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Natural Resources Committee  
February 25, 2016

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[LB961]

The Committee on Natural Resources met at 1:30 p.m. on Thursday, February 25, 2016, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB961. Senators present: Ken Schilz, Chairperson; Curt Friesen, Vice Chairperson; Dan Hughes; Jerry Johnson; Rick Kolowski; Brett Lindstrom; John McCollister; and David Schnoor. Senators absent: None.

SENATOR SCHILZ: Good afternoon, everyone, and welcome to the Natural Resources Committee hearing for today. I apologize for the late start. We were held up a little bit by the Retirement Committee, but we're ready to go now. I represent the 47th District out of Ogallala. I have a number of committee members here today. I see Senator Kolowski isn't there, so we'll start with Senator McCollister for introductions.

SENATOR MCCOLLISTER: Yeah, John McCollister, District 20, which is central Omaha.

SENATOR SCHNOOR: Dave Schnoor, District 15, which is Dodge County.

SENATOR LINDSTROM: Brett Lindstrom, District 18, northwest Omaha.

SENATOR FRIESEN: Curt Friesen, District 34, Hamilton, Merrick, Nance and part of Hall Counties.

SENATOR JOHNSON: Jerry Johnson, District 23, Saunders, Butler, and most of Colfax County.

SENATOR HUGHES: Dan Hughes, District 44, from west to east, Perkins, Chase, Dundy, Hayes, Hitchcock, Frontier, Red Willow, Furnas, Gosper, and Harlan Counties.

SENATOR SCHILZ: Thank you, guys. And also with us today we have Laurie Lage, who is the legal counsel for the committee, as well as Barb Koehlmoos, who is our committee clerk. We also have a page with us today, Kellie Wasikowski, and she goes to school here at UNL. So thank you very much for being here and helping us out. Today we have on the agenda LB961, Senator Chambers' bill. I see he's here. But if you're planning on testifying today, please pick up a green sign-in sheet. They're at each door there at the table, and if you do not wish to testify, but would like your name entered into the official record as being present at the hearing, there's a form at the table that you can sign as well. This will then become part of the official record. Please fill out the sign-in sheet before you testify. Please print and it's important to complete the form in its entirety. And when it's your turn to testify, please give the sign-in sheet to Barb, the committee

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clerk, and that will help us make a more accurate record as well. But if you do not choose to testify, you may submit comments in writing and have them read into the official record. If you have handouts, please make sure you have 12 copies for the pages to hand to the committee. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell both first and last names. Please turn off your cell phones at this point or anything that might interrupt either testifiers or introducers. We want to give them the respect they deserve in this committee hearing. No displays of support or opposition to a bill, vocal or otherwise, is allowed during the Natural Resources public hearings. We do use the light system in the Natural Resources Committee and that will be set at five minutes, so you get four minutes with a green, you get one minute on yellow, and then when it turns red, I would ask that you sum up your comments and finish up as quickly as possible. And with that, as I said, I see Senator Chambers is here. We would invite him to the testifier's table and welcome him to open on LB961. Good afternoon, Senator.

SENATOR CHAMBERS: (Exhibit 1) Good afternoon, Mr. Chairman and members of the Natural Resources Committee. I'm a realist, as is everybody on this committee. I'm not going to waste a lot of your time. I'm not going to waste a lot of my time. This bill has as much chance to get what I would consider a fair hearing as a lighted match has of surviving in a torrential downpour. But because the hearing is conducted in a certain way, I'm going to read my statement of intent, make a few more comments, and if you have questions, I'll answer them, but I face reality and I know what the reality for this bill is in this committee. In case I didn't give my name, I'm Ernie Chambers. I represent the 11th Legislative District in Omaha. The goal of this bill is to terminate the authority granted to the Game and Parks Commission to establish a hunting season for mountain lions. In addition to the amending of Section 37-452, which is what the green copy does, an additional amendment is being proposed to repeal outright Section 37-473. The text is provided below to show what is being eliminated. Often when there's a repealer clause it will simply say, repeal such and such a statute outright and people don't know what that is. But because this will have a bearing on what I may say later, I'm going to read it. The Commission may issue permits for hunting mountain lions and may adopt and promulgate rules and regulations therefore within the limitations prescribed in Section...then it gives some references. Any authorized permits shall be issued to residents of Nebraska except that permits issued by auction may be issued to nonresidents. The Commission shall, pursuant to Section 37-327, establish and charge a nonrefundable application fee of not more than \$25 for permits issued only to residents. Any number of resident only permits as authorized by the Commission shall be awarded by random drawing to eligible applicants. No permit fee shall be charged in addition to the nonrefundable application fee. No more than one additional permit may be authorized and issued pursuant to an auction open to residents and nonresidents. The auction shall be conducted according to rules and regulations prescribed by the Commission. Any money derived from the sale of permits by auction shall be used only for the perpetuation and management of mountain lions. And the source of that law was LB928 and it was introduced in

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2014 by Senator Louden when I was not here. They wouldn't have tried this while I was here, as with a number of things. When that bill was introduced, the vast majority of it dealt with a deer donation program, which was an amendment offered by Senator...then Senator...what's the name of the new Tax Commissioner? [LB961]

SENATOR SCHILZ: Senator Fulton. [LB961]

SENATOR CHAMBERS: I wanted to see if you knew. Okay, yeah. Senator Tony Fulton. Now to go on with this and then I'll touch on that. The first and only hunting season was in 2014 when hunters killed five mountain lions. In addition, 11 more that year were killed for a total of 16. Legal hunting took 5; 11 fell prey to illegal hunting, traps, and vehicles. Ten of the 16 were females. Due to the large number of females killed, no season was set for 2015, nor for this year, 2016. A four-year scientific research project is underway to determine population, movement, etcetera, of the mountain lions. To date, seven have been fitted with GPS collars. The goal is to collar 15 in three areas, the Pine Ridge, Wildcat Hills, and the Niobrara River Valley. Animals are captured in cages baited with road kill, and sedated. Hair samples are taken and DNA tested to determine the gender and estimate the age and health condition. Captured kittens are ear tagged. This proves that Game and Parks is capable of capturing and relocating any problem animal. The last scientific estimate of the Pine Ridge population was between 15 and 22 animals. In addition to the heavy toll taken by various means previously mentioned, Section 37-472 authorizes issuance of permits for killing one or more mountain lions that are preying on livestock or poultry. The Commission is empowered to promulgate rules and regulations governing that process. Safeguards considering the small mountain lion population nullify any justification for sport and trophy killing designed to be revenue raisers and provide the thrill or joy of killing. The Omaha World-Herald, January 19 of 2014, noted that Commission Deputy Director, Tim McCoy, stated that, quote, there have been no confirmed reports of mountain lions preying on livestock or pets in Nebraska. So when they come up here with these anecdotes, take them for what they are worth, which is nothing. And they are being circulated around the state about mountain lions stalking people in their gardens, waiting in trees to pounce on them, watching while people conduct their daily affairs, none of which is documented, by the way. But that will be the kind of factors...the type of factor that will determine what this committee is going to do. Continuing Mr. McCoy's statement: And no one has been attacked by a mountain lion. With such a small population by whatever means determined the high mortality rate from all causes cannot be sustained without exterminating the big cats and native species until eliminated in 1890. The first sighting since then was 1991. Since that time, no reported attacks on livestock and no one, no person has ever been attacked by a mountain lion. To repeat, no confirmed attacks on humans have occurred. And if there have been, I haven't read about them. The population of mountain lions is so small by any reckoning that any, quote, managing, unquote, that may be necessary can easily be done by Game and Parks in conformance with scientific principles to conserve the species in Nebraska and provide for public safety.

