

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 6, 2020

HUGHES: All right, everybody. I see it's 1:30, so we will begin. Welcome to the Natural Resources Committee. I'm Senator Dan Hughes. I am from Venango, Nebraska, and I represent the 44th Legislative District. The committee today will take up the bills in the order posted. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. The committee members may come and go during the hearing. This is just part of the process, as we have bills to introduce in other committees. I ask that you abide by the following procedures to better facilitate today's proceedings. Please silence or turn off your cell phones. Introducers will make initial statements followed by proponents, opponents, and then neutral testimony. Closing remarks are made for the introducing senator only. If you are planning to testify, please pick up a green sign-in sheet that is on the table at the back of the room. Please fill out the green sign-in sheet before you testify. Please print and it is important to complete the form in its entirety. When it is your turn to testify, give the sign-in sheet to the page or to the committee clerk. This will help us make a more accurate public record. If you do not wish to testify today, but would like your-- would like to record your name as being present at the hearing, there is a separate white sheet on the tables that you can sign in for that purpose. This will be part of the official record of the hearing. If you have handouts, please make sure you have 12 copies and give them to the page when you come up to testify and they will be distributed to the committee. When you come up to testify, please speak clearly into the microphone. Tell us your name and please spell your first and last name to ensure that we get an accurate record. We will be using the light system today for all testifiers. You will have five minutes to make your initial remarks to the committee. When you see the yellow light come on, that means you have one minute remaining and the red light indicates your time has ended. Questions from the committee may follow. No displays of support or opposition to a bill, vocal or otherwise, is allowed at a public hearing. The committee members with us today will introduce themselves beginning on my left.

MOSER: Mike Moser, District 22. That includes Platte County, a little bit of Colfax County, and most of Stanton County.

HALLORAN: Good afternoon. Steve Halloran, Adams County and parts of Hall County.

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QUICK: Dan Quick, District 35, Grand Island.

GEIST: Suzanne Geist, District 25, which is the east side of Lincoln and Lancaster County.

HUGHES: And on my right?

GRAGERT: Good afternoon. Tim Gragert, District 40, northeast Nebraska.

ALBRECHT: Hi. Joni Albrecht, District 17: Wayne, Thurston, and Otoe City or Dakota County, I'm sorry. Welcome.

BOSTELMAN: Bruce Bostelman, District 23: Saunders, Butler, and the majority of Colfax County.

HUGHES: Senator Bostelman is Vice Chair of the committee. To my left is committee legal counsel Andrew Vinton. And to my far right is committee clerk Mandy Mizerski. We do have one page with us today. Roni Miller is a junior at Lincoln-- University of Nebraska-Lincoln and majoring in political science and Spanish. With that, we will begin with the reappointment of Douglas Anderson to the Environmental Quality Council. Mr. Anderson, if you'd like to come up and have a seat and maybe give us just a little bit of background about yourself and what it is you do on the Environmental Quality Council. Welcome.

DOUG ANDERSON: Thank you, my name is Doug Anderson. I'm from Aurora, Nebraska. I spent 40 years in manufacturing.

HUGHES: Please spell your name.

DOUG ANDERSON: Oh. Doug Anderson, D-o-u-g A-n-d-e-r-s-o-n. And as I said, I'm from Aurora, Nebraska. I spent almost 40 years in manufacturing, everything from IAMS pet food to ten years in ethanol space to manufacturing deer supplement. And I'm currently semi-retired, but that only lasted for about five months. So now I'm helping out a young man who's trying to develop a business. And it's, it's, it's very important to me as far as being on the council from the perspective that I think the department's done so much, going in the right direction to help industry get better. I represent the ag processing sector and it's really beneficial to get people to do what's right, to ask for help, get the permits completed and so forth. And it's definitely going in the right direction. So it's been a lot of fun. I've enjoyed coming into Lincoln and I think Jim's done a real good job.

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HUGHES: OK. Thank you, Mr. Anderson. Are there questions from the committee? Senator Bostelman.

BOSTELMAN: Thank you, Chairman Hughes. Thank you for being here today, Mr. Anderson. Where in Nuckolls County is your property?

DOUG ANDERSON: Nuckolls County? It is, it's on N Road--

BOSTELMAN: OK.

DOUG ANDERSON: --which is-- it's west of town, about three miles.

BOSTELMAN: OK, on-- I'm trying to figure out where that's at. Say that again?

DOUG ANDERSON: It's on, I think it's called N Road.

BOSTELMAN: Right.

DOUG ANDERSON: So from, from Nuckolls [SIC], it would be three miles west and then a mile south.

BOSTELMAN: Of what town?

DOUG ANDERSON: Nuckolls [SIC].

BOSTELMAN: I didn't--

DOUG ANDERSON: Nelson, Nelson.

BOSTELMAN: OK, Nelson.

DOUG ANDERSON: Excuse me.

BOSTELMAN: I got it. That's--

DOUG ANDERSON: Near-- over by Adams.

