILZ: So you're saying that their testimony is in conflict with what's in the bill. [LB699]

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ROD MOELLER: Yeah. And I have no reason to doubt what they claim they're trying to accomplish. I'm just saying that I don't believe we can be secure with the language in the bill. We can't be guaranteed that their stated intentions would in fact be addressed by this bill and wouldn't open it up to some further risk of...I mean we have a great risk of eliminating programs even though that may not be what they want to do. [LB699]

SENATOR SCHILZ: Right. In their statement about talking about...and you mentioned the on-line hunter safety opportunities there. Is that something that you would be in favor of or is that something that you wouldn't be able to support? [LB699]

ROD MOELLER: We're not opposed to those additional offerings. We just don't want to put at risk the wonderful offerings that we currently have. [LB699]

SENATOR SCHILZ: Okay. And I guess as they...in the bill it does say that they would combine all those to present hunter safety, including all hunting implements, and you're afraid that that just tightens it up too much, that puts it all together and no...? [LB699]

ROD MOELLER: It...as most of us have been reading it, it's saying we're going to eliminate what we have and create a single, all-encompassing curriculum. And I've been through the bowhunters course. I know that there's a lot of things that are bowhunting specific that really are not necessary for those that are going to be doing firearms training. Likewise with the firearms platform, there's a lot of things that are specific to the firearms that don't necessarily need to be included. I can see the benefit to those who may want to have a combined course so that they don't have to go through two separate courses. But we should not be eliminating either of the current offerings just to allow for the creation of a combined course. [LB699]

SENATOR SCHILZ: Right. But I see in here in the bill that they also talk about other things besides just bows and guns and things like that. They're talking about encompassing even more opportunities that would make it look to me in the bill that they want to expand it even further than what they've talked about here at the hearing. [LB699]

ROD MOELLER: Possibly. I mean, the language was confusing to where we had some members ask if, you know, clubs and spears might be allowed as well, which is silly, of course, because they're not allowed as available permits. [LB699]

SENATOR SCHILZ: Oh, I don't know. I've seen some hunting shows where people are using some older technology to hunt things. [LB699]

ROD MOELLER: Possibly in some other states but, yeah, I don't know that we have permits available for some of these alternate currently. But we want to ensure that we're

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not causing damage to what's currently being offered. [LB699]

SENATOR SCHILZ: Right. And then my last question, and I promise to leave you alone after this, is, what would it take for you to be comfortable, then, within the framework of what they're doing here? Is there a way to become comfortable within the framework of what they're doing? [LB699]

ROD MOELLER: If we were to completely rewrite the language, and I don't have language to offer today,... [LB699]

SENATOR SCHILZ: Uh-huh. [LB699]

ROD MOELLER: ...but if that language were to be completely stricken and rewritten to be a lot more clear about the stated goals and the path in which to get to that stated goal, I believe that we could change our position on that. [LB699]

SENATOR SCHILZ: Okay. Thank you. [LB699]

SENATOR CARLSON: Senator Brasch. [LB699]

SENATOR BRASCH: Thank you, Mr. Chairman, and thank you, Mr. Moeller, for your testimony. And I do understand that you approve or see the benefits of the group itself, of their intent, and what I believe is that perhaps what you were questioning is the instruction piece perhaps being diluted or not given the value that it has, that...is that correct? [LB699]

ROD MOELLER: Our objections are with the latter part of the bill and not part of that first part that... [LB699]

SENATOR BRASCH: With the instruction. [LB699]

ROD MOELLER: Right. [LB699]

SENATOR BRASCH: Right, and... [LB699]

ROD MOELLER: But I think that they've done a great job of accommodating that. It sounds like they've pulled language from Missouri. It seems to be well-structured language. I have no concerns with that aspect of the bill. [LB699]

SENATOR BRASCH: And a concern that perhaps, you know, I can see with reviewing the e-mails I have is that these individuals, great mentors, good individuals, are probably graduates of those instruction classes. But they are not teachers, so it's not a trainer--what is it?--trainer-trains-the-trainer program. They are basically good citizens

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with great intentions with good benefits but perhaps that the next generation of someone who did not have the benefit of the instruction class could cause more injury than benefit? I don't quite follow. When I'm reading this I'm seeing a little concern on the instruction piece being the downfall of this. [LB699]

ROD MOELLER: It has to do with the later portions of the bill where we're striking a lot of the language, where we're striking "firearm," we're using the terms "hunting implement," where we're striking the portion about...you know, where we're defining the different hunter education programs that the state...Game and Parks is currently offering and trying to create a single consolidated. That's where our concern...I haven't heard anything that is of a concern for our organization related to, you know, this group's efforts. I have some thoughts, I suppose, but I...they're probably not appropriate to weigh in. I don't know that they have any bearing on... [LB699]

SENATOR BRASCH: Could there be a potential partnership where your group works with this group to...or... [LB699]