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Incidentally, when the bill was first introduced in 2014 as LB672, it came within two votes of overriding the Governor's veto. And if two of my colleagues had done as they indicated, we wouldn't be having this hearing and there would be no authority to hunt. What I have here which I started to make copies of and give to the committee members, but I don't want to waste paper or your time. I know nobody would read it, but it's the text of Senator Louden's bill and the vast majority...you'll find it printed in the session laws for 2012. That's when they did this. The vast majority of the text of that bill is taken up and that bill would be in very small print, one, two...two and a half pages, three pages when you consider the A bill. The vast majority of it was taken up with a program established pursuant to the sections listed to allow for deer donation to those operations that feed hungry people. Then I copied out the transcript of the debate on that bill. The transcript of that debate comprises five pages. That's the total number and that would include the A bill for the deer program. Each page had numbers to indicate the number of lines of debate. Excluding the A bill, which was 23 lines, there were 164 total lines. Of that 164 lines, 26 lines were used by Senator Louden in his opening and his closing. So when you hear them say that all this talk occurred about what they say it did, that bill that authorized the mountain lion hunting was not primarily dealing with mountain lion hunting and what caused it to be unanimously supported and the bulk of the discussion was that deer donation program pursuant to Senator Fulton's amendment. Now if anybody is interested in copies of these, I'll give them, but I'm tired of making handouts which are not going to be read. You're going to kill the bill, so you can do whatever you want to. But I want the record to be clear that I came here, that I told you I know what you're going to do, so go ahead and do it. But if you have any questions, I will answer them. [LB961]

SENATOR SCHILZ: Thank you, Senator Chambers. Any questions? Senator Schnoor. [LB961]

SENATOR SCHNOOR: Are you going to be here for closing? [LB961]

SENATOR CHAMBERS: I certainly am. Wouldn't miss it. [LB961]

SENATOR SCHNOOR: I'd like to save my questions for then. [LB961]

SENATOR SCHILZ: Thank you, Senator Schnoor. Senator McCollister. I'm sorry, Senator Chambers, Senator McCollister has a question. [LB961]

SENATOR MCCOLLISTER: Thank you, Mr. Chairman. Senator Chambers... [LB961]

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SENATOR CHAMBERS: (Makes animal noise) Oh, excuse me. I was...I thought I was among friends. That's the way we greet each other, but since I'm not, I'll speak English, yes. (Laughter) [LB961]

SENATOR McCOLLISTER: Your bill will outlaw the hunting of mountain lions, correct? [LB961]

SENATOR CHAMBERS: Yes, it takes away the authority to do so. They could not set a mountain lion hunting season. [LB961]

SENATOR McCOLLISTER: Has the Department abused that authority in any way? [LB961]

SENATOR CHAMBERS: Yeah, they had a hunting season. That was abuse. They allowed the lions to be hunted with dogs and they had pictures...the media accompanied one of these outfits and after the mountain lion was in the tree, this guy came up and steadied the gun for this teenager and then they shot him out of the tree. And I find that abhorrent, savage, and anything but hunting. And if that's what hunting is, it should be abolished. If I sound upset, I am. I think that was immoral, it was vicious and it underlines what Nebraska is as a state. That was abuse. [LB961]

SENATOR McCOLLISTER: Apart from having a hunting season and the method of hunting, have they abused their authority or misused it in any other way? [LB961]

SENATOR CHAMBERS: There hasn't been anything for them to do with reference to the mountain lions. [LB961]

SENATOR McCOLLISTER: Don't they have a management program and they're counting the mountain lions and looking at the money that was...came about or came from that hunting license was utilized to promote the mountain lions and make them more plentiful in the state. [LB961]

SENATOR CHAMBERS: Well, we can see what they say, but as long as they say that the aim of this study that they're undertaking, that hunting is not off the table. I have communicated by phone and letter with experts in mountain lions far more expert than anybody you've got in this Game and Parks Commission. They have published not only narratives and books, but studies, scientific research. And it goes against all of the nonsense that's stated in this state. So I wouldn't try to communicate with those people. I've told them what I'm going to do. Since they want to do that to the mountain lions, I'm going to fight against any bill that tries to get them money, except

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my mountain lion license plate bill. Some money will go there for children to be taught some things about conservation. But I don't know of anything they've done to manage these animals. Now, maybe somebody called because they saw a mountain lion and they went out and shot it. But there's so few of them that there's nothing that, to my mind, they have done. But they can tell you that for themselves. I don't know if the report in the World-Herald was true, but apparently what the police did to a broken-legged mountain lion was what the Game and Parks Commission thought should have been done. And I'll send that article to anybody who is interested, but again I'm not going to bring all of that here. And for anybody to approve of something like that, anybody to authorize it, and for people in the Legislature to say that's appropriate, shows me there's nothing for me to talk to anybody here about. I introduced the bill. I have to do it. Senator Schilz is going to be term limited out, so next time I bring it, he won't be here and I think he's the main force behind trying to get this bill killed. And I believe in laying my cards on the table because I've read things that he put in the newspaper. The last time the bill was...the first time I brought it and subsequent to that. [LB961]

SENATOR McCOLLISTER: I don't dispute your account of the hunt that did occur. So, thank you for your answers and back to you, Mr. Chairman. [LB961]

SENATOR SCHILZ: Thank you, Senator McCollister. Senator Kolowski. [LB961]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Senator, thank you very much for coming in today. Again, we've been kind of doing this for the last four years in this committee and I really felt...I'm going to make a statement, but seeking your response as well. I really felt that in an earlier year when discussions were going on, you had a response to people who said, if I feel threatened on my property, personally, or my livestock would be threatened, the response would be to take whatever means you feel to handle your own safety and security which could mean killing them, that mountain lion. [LB961]

SENATOR CHAMBERS: Yes. [LB961]

SENATOR KOLOWSKI: And I really thought that was an answer that would stop the discussion and put things to rest because it would no doubt lessen the number of mountain lions in the state if a few were killed in that particular way, and that doesn't count those who shoot them and bury them anyway. I'm just being honest about things and how things happen. So I didn't see it as a huge issue. I thought you had something to stand on and you made a statement about where you were with the mountain lions, and I really think when you said that would be satisfactory as far as the safety aspect, that that would put it to rest, but it certainly hasn't. [LB961]

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SENATOR CHAMBERS: And that's why I cited that specific statute in here. I didn't print it all because I'm not touching it. So...and as for that shoot, bury, and be quiet, that was spoken of by Senator Louden and with others...by others with approval and it shows me the lawlessness in the rural areas. They encourage them to do this, but you know why I didn't worry about that? They're not going to see many mountain lions. There's not been a lot of shooting and burying because if with the numbers that Game and Parks determined to be there, and there's all this shooting and burying because these people are so menaced by mountain lions, that number would be infinitesimally small. [LB961]

SENATOR KOLOWSKI: Thank you. [LB961]