BOSTELMAN: Adams and south.

DOUG ANDERSON: It's a, it's a-- quite frankly, it's a-- we built a cabin down there. It's a family legacy, so--

BOSTELMAN: How long have you been on the council, currently?

DOUG ANDERSON: I believe this is my-- going to be my fourth term.

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BOSTELMAN: And tell me a little bit more about your industrial background.

DOUG ANDERSON: Well, as, as I said, I spent 20 years with IAMS pet foods. I managed the facility in Aurora, Nebraska for a long time and then I was transferred to Dayton, Ohio. I was the CEO of, of the protein supply division, which was Anpro, which is located in Russellville, Arkansas. And unfortunately, due to family reasons, I left IAMS. We had deaths in the family and my wife did not want to relocate. So I came back and that's when I got into the ethanol space in 2004. I successfully launched a plant in Central City and then continued to-- basically what we did there was use that plant as a showcase for other groups interested in building in the ethanol space. And I was, quite frankly, very proud of what we did as far as helping people understand the storage grains, helping to drive the price of corn and so forth. And so it was definitely a step in the right direction. So it's been a lot of fun. I've enjoyed coming into Lincoln and I think Jim's done a real good job.

BOSTELMAN: OK, thank you.

DOUG ANDERSON: Um-hum.

HUGHES: Other questions from the committee? How often does the Environmental Quality Council meet per year?

DOUG ANDERSON: Usually a minimum of twice a year.

HUGHES: Minimum of--

DOUG ANDERSON: Twice a year, minimum.

HUGHES: Twice a year? Always in Lincoln or do you meet out of state once in awhile?

DOUG ANDERSON: The majority of it's in Lincoln. But then once a year, usually, there's a off-site meeting to go tour different facilities.

HUGHES: OK, very good. Any additional questions? Seeing none, thank you, Mr. Anderson. We appreciate your service to the state. Is there anyone wishing to testify as a proponent? You've got to go now, sorry.

DOUG ANDERSON: OK.

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[LAUGHTER]

HUGHES: In case anybody wants to come and talk for you or against you, anyone wishing to testify as a proponent of Mr. Anderson? Anyone wishing to testify in opposition to the reappointment of Mr. Anderson? Anyone wishing to testify in the neutral capacity for Mr. Anderson? Seeing none, that will close the reappointment hearing for Douglas Anderson for the Environmental Quality Council. And I will turn the hearing over to Vice Chairman Bostelman.

BOSTELMAN: We'll open the hearing on LB859. Senator Hughes, you're welcome to open when you're ready.

HUGHES: Thank you. Good afternoon, Vice Chairman Bostelman and members of the Natural Resources Committee. For the record, my name is Dan Hughes, D-a-n H-u-g-h-e-s. I'm here today to introduce LB859. LB859 would change the requirements that at least three members of the Game and Parks Commission shall be engaged in agricultural pursuits. To that, at least three members of the Game and Parks Commission to be engaged in farming or livestock production. The word "pursuits" is ambiguous and this would make it clear that three members would actually earn a significant portion of their income from the land. The term "agricultural pursuits" is not defined in statute, but farming or livestock production is defined in another statute. There was a previous requirement that a certain number of members be required to actually reside on a farm or ranch. This-- there was a disconnect of Game and Parks and landowners and this change would make them more attuned and have a closer relationship to the land. As the bill is currently written, it would grandfather in any affected member of the Game and Parks Commission who is already serving on the effective date of this act. Such members would not be forced to vacate his or her seat immediately after passage of the bill if not engaged in agricultural or livestock production, but would instead be allowed to serve out his or her remaining term. I'd be happy to answer any questions you, you may have.

BOSTELMAN: Thank you, Senator Hughes. Are there any questions from committee members? Senator Albrecht.

ALBRECHT: Thank you, Vice Chair Bostelman and thank you for bringing the bill. Senator Hughes, can you tell me or give me a breakdown of the, the people that are on the board right now? Do they have any ag folks?

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HUGHES: I, I do not, I do not have that information. I did not do that research. That's not my intent to target anybody, whatsoever. I just looked at--

ALBRECHT: I was just wondering if it was off-balance. Well, we don't have any farmer/ranchers.

HUGHES: Well, the, the current statute is that at least three members have to have agricultural pursuits. That is a pretty broad term. And I guess my goal has been, if you haven't noticed, is to get the commissioners, the commission to be more tuned to the landowner. I think the landowner has been left by the wayside. And this is another way that I have thought that possibly would be to give the landowner a little more voice in the Game and Parks.

ALBRECHT: And I guess another question because I, I probably haven't been here as long as most. But when somebody comes-- the name comes to the Governor, is it through this commission that they've recommended or are they people that-- like the senators or I mean how-- people in the region? How did these names come to the Governor?

HUGHES: The-- I don't know how the Governor operates in this specific-- but generally, how they do-- there are, the Governor has a lot of appointments to make.