ROD MOELLER: Oh, that certainly would be a possibility. I mean, our organization is very supportive of education of all kinds. So, I mean, we're not opposed to the educational programs. We're concerned about retaining the integrity of the programs that are currently offering...currently offered. So that's...we would love to, you know, partner where appropriate or where possible with other organizations. [LB699]

SENATOR BRASCH: Where this group could benefit from those who are trained. [LB699]

ROD MOELLER: Certainly. And I commend the group. I'm hearing that some of them are going to try to become certified hunter education instructors and that's wonderful. [LB699]

SENATOR BRASCH: And probably that community, knowing of the group now, may also step forward to volunteer. [LB699]

ROD MOELLER: Certainly. [LB699]

SENATOR BRASCH: Is that potentially there? [LB699]

ROD MOELLER: There is that possibility. [LB699]

SENATOR BRASCH: Okay. I do appreciate your bringing this to us and do understand that, you know, safety for everyone is something that your group is...looks at, you know, first and foremost. So thank you for stepping forward today. Appreciate it. [LB699]

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ROD MOELLER: Certainly. [LB699]

SENATOR CARLSON: Okay. Thank you. Any further questions? I would just ask this and then I've got a statement too. I'm guessing, I'm not...I can't speak for the committee, I can speak for myself, but for the most part we have heard some really good things today that I doubt that this committee is going to be in a mood to strike down this bill. And I would ask you, do you have an intent that the bill not move forward? [LB699]

ROD MOELLER: We take our position based upon our membership. Our membership votes on each bill that affects our group and our membership has said that we need to oppose this bill. [LB699]

SENATOR CARLSON: Okay, and... [LB699]

ROD MOELLER: So our intention would be to oppose that latter portion. If that were to be stricken, the first part where we heard testimony in support of, I imagine we would certainly be in support of that portion of the bill if the rest were stricken. [LB699]

SENATOR CARLSON: And none of your members other than you were here today. Is that correct? [LB699]

ROD MOELLER: We have one other member with me today. [LB699]

SENATOR CARLSON: Okay. [LB699]

ROD MOELLER: He's not speaking but... [LB699]

SENATOR CARLSON: Okay. Prior to today's hearing, had you discussed this with Game and Parks, your concerns? [LB699]

ROD MOELLER: I have talked to a couple of people well known in the area but not specifically with Game and Parks. [LB699]

SENATOR CARLSON: Okay, and... [LB699]

ROD MOELLER: I've talked to the Nebraska Sportsmen's Foundation, trying to get some understanding as to the intention and some history coming in on this bill. [LB699]

SENATOR CARLSON: All right, and I appreciate your honesty here. I think that in something like this there should be discussion with Game and Parks specifically on what the concerns are, and with Senator Larson, because I think this is a bill that we're going to make an attempt to move forward and we want to move it forward in the best form that we can get it into so there is support. And I would ask that you talk to Senator

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Larson and you talk to Game and Parks and hopefully there can be a satisfactory solution to this. And as Chair of the committee, I'll be willing to help in any way I can as well. [LB699]

ROD MOELLER: Okay. I was informed by several of our members who are active hunter ed instructors that they had made contact with, and I don't have the names specifically, but some of their contacts within Game and Parks, and they were directed to the Nebraska Sportsmen's Foundation to address those questions. [LB699]

SENATOR CARLSON: Okay. Well, certainly we want to work together and we want to move forward on something that appears to be beneficial to some special people in our citizenry. And so hopefully we can do that. Thank you for your testimony. [LB699]

ROD MOELLER: Thank you. [LB699]

SENATOR CARLSON: (Exhibits 8 and 9) Okay. Anyone else in opposition? We do have two letters of opposition from Jim Tubbs and from Janice Spicha, I think it is. That will be entered in the record. Do we have anyone who wants to testify in a neutral position? Welcome, Scott. I've never known you as being too much neutral. [LB699]

SCOTT SMATHERS: (Laugh) Well, Senator Carlson, Scott Smathers, representing the Nebraska Sportsmen's Foundation, S-c-o-t S-m-a-t-h-e-r-s. I am the executive director, as stated, of the Nebraska Sportsmen's Foundation. As the Nebraska Sportsmen's Foundation we work on a consensus of our executive board which is nine individuals, our advisory board which is six individuals, and a quarter percent of our total membership which is right under 4,700 members presently in the state. When all legislation comes out...and obviously this is the first hearing so we have had very little time for full vetting of this bill with our membership base. So the last 36 to 48 hours have been rampant with conversations. Several of the folks that have been mentioned: Wes Sheets is the chairman of our executive board; Janice Spicha is a former executive board member and founding member and advisory board member who is a legislative guru for the Nebraska Bowhunters Association. Most of you probably know Janice, you've met Janice. If you've met her once, you've met her...you know who she is, a very magnanimous individual. Also, Jim Tubbs is an executive board member and heavily involved in the archery segment of youth education in the state of Nebraska. It is true that we stand in neutral position on this bill and not in particular to the first component of this bill. We obviously support anything that brings more people to the passions, the joys, and the traditions that we already know of the outdoors, and especially mentally and handicapped individuals. We're very much in support. We're very proud of the work and very envious of the work that the SYC does. We're thankful for Senator Larson for bringing that bill and Game and Parks in being proactive. The second part of the bill we have concerns about from our membership base, our board, and it is not in particular to anything other than you have a longstanding history in the state of our bowhunters