SENATOR CHAMBERS: But these lions don't come around human beings. Just like I hate I have to come before this committee. They know what human beings are and the only time you wind up with rogue mountain lions is if the mother is killed before the kittens have left and they haven't been taught what the game or the food is that they should go after. So the fact that mountain lions are in this state and they're not attacking wildlife, you have more livestock taken by Bald Eagles. Why don't you violate the federal law and tell people, go out and kill the Bald Eagles. They're the ones who will take lambs and whatever else they need and there are Bald Eagles in Nebraska, if you all don't know it. You think I don't know anything because I live in the city, but there are a lot of things that I know which I won't waste my time bringing here because I'm not trying to show you how much I've studied about mountain lions, wildlife, but for your information I was interested in animals even when I was in grade school. And I used to put books as I touched on, beside me in class, in grade school reading about animals. Oh, insects too, and flowers and birds which are animals, but people don't usually think of them when you talk about animals. I probably could name more birds, not the scientific species, than people on this committee put together. But I tried when I presented this bill to do it in a way that would be done by people who are going to be fair and objective. And I didn't give the number of the mountain lions myself. I took a lot of what I presented from statements by people in the World-Herald, given by members of the Commission or their top employees. And this fellow named McCoy said, if a majority of the senators did not want the hunting, they wouldn't do it. Well, 28 constitutes a majority and when I called him, he said, well, you know the bill didn't pass, which changed what he said because I guess he had been made to believe that a majority wanted that kind of butchery. So, I've made it clear what I intend to do. I didn't take this as my priority bill. It would have been a waste, so I prioritized a bill that I knew had no chance to get out of committee in the Judiciary. And that was to allow choice at the end of life for patients who wanted to die their own way. So you say, well, you knew that bill wasn't coming out. Isn't that a throwaway, priority motion, designating? No, I wanted people to see how serious I am about that issue and maybe if I had prioritized this bill, it could be a bit of pressure and leverage to get it out of this committee. But I wouldn't deceive my colleagues or resort to something like that because I'm not coming here as a beggar, I'm coming here as a defender. And you all can vote to kill this bill.

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You can vote against my effort to raise it on the floor, and you can try to stop me when I offer it as amendments to whatever bills I choose. And you know why I can offer it to any bill? All they can do is rule it out of order. Then we have a debate as to whether it's out of order or not. I'm as serious as a heart attack and I'm tired of being toyed with on this bill. But as I said, I'll answer any questions anybody wants to ask me and I won't hold anything back. You won't have to speculate. And I'll say more than the media would dare print, so they don't have to manufacture anything if any of them are here and decide to write a story, which I don't care if they do or not. I am disgusted with what I've read that occurs when they call themselves hunting these lions. And seeing the picture of a school teacher holding a mountain lion with the blood running down and putting it on Facebook. His students can see it. Some white guy came here saying that he has gotten trophies all over the world and he now wants to get one of a mountain lion in Nebraska to hang on his wall. That doesn't bother you all because you live out there around animals and they're just a part of the background, so if you kill them, so what. I bet you all aren't even upset by those cops with the shotguns and the pistols killing a mountain lion. And that's the only time they'd be able to kill one because if they went out to hunt one, they wouldn't find him. They wouldn't know how to find him. People with mountain lions on their property. One guy, he was quoted in the paper, for over two decades and he likes them on his property he said. But for some reason, he let that guy go through his property and on his property where they got the cat in the tree and shot him out. But he said in all that time he has seen the scat or the droppings of the cats. He's seen their footprints, but in all those 20-some years, he's never seen one in his life. People don't see these animals. So when somebody comes up here, if they do this time like they did before, and people should have known better, and four of them were walking abreast down the street or a road, that's crazy. A mother does not have four kittens. And if you see more than one lion it would be a mother and her kittens. Males don't hang out in prides. They fight for territory. And if you kill the mother before the "youngin" learns anything about the proper prey, what you need to hope is that there's an old male lion whose territory that "youngin" is, and he'll run him out. And when they pass through the state, they don't linger in Nebraska. It's a pass-through state, as is Kansas and some of the others. And by using DNA, they can track the movement of these animals, and one was tracked from Dakota all the way to one of those New England states. And they walk, they don't hitchhike. And you know how they were able to do that? They got killed on a highway. And when that happens, I guess in the trade they exchange information, or if there was anything identifying this animal, but somehow they were able to get the DNA and trace that DNA back to an origin in the Dakotas. They don't hang around. And that animal must have made a wrong turn somewhere and wound up in the city of Omaha, but he didn't attack anybody, he didn't eat any dogs, didn't eat any cats, didn't eat any children. And when I read that Senator Loudon claimed that you better hurry up and let people hunt them and kill them or they'll eat your grandchildren, then what will you say? You know what my response to that was? They won't eat any Nebraska children, they have better taste than that. (Laughter) If you don't have any more questions, I'll give you back your chair. [LB961]



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SENATOR SCHILZ: Thank you, Senator Chambers. Proponents to LB961. Good afternoon and welcome. [LB961]

PATRICIA FULLER: Good afternoon, Chairman and members of the committee. My name is Patricia Fuller, P-a-t-r-i-c-i-a F-u-l-l-e-r. I'm here to support LB961. Definitely feel the lottery should be ended. I think the depredation permits for controlling problem animals is all the law that we need to deal with this. Furthermore, the safety of people, pets and livestock is best ensured through education, conflict prevention, and emergency response plans. In states like Wyoming, Colorado, and Washington that have far larger populations, managers have successfully reduced cougar-human complaints and conflict by expanding outreach efforts and developing emergency programs that target problem cats. Random culling via sport hunting will not make Nebraskans safer. Human tolerance for these species is a major issue for conservation and I think that's what's at issue today here. Globally, we are losing our large carnivores and ironically they are vanishing just as we are learning about their important ecological effects. Scientific research has shown that healthy cougar populations help maintain healthy landscapes, and by diversity, cougars play an important role in ecosystems, perhaps more than any other large carnivore in our hemisphere. This influence stems from the cougar's extraordinary capacity as a predator, it's wide geographic distribution, and broad diversity of habitats that it uses. Cougars are a keystone species, meaning that their ecological influence is far greater than the mere numbers would suggest. In short, cougars have a potent and widespread ecological role even though they live in relatively low densities on the landscape. The source of the cougar's influence lies in relationship to prey, particularly deer, elk, and other herbivores that constitute its primary source. By preying on deer and elk, cougars help the populations from becoming larger than their habitat can support. As numbers increase to the point they risk a risk of consuming all edible vegetation and preventing regrowth, plant species will disappear. As plant species disappear, so do these species dependent on them for food and nesting sites. I do applaud Game and Parks for the research and for canceling the last two seasons. And as far as the research, I think that started mostly as far as the collaring after the one hunting season, so I'm not sure how much funding that has allowed for the research, but I do applaud them for that. Thank you for your time. [LB961]

SENATOR SCHILZ: Thank you very much, Ms. Fuller. Any questions? Seeing none, thank you very much for your testimony. Next proponent, please. Good afternoon. [LB961]

MELISSA MONEY-BEECHER: My name is Melissa Money-Beecher, M-e-l-i-s-s-a M-o-n-e-y-B-e-e-c-h-e-r. I am a normal citizen. I don't represent any group. I'm here to talk to you guys to let you know that there's normal citizens out here that think things are not right in this state. This is very upsetting to me because I do think it's wrong to be killing the very few mountain lions we have. It just...it just appalls me that we are at the point where we think killing for fun is something that should be done, that people are getting pleasure from killing these mountain lions