ALBRECHT: Um-hum.

HUGHES: And normally they put out a list of the vacancies that come available, whether it's a judicial nomination or Game and Parks or commodity boards.

ALBRECHT: Um-hum.

HUGHES: There-- he makes a lot of appointments.

ALBRECHT: Um-hum.

HUGHES: And once that list comes out, then people who are interested in those positions generally contact the Governor's Office to express an interest--

ALBRECHT: Um-hum.

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HUGHES: --in serving in that capacity. And I believe the Governor, he looks at that list or he may-- I'm sure he takes input from a lot of different areas--

ALBRECHT: Um-hum.

HUGHES: --of individuals that have, you know, I've got a buddy that I think would be really good in this, in this position or, you know, whatever. But I don't know that there's a requirement to submit your name to the Governor for an appointment.

ALBRECHT: So I would just say if-- it is hard to get people to serve on a lot of committees; a lot of them are still vacant.

HUGHES: It depends.

ALBRECHT: So--

HUGHES: You know I--

ALBRECHT: Something like this they wouldn't probably want to be on, I wouldn't of supposed.

HUGHES: I think the Game and Parks Commission is kind of a plumb assignment. It seems like there's a lot of perks to the job that looks like it would be something that a lot of people who have time and the passion for Game and Parks would want to, want to step up and serve.

ALBRECHT: So is there anything in the bill that says if they can't find somebody that has an ag or farm and ranch background-- if they couldn't find someone, would you consider any--

HUGHES: There are vacancies all the time on different boards that, you know, they have criteria that has to be met. You know, it's just a matter of getting the word out to the population that, you know, there is a vacancy and, and beating the bushes and finding someone who's willing to serve.

ALBRECHT: OK, thank you.

BOSTELMAN: Senator Gragert.

GRAGERT: Thank you, Vice Chairman Bostelman. Real quickly, so the only qualification for those three individuals would be that they need to be a farmer or raising livestock?

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HUGHES: The-- I believe the way we drafted the bill was that they had to have a significant portion of their income derived from agriculture. And that-- to me, being involved in agricultural pursuits is very vague. But I don't know that, you know, being actively engaged-- we, we write laws vague at times to give flexibility to government because we have to. I, I think that's our best policy at times. There are some things we need to be very specific on, but this is not one of those areas.

GRAGERT: OK. I would just-- just kind of turning the, turning the-- doing a 180 here then, if, if the requirement is to be farming or livestock production wouldn't-- with the Game and Parks or the scientific stuff that goes on there with the, with wildlife, wouldn't you want an individual that maybe not only that, but has a little bit of the concept of wildlife management and that type of thing?

HUGHES: In my understanding, most of the staff at Game and Parks are wildlife biologists so I think we've probably got that covered.

GRAGERT: Yeah. Yeah, you'll have it covered, but I mean, the three that are coming, they're specifically coming for the farmer's view or the producer--

HUGHES: Well I--

GRAGERT: --or landowner view or-- what do you see that-- with this, you know, do-- is that the view you want--

HUGHES: Well, I, you know--

GRAGERT: --represented? I'm sorry.

HUGHES: As, as we've heard before and we've talked a lot about, the, the landowner in the state of Nebraska is the one paying the bill to feed all of the wildlife, you know? And I, my frustration has been that I don't feel the commission, the commissioners have been very sympathetic to that. And so I have introduced several bills toward that end to try and, you know, get the person, the landowner who's paying the bill to feed the state's wildlife a little more say at the table. And this is just three of nine commissioners so they certainly don't have a majority. But I think there needs to be more representation because of the bill that's being paid, you know, needs to be a little more at the table.

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GRAGERT: OK, thanks.

BOSTELMAN: Other questions? Seeing none, thank you, Senator Hughes. I'm sure you'll stay for closing?

HUGHES: I will.

BOSTELMAN: Thank you. Any one of us to-- wish to testify as a proponent for LB859? Good afternoon.

DEAN EDSON: Good afternoon. Senator Bostelman, members of the Natural Resources Committee, I'm Dean Edson, D-e-a-n E-d-s-o-n. I'm the executive director of the Nebraska Association of Resources Districts and testifying in support of LB859 on behalf of the association. I want to preface my remarks that our testimony is not targeted toward any existing commission member. In addition, the local NRDs have many existing positive relationships with the Game and Parks and management of NRD parks and facilities and other joint partnerships. To further cultivate that relationship, we always invite the director and assistant director of the Game and Parks to participate in all five of the NRD managers meetings, our annual meeting, the legislative conference to try to maintain and improve our working relationship. Rather, our testimony is focused on trying to address concerns we hear from landowners about relationships between ag landowners and the commission. The changes proposed in LB859 could make a positive step toward having the commission members directly engaged in farming or livestock production, rather than agricultural pursuits. At our recent legislative conference, our board members discussed this issue in detail and voted unanimously to support the bill. This change could improve the conduit for ag landowners to voice concerns about wildlife management issues. It could also improve trust and confidence between ag landowners and commission actions. We're willing to work with the committee and the commission to help improve relationships with all parties involved. We would encourage you to support the bill and thank you for the opportunity to testify and I'd be glad to answer any questions you may have.