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having some very strong opinions about issues on their own accord. Their opinion or their thought process that I've been informed in the 48 hours has been that they have felt that the bill would do away with bowhunting hunter ed instruction. That is not the case. That will not occur. I have spent some time talking with deputy director Tim McCoy. In fact, I've spent more time with him in the last 24 hours than I have my wife. So we have expended a great deal of conversation on this matter. Their intent is clear. Their intent is to improve our hunter education system, to do away with some redundancies. The other part of this that has not been discussed is that we do have a whole segment of potential outdoorsmen in that 19- to 29-year-old category that presently, underneath current law, they must participate in a hunter education class for ten hours, then do a field practicum, unless they do, as a friend of my son's just did last night at my house, take it through the state of Texas on-line for a fee of \$25. This individual is a friend of my son's, just returned with my son, who is in the United States Army, from Raven school in Massachusetts which is...if you're not familiar with what that is, it is becoming certified to be a drone pilot. He is 23, almost 24 years old, lifelong outdoorsman, never been through hunter education. He's at my house. He obviously sees my involvement in the outdoors, my son's involvement in the outdoors. He says he'd like to come here and go hunting. I said, you would be required to go through hunter education and most likely you're going to sit in a classroom with 12- to 16-year-olds. Keep in mind this young man has already been one tour in Afghanistan. The government trusts him with multimillion dollar equipment. But yet we're going to the current system, ask him to go sit with 12- to 15-, 16-year-olds for ten hours to learn hunter education. The times have changed. Our needs have changed. We need to be proactive in those changes. We've testified in neutral so that we can hope that language is added or explored or intent is being explored as to define what the Game and Parks' future plans would look like should we move forward with it. That's all we're stating. So we're in support of the bill with caveats. There's no category to testify in that manner. [LB699]

SENATOR CARLSON: Okay. All right. Thank you. Any questions of Scott? I assume that you'd be willing to work further with Tim. And I shouldn't do this, but I'm going to bring Laurie into it. I think she would be willing to help, and so...to get this in a form that...or an amendment that we should have. You're willing to do that? [LB699]

SCOTT SMATHERS: Absolutely, 100 percent. [LB699]

SENATOR CARLSON: Okay. Okay, any other questions? Thank you. [LB699]

SCOTT SMATHERS: Thank you. [LB699]

SENATOR CARLSON: Any other testimony in a neutral position? All right. Thank you for coming, and we'll have Senator Larson close on LB699. And thanks for your patience. [LB699]

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SENATOR LARSON: It's the committee process. Thank you, Natural Resources Committee members, for holding in there throughout the hearing. I think we've heard a lot of great stories from many of my constituents and people across the state about these programs and giving everybody an opportunity to hunt. I think that that first part of the bill is pretty clear-cut in terms of definitely needing to move forward. On the second part, you know, there were some concerns brought up, and I think Tim McCoy with Game and Parks really hit the nail on the head as, you know, this gives Game and Parks added flexibility. And we all work with statutes every day and when we put specific things in statute, they make us feel good now but we come back ten years because something else needs to be changed. And the Nebraska Firearms Owners Association didn't like it because of how vague this was in terms of we're just moving it to hunter implements and...but that was on purpose in the sense of how many times do we see cleanup bills year after year after year, and we're trying to shape their hunter education for the future, the next 10-15 years moving down the road. So even though some of you will be gone due to term limits, we don't have to come back and change the statutes later on. And Game and Parks can do much of what Nebraska Firearm Owners Association or the Bowhunters Association want to do through rules and regs instead of having to come to the Legislature, leaving it a little more open-ended so they have the flexibility and can work with those groups on the specific programs. We're just offering them the structure to do that instead of spelling out piece by piece by piece by piece. So with that, I'm always happy to work with, you know, the sportsmen and Game and Parks moving forward, and the firearms association, and hopefully we can come to an understanding of the intent and why the language was written the way it was. So if you have any questions for me, I can try and answer them. Otherwise, I appreciate your guys' time today on the first day of hearings. [LB699]

SENATOR CARLSON: Okay. Thank you, Senator Larson. Any questions? All right, thank you for bringing it. Thank you for your testimony. And with that we'll close the hearing on LB699. Thank you for coming and we're done. Now the committee's not done, but you're done. (See also Exhibit 10.) [LB699]