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for fun. I don't understand it. My daughter is a zoologist and she just got her master's in family and marriage counseling, so if she's not doing zoology, but these mountain lions, as you've heard, these people know about these mountain lions. They're not out killing people, they're not taking people's cattle and they're not harming people. I just think the state has got to the point where they think that all animals are bad and we should kill them, and I hate public speaking and I've done it twice this week on two bills that are just anti-animal. And I'm definitely for this bill. It needs to be passed. I think it's ridiculous that we have people in this state that think we should kill the 20 mountain lions and wipe them out. I just don't understand it. I don't know why anybody would support something like that. I don't know if you're getting money from these lotteries, or you just think that people have the right to kill animals or, you know, humans are so superior we should be able to wipe everything out. I mean, it's just appalling. And I am speaking as a normal citizen. You guys kind of...nobody has time to come here and speak. They all agree that, you know, animals should not be harmed and killed for no reason. People aren't using these mountain lions as food. I mean, at least the hunters that hunt deer, they go out and hunt deer for food. These people are just killing for fun. It would be like, okay, I decide I hate bees, I'm just going to go kill them and watch them die and suck the life out of them. I mean, do you all support that, killing for no reason? I mean, for no reason. There's absolutely no reason we're killing these mountain lions. You know all the research. I mean, you probably choose to not believe it, and I think it's appalling that you won't even listen to a senator that's proposing a bill that should be passed. We need to be compassionate. And I'm looking around and I see a whole bunch of guys, older guys, older than me, maybe not you, but, you know, I would hope you guys, I mean, females have more compassion, but I would hope you guys get a little compassion and actually do something about this. Nobody in the state wants this. I mean, I can get on Facebook and I started winding everybody up about this and your constituents, there's going to be a few of them that love to kill for fun and they just want to take...suck the life out of some animal, some innocent animal that's just trying to live. But, you know, if I went around and I was just killing bees because I'm like, I hate bees and I don't care about honey and, you know, I just don't like bees and I just start killing them. It's sickening. I mean, honestly, that is just...there's something wrong. There's something wrong if we think it's okay to kill these animals. And I would like to know who is supporting the...I know they haven't had hunts because there are so few of them. You know, we don't wipe them all out because maybe we can't kill them, but are you guys all in support of killing these animals for fun, just to watch them die, take their last breath? You know, I just don't understand it. I guess I got the light on, so, you know, I'm done, but you need to know that normal citizens, they are not in favor of killing these animals for no reason. There's absolutely no reason to be killing these animals and you all need to realize that you're constituents and most of the people that have any compassion are not for this. You know, what happened when they killed the lion...when the dentist killed the lion. I mean, everybody was up in arms about that. It's the same thing, you're just killing something to kill it. [LB961]

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SENATOR SCHILZ: (Exhibits 2 and 3) Thank you. Any questions? Seeing none, thank you for your testimony. Further proponents? Proponents? Seeing...oh, we do have a couple of letters. We have letters of support for LB961 from Amy Rodrigues from the Mountain Lion Foundation; and a letter from Jocelyn Nickerson from the Humane Society of the United States. At this point we will move to opposition, and we have opposition to LB961. [LB961]

TIM McCOY: Good afternoon. Thank you, Chairman Schilz and members of the Natural Resources Committee. My name is Tim McCoy, T-i-m M-c-C-o-y. I'm the deputy director of the Nebraska Game and Parks Commission located at 2200 North 33rd Street in Lincoln. I'm here today on behalf of the Commission to express our opposition to this bill. And I want to start out with our goal, when we're looking at managing mountain lions is to maintain the mountain lions' population in Nebraska in the long term. We have a longstanding expertise in terms of managing game species in this state and we believe we should maintain that authority and manage mountain lions like we do other species. In fact, no game species that has been managed by the Commission as a game animal has ever become endangered, and where hunting plays a role, it plays an interesting role in conservation because it provides a lot of the funding support for conservation activities for wildlife. Those populations have prospered. We strive to manage those species successfully in conjunction with the sustainability of their habitat and of the other species that are in those areas as well as the demands of the public. Now, one of the things that's came up as we've talked about mountain lions over the last several years is this idea that Nebraska has a small population of mountain lions and they're isolated. Our mountain lion population that's primarily in the Pine Ridge in the northwest corner of the state is not isolated. There are connections with South Dakota and there are connections with Wyoming and mountain lions readily move between those areas. So, in fact, when you look at the big picture of what's going on with mountain lions, Nebraska is on the western edge of a very large population of mountain lions that run all the way through the Rocky Mountains, all the way to California. There's also a large population in the north of us in the Black Hills of South Dakota. Mountain lions have, in fact, since the turn of the century when efforts to really extirpate them were taken, mountain lion populations have continued to increase through the west and that is how mountain lions came back to Nebraska. They came back out from those mountain states and we're continuing to see mountain lions move farther eastward across the country. We continue to see them move eastward occasionally across this state and still continue to get confirmations, you know, all the way down into the southeast corner of the state. Omaha was mentioned. There have been several mountain lions in Omaha. We've had mountain lions up by Ponca. We've had them in the Sandhills. I think we've confirmed mountain lions in probably every major watershed of the state except the Republican River at this point and I think it's a matter of time until we have confirmations there too. We essentially have three populations we're aware of right now where we have breeding. One of those is the Pine Ridge where the majority of our mountain lions are. It's also where the majority of our mountain lion habitat is. We have a few mountain lions that we know are in the Wildcat Hills south of Scottsbluff, a small, small, what appears to be a

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merging population there and then a small population that appears to be in the middle Niobrara area right now. We'd done our scat studies again last year. I'm going to sort of give you the summary of where we're at with that. We did a series of scat studies in the Pine Ridge. We also tried to do that in the Niobrara, central part of the Niobrara River Valley. We have a substantial number of scat from mountain lion that DNA evidence and we just have the information back from the lab. We do not have a new population estimate yet, but I will tell you that we have more DNA positive samples than we've ever had in the past. And it appears likely we will have a population estimate that will be larger. In 2014, we had the population estimate that was the same as prior to the hunting season and we had the additional mountain lions that got killed from a variety of these other...where they were causing conflicts with people, and we didn't hold a season in 2015 because of the number of females that had been harvested. In a mountain lion population you have one male that has a larger territory that includes multiple females, and so the females are very important in that population estimate. And so, we're expecting that our new population estimate, when we can get through the full analysis and the statistical review, will likely be larger. We had in 2015, we did not have the high number of mountain lions that were killed as we had in 2014. We came back to what I would call a more normal number. We had five mountain lions that were killed. Those were all five males, actually two of those were hit on the road. One of them was found adjacent to a trail and was...we were unable to determine the cause of death because it was pretty decomposed. And then we had a couple of them that were shot, one under somebody's porch and the one that's been referenced that was in Omaha that was shot by Omaha Police Department. With that, I'll stop because the red light is on. If you have any questions, I would be pleased to answer them for you. [LB961]

SENATOR SCHILZ: Thank you, Mr. McCoy. Any questions? Senator Johnson. [LB961]

SENATOR JOHNSON: Thank you, Senator Schilz. Thank you, Mr. McCoy, for coming in. You're anticipating the numbers to grow...your confirmed numbers to grow slightly, and you're responsible for management of the herd, or the numbers at least...I guess they're not called a herd or dens. What's the number that might contribute to the fact that you might have a limited season again, or do you have a projection on that? [LB961]

TIM McCOY: We, you know, we've not established a set number. Initially when we looked at it, we looked at it from the standpoint of, is there the potential for the population to withstand any harvest? And we've controlled that very, very specifically in the first seasons that were offered by having a quota of males and then a subquota of females to limit the potential of females to be harvested. Without looking at the estimate, you know, again, this is preliminary. We could come back with numbers that are different than what we expect, so we've not set a certain number in mind. I will tell you that with the work we're doing collaring, we actually have nine mountain lions collared right now, seven of those are females. All those females are in the Pine Ridge. So we are collecting a lot of valuable data with the other studies we're doing in terms of females and

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reproduction because we documented reproduction of six kittens that have been ear tagged and DNA sampled last year from some of those earmarked or radial marked lions. And we also had kittens in the Wildcat Hills that were tagged. We had a female there that had a collar, but then we had a failure with the detachment system on the collar and her collar detached before the collar was finished with its battery life. [LB961]