BOSTELMAN: Thank you, Director Edson. Are there any questions?

GRAGERT: Just one.

BOSTELMAN: Senator Gragert.

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GRAGERT: Thank you, Vice Chair. Thank you for your testimony. I was just wondering on your NRD board members, are, are [SIC] there a requirement for them to have farming or, or livestock backgrounds?

DEAN EDSON: No, but there's a big difference between the commission and the directors. Commission members are appointed. Our directors are not appointed. They are elected at the general election. So the requirement for them is they have to be-- reach the age to be that elected member of a public body.

GRAGERT: OK.

DEAN EDSON: So we don't-- we allow anybody to run. So we have, we have farmers. We have bankers. We have schoolteachers. We have everybody.

GRAGERT: I understand that, but, like, three out of six or three out of nine or four out of 11? There would have to be a certain-- from a certain area or from a certain profession or from--

DEAN EDSON: Nope. None of-- there is no requirement similar to that. What we, what we do to try to get better geographic representation is you create subdistricts and then you elect in those subdistricts.

GRAGERT: Thank you.

BOSTELMAN: Other questions from the committee members? Seeing none, thank you, Director Edson for your testimony.

DEAN EDSON: Yep.

BOSTELMAN: Next proponent, please. Good afternoon.

JOHN ROSS: Thank you. Good afternoon, Vice Chair Bostelman and fellow committee members. John Ross, J-o-h-n R-o-s-s. I live-- I am from Bancroft, Nebraska. I want to thank Senator Hughes for introducing LB859 because Game and Parks has not paid enough attention to farmers and ranchers. Wildlife lives on our land year-round, not just during the hunting season. I have owned land and farmed since 1971. The first deer I saw in this land was in the early 1960s. By the early 1970s, there was a season to hunt deer on this land. There were a very small number of permits and they were all buck only and it was a drawing. You might go two, three years and not get a permit. As the deer increased, the number of permits increased, which it should have. And eventually the number of permits were a few, either sex. And eventually all permits were almost always either sex permits. The herd

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got bigger and bigger and bigger. I had 50 to 60 deer on 300 acres. I was losing a lot of crop. Game and Parks attempted to reduce the herd with several things; earn a buck, bonus tags, buy permits antlerless only, and maybe some others. But these things did not really reduce the herd very much. Most people want to shoot a buck. And a great percentage of those people want to shoot the biggest buck in the state. When the herd was getting too big on my property, I offered hunting on my land to people if they would shoot an antlerless deer. And almost always, they refused. They wanted to shoot a buck. The herd got bigger and bigger. To me, it was a very simple way to decrease the size of that herd, which would have been a [SIC] antlerless-only permit only for one year; no buck permits. This would have controlled the herd very quickly. If you have a pasture that is overstocked with a cow herd, bulls, and calves, you sell one or two bulls. You are not going to reduce the size of that herd. You have to sell some of the cows. I mean, that's, that's a given. You don't need a biologist to figure that out. That's pretty simple. Too much attention was given to special interest groups. Some people wanted more deer. Some people wanted bigger bucks. Some people wanted a longer season for themselves, particularly the bowhunters. And some wanted to hunt with special weapons. Landowners and farmers and ranchers were near the bottom of the list when decisions were made to manage the herd. This brings us to the present. LB859 is needed to balance the wants and needs of everyone that has an interest in our wildlife. I'm asking you to vote this bill out of committee so that it can be debated by all senators and I am going to offer a suggestion for an amendment. Every Game and Parks commissioner should have an email address; only one does, only phone numbers. Every question or complaint that is sent to that email address of a commissioner should be referred to someone in Game and Parks to get an answer that will be forwarded back to the person that asked the question. I hate phone tag and I think most people do, but if you have an email, they can answer it at their leisure. And then you have a record of what each person said. You can track the complaints and hopefully some compliments. And with that, I will conclude my testimony.

BOSTELMAN: Thank you, Mr. Ross. Are there questions from the committee? Senator Geist.

GEIST: Yes. Thank you, Mr. Ross, for coming and I do have a question. When you reached out, I assume you did reach out to Game and Parks when your deer population started expanding, correct?

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JOHN ROSS: Yes, I did.

GEIST: And so what was their response?

JOHN ROSS: Well, their response was--

GEIST: Can you characterize that for me?

JOHN ROSS: Their response was find some hunters that would shoot some does and I could not find them.

GEIST: OK.

JOHN ROSS: I didn't ask for depredation permits. Maybe I could have got some, but I really didn't want to shoot that many deer.

GEIST: Um-hum.

JOHN ROSS: I would have loved to have somebody else hunt, but everybody wanted to shoot a buck.