SENATOR JOHNSON: Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Johnson. Senator McCollister. [LB961]

SENATOR McCOLLISTER: Thank you, Mr. Chairman and thank you, Mr. McCoy. What's an optimal number of mountain lions in the state? [LB961]

TIM McCOY: That's a really challenging question because optimal probably...depends really on when you're looking at what's the suitable habitat for mountain lions. The previous estimates that we've done based on work done in South Dakota indicated the Pine Ridge probably had a potential that sustained somewhere in 20 to 25 mountain lions. We've done...we've got some of the emerging areas like the Wildcat Hills and the Niobrara River Valley don't have the extent of habitat so they probably have the potential to sustain some fairly small populations. But the collars on these lions are going to allow us to really refine those population estimates and the habitat estimates that we can look at to see how many...especially how many female potential territories you have in those areas. But there's always going to be a challenge with that because there's always the...we run into this with any wildlife species, there's always a conflict with what the people are willing to have, what the people of Nebraska want because the question will be asked, well, if there's potential suitable habitat in the Missouri River corridor in the Missouri River bluffs that includes Omaha, do we, you know, do we want to have a mountain lion population there. That's a question that's much bigger than the biological question of most of what we look at. [LB961]

SENATOR McCOLLISTER: Can a DNA sample tell you the difference of whether a particular cat is a male or a female? [LB961]

TIM McCOY: DNA can tell us that. Typically when we have them in a trap, we can tell also, but, yeah, we get sex ratios from that. We can also tell...in many cases, with DNA, with high quality DNA, we can tell parentage relationships of, you know, a cat that was likely born to another cat that's been in our sample. Our DNA samples overall in Nebraska are not different from what you see in South Dakota or in western Wyoming. We have looked at that. It's really part of that bigger population. [LB961]

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SENATOR McCOLLISTER: Are the populations in Wyoming and South Dakota expanding? [LB961]

TIM McCOY: The population in South Dakota had been expanding. They had really ramped up their efforts due to concerns about impact on deer and elk in the Black Hills. They made efforts to try and reduce their mountain lion population. I've not heard how successful that's been because mountain lions are pretty resilient animals, but as their populations increased, we really saw what we think was more immigration of mountain lions coming in from South Dakota. [LB961]

SENATOR McCOLLISTER: Would that indicate that the habitat is saturated? [LB961]

TIM McCOY: It could indicate saturated habitat. The other thing that was interesting in South Dakota, they even saw differences between years in terms of how much habitat a female needed and probably tied to the resources that were available of their prairie resources. If they have a shrinking prey population, they're going to have to increase their home range. [LB961]

SENATOR McCOLLISTER: Do Wyoming and South Dakota have hunting seasons? [LB961]

TIM McCOY: Wyoming and South Dakota both have hunting seasons. [LB961]

SENATOR McCOLLISTER: Okay. Do you anticipate, all things being equal, but as long as the moratorium or the study is ongoing, would you anticipate having a mountain lion hunt? [LB961]

TIM McCOY: We have no season planned for 2016. Part of that was because we did not have new population data to base anything on. Until we get the results from 2017 and really can analyze that and sit down and look at it, you know, that really requires a discussion with the rest of our staff and our wildlife staff and also our director. [LB961]

SENATOR McCOLLISTER: So that study will be complete in 2017? [LB961]

TIM McCOY: The studies we're doing with collaring lions is actually scheduled to go through 2018. We'll be completing, hopefully, in the near future, prior to our next Commission meeting, our population estimate from the information we gathered in 2015. And also, we can look at the information that we have on hand from those collared lions because we know they were out there. Whether they were sampled or not in the scat study, provides us some additional ways to refine our population estimates. And that will be new for us, so that's actually taking more time in our analysis. [LB961]

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SENATOR McCOLLISTER: Yeah, thank you, Mr. McCoy. Thank you, Chairman Schilz. [LB961]

SENATOR SCHILZ: Thank you, Senator McCollister. Senator Kolowski. [LB961]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. Mr. McCoy, on the...you're talking about the food for lions or whatever they might be, eating deer and everything else, what impact has the turkey population in the state had? If they're grazing on turkeys, they can eat from corner to corner like a Thanksgiving, you know, we've got so many. They walk through my yard all the time. [LB961]

TIM McCOY: Well, mountain lions will eat just about anything, but I can tell you that deer are one of the...really one of the prominent things in their diet. They also eat a lot of smaller mammals, you know, rabbits. They have a real affinity for porcupines. Apparently they're one of the animals that's able to catch and eat a porcupine. We find a lot of them with quills. And so, they are...they will...I'm sure they eat turkeys, but we do not have a lot of evidence from that in the information that we get whenever there are lions killed and we look at the stomach contents. [LB961]

SENATOR KOLOWSKI: Another question. When...there might be someone who felt they were threatened or their livestock would be threatened, they kill a mountain lion on their property. Is it protocol or do we have rules or laws that say they're supposed to contact your office and so you can come out and do DNA and check over the lion that was killed? [LB961]

TIM McCOY: Yeah, the regulations we have in place call for them to contact us so we can go gather the information and also, you know, make sure that it's, you know, that the situation matches with what they're saying and we always do that. [LB961]

SENATOR KOLOWSKI: So if they shoot, kill, and burying, that's...they're breaking the law? Is it regulation or law? [LB961]

TIM McCOY: They're probably breaking...they're probably breaking a regulation. I don't know that they are breaking a law unless you can, you know, innocent until proven guilty, you would have to prove that they were not really defending themselves. [LB961]

SENATOR KOLOWSKI: Sure. Thank you. [LB961]

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SENATOR SCHILZ: Thank you, Senator Kolowski. Any other questions? Senator Schnoor. [LB961]

SENATOR SCHNOOR: A couple of questions for you. One of the previous testifiers said that nobody wants this hunting season, nobody wants to see...well, nobody wants this. What is your perspective on that? Do citizens want a hunting season? [LB961]

TIM McCOY: My perspective...I'll bring you mainly my perspective from the hearings we held prior to our first hunting season. We held two hearings. The first one was in Chadron and we had 20 individuals there that were adamant that we needed to be...we needed to have a hunting season on mountain lions and there were a couple who thought we shouldn't hunt mountain lions. When we had the hearing in Lincoln, I believe it was the other way around in terms of a few people there that, individuals supporting a season and individuals that didn't. And I think it's symptomatic. It is a very high profile issue for people. It's very emotional for people of whether you should or you shouldn't harvest large predators. It is...people have very different opinions on it and they tend to be on one end of the scale or the other. [LB961]

SENATOR SCHNOOR: Okay. My other question is, Senator Chambers talked about how...during the only hunting season that we've had, that how one particular lion was hunted down with dogs and treed and shot. Now, I don't know if that's true or not. I'm assuming that it is, but my question is, does the Game and Parks have the authority to determine how many animals, for that matter, are hunted? [LB961]

TIM McCOY: Yes, we do. We have the authority to put those sorts of...to put limits on that if we chose to. [LB961]

SENATOR SCHNOOR: Okay. All right. Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Schnoor. Senator Hughes. [LB961]

SENATOR HUGHES: Yes, thank you, Chairman Schilz. Thank you, Mr. McCoy, for coming in today. You indicated that there were three established populations in Nebraska: Pine Ridge, Wildcat Hills, and Niobrara. Is that accurate? So what kind of evidence do you need to know if there's a population established versus just some cats moving through? [LB961]

TIM McCOY: Typically what happens when we have established mountain lion populations is we will get...we will have repeated confirmable sightings or evidence. Sometimes that's trail cameras, sometimes it's tracks. The big thing that we've used, though, in confirming populations



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is when we've had evidence of reproduction. Typically that's photographs with kittens or direct observations where we can get evidence in terms of hair or tracks. We've had breeding mountain lions in the Pine Ridge since 2007. We've had evidence of reproduction in the Wildcat Hills, I believe, each of the last two years, and we have had...we've not confirmed kittens in the Niobrara River Valley, but we know that we've confirmed females, at least one female and males and they're continuing to...we're continuing to get glimpses of them or evidence, you know, very consistently, you know, multiple times a year. And so usually that indicates they've set up a home range there. [LB961]

SENATOR HUGHES: Okay. Well, the reason I asked is I live in the Republican River Valley and I have several friends who have forwarded game cam pictures and also eye witness of cats in the area. So I was just curious what it took, you know, what kind of evidence Game and Parks has to have in order to verify that not only there are cats in the area, but a population or a group, you know, making that their home. [LB961]

TIM McCOY: We really encourage people to send us...to report those to us. And then we get...right now we are getting with the trail cameras, we are getting...and cell phones, we're getting more and more actual pictures which you can then usually determine whether it is or isn't a mountain lion. And we encourage people to provide us those because that's where most of our, you know, sightings that are across the state come from, citizen reports. [LB961]

SENATOR HUGHES: Does Game and Parks set up trail cameras in different...? [LB961]

TIM McCOY: We do. We've set up trail cameras in different places where we've had concerns about maybe it's livestock depredation or just somebody thinks they've been seeing a mountain lion in the area. If we get permission we'll go put out an array of trail cameras to try and get pictures, but I can tell you, the deer hunters provide us a lot of pictures. [LB961]

SENATOR HUGHES: Yeah. Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Hughes. Any other questions? Mr. McCoy, before I let you go, we talked about and you've been talking about the study that you have going all the time, do you have...can you tell us what the main goals of that study are? [LB961]

TIM McCOY: The main studies of the project that we're doing with radio collars is to learn more about mountain lion food habits. One of the things we want to do is investigate kill sites to get a better understanding of what they're eating in terms of whether it's elk, whether it's deer. We have a big horn sheep population in the Pine Ridge. We know that we've had several cases where we

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know collared sheep have been taken by collared mountain lions, and so we're...we want to know that food habits, understand the impact that they're having on those other species. We also want to look at their habitat distribution and how they're using habitat in Nebraska. That will help us refine our maps that identify what sort of population could we sustain in Nebraska and where those areas are in the state. And then the last one is to help us refine our population estimates from the scat studies. Having known animals that we have information on that we know they were, you know, you know they were there which is difficult with mountain lions, is really valuable in helping us understand what sort of proportion of the population are you likely capturing in a scat sample. [LB961]

SENATOR SCHILZ: Right. And then, the next question is, do you know the cost estimates on what that study were? [LB961]

TIM McCOY: Our scat studies, last scat study is probably running us about \$30,000 because we had a lot more samples this year. And then the collaring project is running us...is about \$60,000 a year. And we're using the combination of some of the Pittman-Robertson funds which are funds we get for conserving wildlife and managing wildlife that come from excise taxes on hunting equipment. And then also some of the fees from the permits to match those dollars. [LB961]

SENATOR SCHILZ: So those...so you have to match those dollars with local dollars and you're using hunting fees... [LB961]

TIM McCOY: Yes. [LB961]

SENATOR SCHILZ: ...specifically from the mountain lion... [LB961]

TIM McCOY: We're using permit fees that are in our game cash, and... [LB961]

SENATOR SCHILZ: You're not...you're not... [LB961]

TIM McCOY: ...we don't segregate this out. They are all used for the management of game species in the state. [LB961]

SENATOR SCHILZ: Right. Okay. Thank you. Senator Johnson. [LB961]

SENATOR JOHNSON: Yeah, I have question. Thank you. Mr. McCoy, if there was not a hunting season, and the numbers kept increasing, but disease came in and the den was to be

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destroyed or somehow you had to do something in order to manage the den, what...how would you do that? Do you have the authority to capture and terminate the life of an animal so it doesn't spread diseases or what capabilities do you have? [LB961]

TIM McCOY: We do have that authority. [LB961]

SENATOR JOHNSON: So you can manage it that way if it gets too large? [LB961]

TIM McCOY: We can try. It can be challenging with something like mountain lions if they're not...if they're not collared, your ability to find them will be very, very difficult, but it's possible. [LB961]

SENATOR JOHNSON: Okay. Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Johnson. Senator Schnoor. [LB961]

SENATOR SCHNOOR: Tim, we talk about collared animals and I assume they have GPS trackers on them then. [LB961]

TIM McCOY: Yes. [LB961]

SENATOR SCHNOOR: Simply, how do you go about finding them? [LB961]

TIM McCOY: Well, we typically we use trail cameras in high quality habitat or where we've got reports from individual landowners that think they have been seeing a lion. We then typically use road-kill deer and we will bait that site and launch it with a camera and then if a mountain lion starts coming in, then we set out a cage trap with the deer in it. And then once they're in the trap, we drug them, essentially, knock them out, and then put the collars on them...put a GPS collar on them and then undo the drugging of them so that they come back out. [LB961]

SENATOR SCHNOOR: Then how do you...how are you tracking them with the GPS collars? [LB961]

TIM McCOY: Well, with the GPS collars, most of these we're able to get signals that actually go through a satellite or phone system and so we get periodic, just to a computer you can actually get that. It comes in through a computer program. They also have...they also have telemetry which admits a beep on a signal where we can actually also go out if you have one that's in a

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mortality signal. It beeps faster if that collar has not been moving so you can actually go pinpoint where an individual lion is using the telemetry equipment too. [LB961]

SENATOR SCHNOOR: So you can literally...use some assumptions. You collar one out in the...out west, you can literally track him and see where he's roaming to. [LB961]

TIM McCOY: Yeah, typically they're set up to only give us a signal a couple a times a day. If you do it...part of that is to save the battery life because putting new collars...trying to recollar a mountain lion is challenging, trying to get them to go back into that trap. (Laughter) So we try to get that...you want that life of that collar to go for a while but we've been having...most of ours are providing a couple of pings a day on where their location is which really helps us to understand how they're using their habitat and moving around. [LB961]

SENATOR SCHNOOR: So how far then have you seen mountain lions roam? [LB961]

TIM McCOY: We've had...I know we had one, a male that was in the Wildcat Hills that I know, I believe went somewhere between 15 and 20 miles and it went back to Wyoming and then came back. So they can have a pretty big territory because they're...especially the Wildcat Hills are very linear, so we think what he was doing is moving, you know, up and down that ridge. [LB961]

SENATOR SCHNOOR: Okay. Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Schnoor. Any further questions? Senator Kolowski. [LB961]

SENATOR KOLOWSKI: You obviously don't need any help from Apple then to track them? [LB961]

TIM McCOY: Yeah, we've not used iPhones to track them. [LB961]

SENATOR KOLOWSKI: Just checking. Thank you. [LB961]

SENATOR SCHILZ: Thank you, Senator Kolowski. Any further questions? Seeing none, thank you for your testimony. [LB961]

TIM McCOY: Thank you. [LB961]

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SENATOR SCHILZ: Next opponent. [LB961]