GEIST: I'll meet with you afterwards. I'll give you a name of someone--

[LAUGHTER]

JOHN ROSS: OK. Right now, I will tell you that truthfully we are-- in my area, the Elkhorn hunting unit--

GEIST: Um-hum.

JOHN ROSS: The deer numbers are way down because of disease and I think the flood of 2018. And I probably would suggest that the Game and Parks go back to 100 percent buck only--

GEIST: Hmm.

JOHN ROSS: --for a time period to manage the herd. And then we can-- as they increase, we can go the other direction.

GEIST: Thank you.

BOSTELMAN: OK. Senator Moser.

MOSER: Have you ever applied to be a Game and Parks commissioner?

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JOHN ROSS: No, I have not. I am a, currently a Cuming County supervisor. I don't know if that would disqualify me from holding two positions or not, but I'll give it some thought.

MOSER: Yeah. You might have a, a good effect on what happens here. Thank you.

BOSTELMAN: Other questions? Seeing none, thank you, Mr. Ross, for coming in and testifying today.

JOHN ROSS: Thank you.

BOSTELMAN: Other proponents? Seeing none, anyone who would like to testify in, as an opponent in opposition to LB859, please step forward. Before you begin on LB859, we do have-- you can go and sit down, sorry. I have one, one letter for the record, a proponent; Nebraska Cattlemen and the Nebraska Farm Bureau. With that, good afternoon.

PATRICK BERGGREN: Good afternoon, Senator Hughes, Senator Bostelman, and the members of the Natural Resources Committee. My name is Patrick Berggren, P-a-t-r-i-c-k B-e-r-g-g-r-e-n. I'm the current District 6 commissioner for the Nebraska Game and Parks. The term "agricultural pursuits" has been in statute since 1969. It has worked for 50 years and continues to work. We have had many outstanding commissioners in that time. It is unclear exactly what the bill is trying to fix by changing "agricultural pursuits" to "actively engaged in farming and ranching production." [SIC] The term "actively engaged" [SIC] is vague and not well-defined. How is that to be evaluated and who decides if someone is qualified or not? If I have a tenant and instruct him what to do, then am I actively engaged or do I need to be directly involved in farming or ranching, use a tractor, fix fence, milk cows, graze and feed livestock? Is managing a farm or ranch land the commissioner owns and a generation of income from farming and ranching considered actively engaged? If you are making all decisions about production and sales, are you actively engaged? I feel that this change is unnecessary and especially with so many other pieces of important legislation to work on.

BOSTELMAN: OK. Thank you, Commissioner Berggren. Are there any questions from the committee?

GEIST: I do have one.

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BOSTELMAN: Senator Geist.

GEIST: Yes, thank you. And thank you for your testimony. As I read it, it says "actually engaged." And I don't know if that changes-- rather than "actively," if that changes the way you think about it or it--

PATRICK BERGGREN: Sure.

GEIST: If not--

PATRICK BERGGREN: I, it is, it is very vague.

GEIST: OK.

PATRICK BERGGREN: I mean, myself-- our trust owns ground.

GEIST: Um-hum.

PATRICK BERGGREN: I help manage four pieces of property. I manage ten miles of fence but yet, my main income comes from building houses and pouring concrete.

GEIST: OK.

PATRICK BERGGREN: So, you know, 80 percent of the people I deal with are active farmers and ranchers. I feel like, myself, I have a very good idea of their struggles. And if they're not making any money, I'm not working for them.

GEIST: OK.

PATRICK BERGGREN: So--

GEIST: Thank you.

BOSTELMAN: Other questions? Do you happen to know, and maybe someone testifying behind you may know, over the years-- we'll take ten years-- each commissioner serves for how many years?

PATRICK BERGGREN: Currently, right now, terms are four years.

BOSTELMAN: So--

PATRICK BERGGREN: At one time they were five.

BOSTELMAN: Sure. Let's go to the last 12 years.

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PATRICK BERGGREN: Sure.

BOSTELMAN: How many of those commissioners in that-- those last three terms had-- that this would apply to are actively engaged in farming and/or ranching?

PATRICK BERGGREN: Sure. No, good question. So currently right now, Dan Kreitman owns ground, produces income off of it. Bob Allen has farm ground, CRP ground, pasture ground, that gets income off of it. Mark Spurgin was probably, by definition, a true farmer/rancher, which all his income was derived from that. And before that, Jarrod Burke, who was the commissioner of District 5, I believe, down in Curtis. He's a schoolteacher, yet his family farms. Myself, directly before my dad was Bill Zutavern, who I believe Governor Johanns had to beg to be a commissioner because there was no interest in District 6 at that time. They could not find anybody to fill that position. So I would say half of us have agricultural interests or a pretty good idea of what is going on with the farmer and rancher. We may not necessarily get 100 percent of our income from it. I could probably find more. I believe Rex Fisher before Scott Cassels had, has an interest in ground in the Norfolk area. Probably--

BOSTELMAN: That's fine. Sure. Senator Albrecht.