SCOTT SMATHERS: (Exhibit 4) Chairman Schilz and members of the committee, my name is Scott Smathers, S-c-o-t-t S-m-a-t-h-e-r-s, and I'm executive director of the Nebraska Sportsmen's Foundation located at 1327 H Street here in Lincoln, Nebraska. I'm here on behalf of our members and corporate...or conservation partners and the board of the NSF to oppose LB961. We're not here to oppose the actual hunting season since the season has not taken place since 2014. It has been influx since '15 and '16 and there is no indication there will be a season in 2017 or, in fact, 2018, unless there's a remarkable number of increase in mountain lions. We are here to oppose LB961 because we feel it strips the opportunity for the Game and Parks to have a tool in their tool box for management. That management tool is the simple fact of using harvest as a management tool should it need it. In 2012 in One Hundred Second, Second Legislative Session, the NSF worked with Senators Krist and former Senator Fulton to create LB1163 which you heard Senator Chambers quote earlier. It is now known as the hunter's helping the hungry deer donation program. During the One Hundred Second, Second Session portions and provisions of LB1163 was amended into LB928 by AM2667, which provided the Nebraska Game and Parks with the ability to add a much needed tool to their wildlife management tool box, as I stated, to harvest a wild mountain lions should the population dictate so. LB928 added that tool to the wildlife management practices that the Game and Parks has done so sufficiently over the years on many species. We have an exceptional track record with the Game and Parks in managing the state's natural resources based on sound science through expertise of professional fish and wildlife biologists. In fact, the successful restoration and resulting need for regulated hunting of the mountain lion population is a testament to their ability to effectively manage wildlife populations in the state. The Nebraska Game and Parks Commission sound judgment is evident in their decisions to suspend those seasons for 2015 and 2016 due to the reduction in the number of females in 2014. The Commission is clearly committed to securing a future that includes mountain lions in Nebraska and monitors their overall health and well-being using annual population assessments. This is documented in the report of the NG&P created in 2014 which I provided you copies of for your viewing pleasure. Yet, LB961 seeks to remove hunting as a tool in the Nebraska Game and Parks tool box for effective management of mountain lions. The elimination of using hunting permits represents a serious threat to science-based management and the sustainability of other wildlife populations in the state. A vote for this bill is actually a vote against conservation as conservation is entrenched in science-based management. The use of science-based management practices has proven the right choice to sustain, improve and control populations to help the ecosystem levels for all wildlife species as opposed to management and creation of rules and regulations secured through emotions and passions that LB961 seeks to do. In fact, it is well-documented throughout history that when management practices are affected or changed due to emotion and/or passions, the simple fact is that it cannot actually set an unbalanced nature and cause more damage to species rather than help. The most recent example which I've included a copy for you which was state...was brought up earlier by an

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earlier testifier, is the case in Zimbabwe of the harvest of Cecil the lion. Since the outcry over the harvesting of Cecil and the resulting decrease in the number of hunters, Zimbabwe's largest wildlife area known as Bube Valley Conservancy now has more than 500 lions and the habitat cannot sustain the number and they may have to cull--Senator Johnson, you asked earlier, cull is the term--200 lions to sustain a healthy balance. This is outlined in the story that I gave to you as posted in the National Post in February 26 of this year. Now, I fully understand the lions in Zimbabwe and the population of mountain lions in Nebraska is a far stretch and may appear to be a stretch. However, the principle of science-based management which does include control harvest as a tool is far better than emotion and passion-based management. The use of science-based management as practiced by the Game and Parks has proven successful and the increase for mountain lion populations is evident in the decision to suspend those seasons. The members of the NSF are confident the Game and Parks will continue to use sound and science-based practice moving forward. We thank and appreciate Senator Chambers' obvious passion for the mountain lion and the success of future numbers. The increased knowledge and media attention his efforts has created has helped share the same passion for wildlife and the growth and improvement of many species, including the mountain lion as sportsmen have always done. We simply disagree on how to achieve the same goal. In closing, I want to also point out that during the same session, LR40CA was passed and then approved by Nebraska voters in November of 2012 with a 73 percent approval rate...a voting approval, excuse me. I inform you of this only to share the NSF concerns and fellow sportsmen groups that any limitation in statute to prohibit hunting is a means of managing and controlling wildlife could be subject to constitutional challenge. We urge the NRC to keep LB961 in committee and let the process of the Game and Parks as currently moving forward to continue and to work. And I thank you and would answer any questions you may have. [LB961]

SENATOR SCHILZ: Thank you, Mr. Smathers. Any questions? Seeing none, thank you for your testimony. Appreciate it. [LB961]

SCOTT SMATHERS: Thank you. [LB961]

SENATOR SCHILZ: (Exhibit 5) Further opposition? Any further opposition? We have one letter of opposition from Wesley Womack from the Congressional Sportsmen's Foundation. With that, do we have any neutral testimony? Anyone here in the neutral capacity? Seeing none, Senator Chambers, you're welcome to come back and close on LB961. [LB961]

SENATOR CHAMBERS: Thank you. Members of the committee, I didn't hear anything that was said that would militate against doing what I'm doing. When I talked about that early hunt, you know how much they...they took bids. I don't know if it was this gentleman's organization, but some big game hunting organization put on some function, a dinner out at Mahoney Park, and

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you might have had to start the bidding at \$500 or that's how much it cost you to be there. The fat cats, and the one who got the right to hunt paid \$13,500 and he was allowed to use the dogs. He purchased the right to use the dogs and anybody who knows anything about hunting--you didn't hear Mr. Tim McCoy talk about that--knows that dogs should not be used. Now, if you want to just kill off the animals, use the dogs because the animal is going to do like that God you all believe in, taught it to do, by instinct. If you can't fight, you run first, and you run up a tree. And these people studied animals enough to know that and the dogs will run them up a tree. And a dog wouldn't have a chance against a mountain lion. So when the mountain lion does what a mountain lion does, they can come up and shoot them out of the tree just like Rudyard Kipling, or that guy who wrote the books, Ernest Hemingway, the great white hunters who would bring back heads, tusks, skins, that they hang on doors and put on the floor. And if you read any history of how the animal population was virtually destroyed in this part of the country, not just Nebraska, but this part of the country, you'll see the pictures of mountains of bison's skulls with these hunters standing on top of them and grinning like Cheshire cats. And they showed cars with several mountain lions, the carcasses draped and hanging over them, which shows what the great hunters do. You didn't hear Mr. McCoy say anything about the dog hunting...hunting with dogs, did he? This bill of Senator Louden's was passed--I'll put the date, I don't want to get confused with anything--in 2012. How was Game and Parks managing the mountain lions before the hunt? They didn't need that hunting. Some of these groups came and told Senator Louden, go down there and get those chuckleheads to put in a hunting season and tell them all their grandkids will be eaten up by lions if they don't. Now, none have been eaten yet. No human being has been attacked since 1991, yet, but they might, and the Legislature went along. But I defy anybody to show me any substantive debate in any transcript about the need to hunt these mountain lions, but there was considerable on that deer donation program. And there are people who would not, because they told me, they wouldn't have voted for mountain lion hunting and that wasn't even on their radar because the bill...the discussion was about the deer donating, and there were people lobbying for the bill because of that. And using the old dishonest tactics of these politicians, they gave the impression that all of the debate surrounded what Senator Louden was doing and why this had to be done. I'm just going to go ahead and read for you his closing. I don't want to read too much because I said I'm not going to give it to you unless you ask for it, but his closing. Seeing no...oh, President Sheehy: Seeing no request to speak, Senator Louden, you're recognized to close on LB928. Senator Louden: Thank you, Mr. President and members. And this is a collaborated effort here amongst us that we would use our sportsmen and also our natural resources to a very good use, which using the amount of deer out in there that could be used for food processed in Nebraska is a great deal, and giving the Game and Parks authority to do something so they can have a control over the mountain lion population. With that I would ask you to advance LB928. The discussion was on the deer donation program. I don't expect senators to do all this research and this reading. You don't have to because you've got the numbers. You know who was here speaking against the bill last time? Cabela's and Governor...former Governor Heineman was prevailed on to veto the bill because of Cabela's.