ALBRECHT: Thank you, Vice Chair Bostelman. And thank you for being here today. OK. If you could just share with me how often do you all meet? Is it once a month or--

PATRICK BERGGREN: Seven public meetings a year--

ALBRECHT: Is that--

PATRICK BERGGREN: --where the whole commission is together.

ALBRECHT: And do you go to each district?

PATRICK BERGGREN: We try to hit each district each year where there's nine commissioners. We don't get to each district. We do have our January meeting usually in Lincoln--

ALBRECHT: Um-hum.

PATRICK BERGGREN: --and then spread our meetings throughout the state.

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ALBRECHT: OK, so--

PATRICK BERGGREN: And that's only go [SIC] on and on for about the last eight years.

ALBRECHT: OK, so let me ask you a question. When, like the previous gentleman that spoke, Mr. Ross, when you get concerns from farmers and ranchers that their crops are being disturbed by too much livestock [SIC], did you, do you talk a lot about that at these meetings? Is it, is it something of interest at every meeting?

PATRICK BERGGREN: It, it definitely is. It doesn't get brought up at every meeting. We just had our big game meetings throughout the state. I was at one in Broken Bow and it was not very well-attended by the public. We only had six people there. When we had it two years ago, we had 25. We had one person with deer issues at this meeting and his issue was that his out-of-state hunters that come in and hunt would have to buy two permits in order to shoot does.

ALBRECHT: OK. So, so-- and when you do happen to have public there--

PATRICK BERGGREN: Um-hum.

ALBRECHT: Do you have a public comment time that they can just come speak to--

PATRICK BERGGREN: Yes, we do.

ALBRECHT: OK.

PATRICK BERGGREN: So usually our biologists put on a seminar--

ALBRECHT: Um-hum.

PATRICK BERGGREN: --anywhere from 15 minutes to a half-hour and then we take public comment. And everyone registers so we have their names.

ALBRECHT: And I just have to wonder if Game and Parks is more just about, you know, the sport of hunting and places to hunt? But do you feel that there is a section of what you have to oversee is to, to do the right thing for the land that's available out there? And while you have to control livestock if-- not livestock, but, but wildlife-- if you have to control that and it becomes an issue-- like on a scale of one to ten, ten being the highest, do you, do you think you have more

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concern in that area of pleasing the landowners than just the sport and the game of hunting?

PATRICK BERGGREN: That's a good question. It, it runs the gamut all over the place, depends on who you are. For this, we're trying to please the sportsmen and the landowner. We have private lands biologists that all their, their job is to just work with landowners.

ALBRECHT: Um-hum.

PATRICK BERGGREN: Now they may-- we may not make them-- it may not be easy to find out who they are--

ALBRECHT: Um-hum.

PATRICK BERGGREN: --and how to visit with them and talk. You know, our most visible people are the public lands biologists that are in our district offices.

ALBRECHT: Um-hum.

PATRICK BERGGREN: But we do have private lands biologists.

ALBRECHT: And do those biologists, do they get the complaints when you are not meeting? Are the-- is, if a complaint were to come in from a landowner who does it go to?

PATRICK BERGGREN: Well, it would get-- it would go to Lincoln.

ALBRECHT: OK.

PATRICK BERGGREN: It-- more often than not, they would probably call the district office.

ALBRECHT: Um-hum.

PATRICK BERGGREN: I would assume first.

ALBRECHT: Um-hum.

PATRICK BERGGREN: I mean, myself, I have yet to take a phone call from somebody that says I've got too many deer.

ALBRECHT: OK.

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PATRICK BERGGREN: We did have a person from Valentine show up at our Broken Bow meeting that has too many elk and he was flat looking for someone to come shoot cows [SIC]--

ALBRECHT: Um-hum, um-hum.

PATRICK BERGGREN: --which, it wasn't like 100 elk, but 20 to 25.

ALBRECHT: They can do some damage. OK, I really appreciate you answering all those questions but--

PATRICK BERGGREN: Sure.

ALBRECHT: Thanks for serving.

PATRICK BERGGREN: Thank you.

BOSTELMAN: Other questions from the committee? Senator Halloran.

HALLORAN: All right. Thank you, Vice Chair Bostelman. Thanks for being here. The language being replaced here is "agricultural pursuits" and we're replacing it with "farming or livestock production." How would you define "agricultural pursuits," the current language? Is that any more or less vague than the suggested language in farming or livestock--

PATRICK BERGGREN: Sure.

HALLORAN: --production? I'm not trying to put you on the spot.

PATRICK BERGGREN: Right. I see your point. You know, I just feel that it's hard to find good people to serve. And if we're going to ask for people that do get 100 percent of their income from agricultural pursuits, that it may be hard to fill these positions.

HALLORAN: OK. Thank you.

BOSTELMAN: Other questions from the committee? Seeing none, thank you, Commissioner Berggren, for testifying.

PATRICK BERGGREN: Thank you.

BOSTELMAN: Next person who would like to testify in opposition? Please step forward. Good afternoon.

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SCOTT SMATHERS: Good afternoon, Vice Chair Bostelman and members of the committee. My name is Scott Smathers, S-c-o-t-t S-m-a-t-h-e-r-s, I remember.

[LAUGHTER]

BOSTELMAN: Thanks.

SCOTT SMATHERS: I am the executive director of the Nebraska Sportsmen's Foundation. We are a 501(c)(3) organization founded in 2002 as a voice for the outdoor sportsman, hunter, angler, conservationist, and environmentalist. We are here today to oppose LB859 and ask the committee to keep it in committee. And all of our legislative decisions are based upon our membership input and our executive board of directors and myself. And we read each bill fully and go through the semantics of the language. And my board and my members had two issues. One is that this implies that there is a very wide gap between agricultural and the commission and sportsmen, which I would argue that it is certain geographical footprints or personal or certain areas of individuals that have those feelings, wide knowledge of us traveling across the state. We have a very strong working relationship. Several questions have been asked here today, we have, we had already researched and looked at answers. You know, you're switching out words "agricultural pursuits." To answer one of the senator's questions, the dictionary defines agriculture as the science, art, and business of cultivating soil, producing crops, and raising livestock and farming. The dictionary defines pursuits as number (3) definition: an occupation or pastime one regularly engages in. To us, the terminology "agricultural pursuits" is the same as farming and livestock. It implies the same issue. They're both vague, both distinct. [SIC] So the changing of the name is nothing more than, in our opinion, than word semantics and to create a conversation, as is already stated by the introducing Senator, between the commission and this body. The process doesn't need to take place. It's already there. Conversations are already existing. So we ask you to keep the bill in committee and we move forward and continue to build the relationships. There was a question earlier in regards to the Governor appointments. I am the Chairman of the Natural Resources Commission, which was created for the Water Funding Task Force and the water funding, water funding balance. Excuse me, I'm losing my train of thought. But I was brought into the water world by a former senator and former Chairman of this committee over ten years ago. He's lucky we're still friends because I'm one-- still very happy about him

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dragging me into it. But I was asked to participate because of my experience with wildlife and outdoor recreational use. We have found it very difficult to find replacements. I had to go through an application process for the Governor to be submitted, a background check, and then I was either approved or denied. And we've had some denials. Our livestock position on the Natural Resources Commission still sits empty for almost two years now. We can't find anybody to take a position. And when we do submit somebody, they'd be denied. Yes, we still function as a number of 26 instead of 27, but it is difficult to find quality commissioners to, to pursue. I'll tell you what we do as an organization for Nebraska Environmental Trust, for the Game and Parks Commission, any commission. We recruit individuals that have interests that bring that value and conversation to the table to work together. And we put them up, but it is difficult. So I meet twice a year, the Natural Resources Commission, we meet, depending if you're a chair of a committee or the overall chair, we'll meet probably eight times a year. And we're only paid-- we're volunteers. So it is difficult to find people at times. But that will conclude my testimony and I ask you to keep the bill in committee.

BOSTELMAN: Thank you, Mr. Smathers. Are there questions from the committee?

GRAGERT: I got a real quick question.

BOSTELMAN: Senator Gragert.

GRAGERT: Thank you, Vice Chairman Bostelman. So you meant a definition that you looked up in the dictionary-- I was just interested in, like, where would a cash renter fit into this program? Somebody-- where the, the landowner cash rents all this land, who qualifies; the landowner or the guy who's cash renting all the land?

SCOTT SMATHERS: We have the same question. And quite frankly, we already have the requirement of three participating in agricultural pursuits or if you to change the terminology, as that's suggesting, you still have three. So I guess that definitional-- cash rent, to me, that's somebody that's actively pursuing the art of agricultural work, receiving a fund from it. It's their land.

GRAGERT: Thank you.

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BOSTELMAN: Other questions from the committee? My question, I guess, since we're talking about definitions on agricultural pursuits versus production, so production is what?

SCOTT SMATHERS: Production could be as little as two as many as 2,000. I mean, you're talking-- for a number, you're talking about the actual growing from the seed up or-- would be referring to production, it could mean a lot of different things. I have, I work with a partner and we have cattle, 40. We're not big, it's small. It's more pain than buyout or profit, but it's production. We produce cows, calves, we sell.

BOSTELMAN: OK, other questions? Seeing none, thank you, Mr. Smathers--

SCOTT SMATHERS: Thank you.

BOSTELMAN: --for your testimony. Next opponent? Good afternoon.