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Since they've got their headquarters in Nebraska, they didn't want Nebraska to pass a bill to do away with hunting, and what is Cabela's doing to you now? You think they love you? Do you? They are business people, venture capitalist, and they're not going to stay here because they love you, they suck what they want out of you and then they leave. And what's going to happen in that area? I've been told that we can start to look for a lot of TIF programs. I've been told that because that's the only way that area is going to be able to have any chance to survive. And you all let a few people come in here and tell you what you ought to do. They don't...they know more than they're telling, but they don't know as much as you think they might know. As I said, I will take the word of these experts, the scholars who have indeed have hunted, for information. And Mr. McCoy and the other gentleman talked about science-based management. There were people out in the field who recommended against having a mountain lion season, but the Commissioners said you're going to have it because the Commissioners were appointed by the Governor and that's where the political aspect is. So next session, should I be reelected, I'm going to start considering a bill to elect the Commissioners by district. These animals don't just belong to hunters. They're a very small percentage of the population. These animals are of interest to all of the citizens of this state. And when those other interests can elect a Commissioner, it won't be a few people going out there where these guys operate in the...I won't mentioned their particular business, but they outfit people. And maybe their business is a form of that word. Naturally they want these people to come out there and be outfitted because it makes money. And whatever motive senators have for voting, they can do it. But the Game and Parks Commission, that gentleman who was here from the shooting club was boasting about how great Game and Parks management had been. That was before Loudon's bill. So if they demonstrated how they can manage the mountain lions all those decades before Senator Loudon's bill, why suddenly when these big shot game hunters want to get a trophy, would they now need to have a hunting season? And some of the little shots were complaining about how expensive it would have been to attend that function that this shooter's club put on, and then have a chance to bid when the starting bid was more than they had to spend altogether. The Game and Parks Commission is not the same as those employees who do the managing and do the scientific investigation. And I believe they set that period of time to go beyond the amount of time I'd be likely to stay in the Legislature. But while I am in the Legislature, I'm going to give the Game and Parks Commission as much heartburn as they have given me. Now they don't stomach burn for me, I don't have a heart, but I really mean it when I said any of you want this information, I'll share it with you and I had made copies that were in the paper of the lion being shot out of the tree, and even where this man is teaching this guy how to steady the gun on a limb. He didn't shoot on a limb. Senator Schnoor was in the Army. Well, he was in some branch, but you know how they taught us to steady a weapon? You have a strap on the M-1 and you wrap it around your arm and you tighten it and you steady it, or else you lie down. They didn't have tripods for M-1s when I was there because maybe you didn't stay in one place long enough if the enemy is coming to set up a tripod and do what you could do. You only had eight rounds in a clip when I was there and you pulled it three times, you pulled the trigger, it shot. Even if you held the trigger it wouldn't keep shooting unless



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you did something with a part called the sear and the gun nuts will know what that is. But when you talk about all these kind of things that you heard presented to you today, they do not militate against what I'm saying. Nobody has come and counteracted what I've said about what led to the support unanimous for that bill of Senator Loudon, or accounted for all of the discussion on the deer donation program, and nothing about the mountain lions. So, I don't expect you all to understand why I could become so upset about mere animals, but it's something I have in common with current Pope Francis, St. Francis of Assisi. And I could name some people throughout history who if you read what they had to say about dogs, would make you think that they have no regard for human beings except that the rest of their life was spent doing things to help human beings. Then psychologists began to see that there's a great connection between how people react toward animals and the way they react toward human beings. And I was requested to get some legislation, and I got it, which would allow people who work for HHS when they came to a home and saw abuse of animals, they could investigate because those who abuse animals have been found to abuse children also. I got an article I ought to send around to you all and it will give you a chuckle because there was this guy he had a German Shepherd and he said the German Shepherd nipped him so he took a plate that you use weights with and chased him through the hall and beat him to death, and they were able to see where he ran. He tried to hide, but this human tracked him down into a closet and left a lot of blood there. The animal even went under a table, which provides no protection, but desperate. The guy found him there and beat him to death. That's what these hunters are as far as I'm concerned. They ought to go after somebody who will and can shoot back, but they're virtually cowards, they're bloodthirsty, and you'll see them go all out to get the right to kill animals, but you don't see them raising money to help the poor even in their neighborhood, even in their community. But if you have any questions, I'll answer them. [LB961]

SENATOR SCHILZ: Thank you, Senator Chambers. Any questions? Senator Schnoor. [LB961]

SENATOR SCHNOOR: You talked about the hunters that use dogs to tree an animal and shoot it and I asked Tim McCoy if they have authority to control the method of hunting. Have you ever talked to them to try to ask if they would...they would, oh... [LB961]

SENATOR CHAMBERS: It's not up to Mr. McCoy, it's up to the Commission and they let these guys who win the lottery use the dogs. [LB961]

SENATOR SCHNOOR: But have you asked them, have you talked to them about it? [LB961]

SENATOR CHAMBERS: I don't talk...we don't speak the same language and I won't. [LB961]

SENATOR SCHNOOR: But you haven't even... [LB961]

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SENATOR CHAMBERS: There's things I can do in the Legislature and that's what I'm going to do. I don't have to beg them. And you all might can stop me from doing it, but I'm going to get my flesh in time, time, time. And you let a bill out of here that is going to be my vehicle, and it's a bill to give some money to Game and Parks. And I'm going to see how much time you all are going to give and how much dedication you're going to have to the Game and Parks Commission because I'll tell you on this one, I'll fight you fang and claw, and you can kill every bill I've got in the Legislature and I'm going to see if you feel the same way about your bills. Yeah, I'm drawing a line. This is the committee that could do it. When you talk about natural resources, animals are natural resources. You don't say just the people who live over the aquifer are the ones who have an interest in it. You don't say just those who live along a river or a stream are the ones that have an interest or right to say anything. These animals are as much a resource as those nonliving things. And not just the hunters who want to kill them have an interest, but they're the ones who are listened to. And the hunters can take me as their target, I don't care what they try to do or what they say or what they threaten. They can find me and I'll stand up to them, Game and Parks, and this Legislature and the Governor, who by the way, is soliciting some white guy to run against me and I can't wait. We got a call today about a meeting of the Republican party and they're going crazy. And I'm not going to campaign. I want this white guy to run against me and I'm going to tell the community, you get what you want. If you want him, vote for him. And I don't know how much he's going to spend, but there's a name of some Republican operative and the person who was attending thought that I should know, but I knew already. So that's why I say, should I be elected. Maybe he can send some white guy out there where I live and get the black people to vote for him. We'll just see though, won't we. You get more from me than anybody who testifies, huh? This probably at the time that I'm here, as a committee, that is more interesting than the Judiciary Committee usually is. But if you don't have any other questions, I'll let you go so I can go back and bring a little assistance to the Judiciary Committee. [LB961]

SENATOR SCHILZ: Yes, Senator Chambers, thank you. I was just going to say we were asked to keep you here until 5:00 so that they can...(Laughter) [LB961]

SENATOR CHAMBERS: You tried. [LB961]

SENATOR SCHILZ: Any other questions, real quick? [LB961]

SENATOR CHAMBERS: Oh, I'm sorry. [LB961]

SENATOR SCHILZ: No, you're fine. Seeing none, thank you, Senator Chambers, for your closing on LB961. And with that, we will close the hearing today. Thank you, everyone, for coming in. [LB961]