WALT RADCLIFFE: Good afternoon, Senator Bostelman and members of the committee. My name is Walt Radcliffe, W-a-l-t R-a-d-c-l-i-f-f-e. I'm appearing before you today as a registered lobbyist on behalf of Friends of Nebraska Parks in opposition to LB859. Several of the points that I was going to make have already been mentioned. And the only one that I'm going to repeat at all is the, the question of ambiguity with regards to the terminology that you were speaking about before. The, the one, the one primary thing that keeping "agricultural pursuits" has in its favor, so to speak, is that it's got 50 years behind it of definition and practice. It's not going to have to be redefined or rethought. So I think that, frankly, is-- it mitigates towards keeping it. A couple things just about the bill itself and the way it's put together; I would point out that there is no mention made in the bill of the phrase "significant portion of income derived from agriculture." At least, I've looked at it, it's two pages. I could have overlooked, but I don't-- I didn't see that. The other, another thing is yes, farming is defined in existing statutes. However, there's no internal reference to that in the bill. So if that's the definition-- you, you all know when you read a bill, you have definition sections. Well, this has none. And if you, if you want to use that statutory definition, you need to incorporate it in a definition section. Then the last thing, from a drafting standpoint, I honestly don't know if this is an issue or not. But you really have two conflicting sayings in, in (f) and (g); (f) says that somebody is immediately off the board if they don't meet those qualifications, (g) says, well, if anybody's on there now that doesn't meet the

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qualifications, they can stay. I get-- as a lawyer, probably you'll argue either side of that. But I, I think it creates an ambiguity that you really, you really don't need. Senator Albrecht, you asked a question about commissioners as far as what they attended and what they did. And I believe you got a-- certainly an answer to it, but I'd like to amplify that just a little bit. In the past three years, at least one or more of the commissioners has attended every big game informational meeting that's been held in 19 different cities across the state. Also, more than four commissioners traveled each time out to Ogallala to attend four separate Lake McConaughy master planning meetings. When the Legislature-- when this Legislature had a hearing this past summer, six commissioners traveled out to Scottsbluff and five on to McCook to participate in those meetings. Furthermore, there were at least 49, 49 other public meetings attended by commissioners in the past three years that included mountain lions, statewide fisheries, meetings on the Cowboy Trail, community design. And in addition, there were 42 other informational, regular, and special committee meetings that were held in 15 different cities. These are busy. I mean, they're, they, they do have a lot of public outreach. And as you already heard, there are a number of commissioners whose lives do touch upon agriculture. I don't know if you know, actually, I guess if, you know-- Senator Geist, actually, I, I think actually they do. If they, if they own agricultural land, you're engaged in agriculture, I would argue. So I, I see where this bill, frankly, would just-- simply is unnecessary and really would just create a lot of confusion with regards to the appointment of commissioners and I urge you not to report it out of committee. I'd be happy to attempt to answer any questions.

BOSTELMAN: Thank you, Mr. Radcliffe. Are there questions from the committee? Senator Quick.

QUICK: Thank you, Vice Chairman Bostelman. And thank you all for being here. Like if, if it ever would be challenged for some reason, how does-- do you know what the process is of--

WALT RADCLIFFE: Well, you go to court.

QUICK: You would just go to court.

WALT RADCLIFFE: Yeah. It only takes, you know, anywhere from one to three years and you'll get an answer.

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QUICK: Has, has anything ever been challenged?

WALT RADCLIFFE: I, you know, interestingly, I, I'll be very honest with you. I didn't take the time to look. But if you, if you want to, if you look at the Game and Parks statutes and if there-- if any-- any litigation that's occurred will be annotated under those statutes and I just haven't done that. I'm a lousy lawyer.

QUICK: [LAUGHTER] Thank you.

BOSTELMAN: Senator Moser.

MOSER: Well, other than the, the meaningless change in language, which is kind of the, the trend I'm seeing here, what's your real objection? Do you want to change the balance of agriculture producers versus sportsmen on the commission or--

WALT RADCLIFFE: Senator Moser, we think it's fine the way it is. We point out the ambiguity because frankly, that's-- you know, words matter. If they didn't, you wouldn't have all these little green sheets. And so you do have to look at what it says. That was, that was one of the points that I raised. But back to addressing your question specifically, no, we think, we think it's working fine. We don't think we need to introduce that degree of ambiguity or change. There's been no showing, quite frankly, that, that that commission is, is lacking in, in agricultural knowledge.

MOSER: Do you know who tests whether nominees pass the ag pursuits test?

WALT RADCLIFFE: I would submit to you, Senator, that three entities do: number one, the Governor when he makes that appointment; number two this committee when it hears the appointments; and number three, the Legislature when those appointees are forwarded to the Legislature. And I can think of some very specific incidents where appointments have been forwarded to the Legislature and the credentials, the statutory credentials of those appointees have been an issue on the floor of the Legislature. So, yes, the Governor and the Legislature are really the judges of this. And I have-- I am unaware of any litigation that has ensued as a result of the Legislature rejecting someone. I think there has been some when someone has been confirmed and then there's ensuing litigation

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regarding whether or not they met that statutory criteria for any of the appointments that you deal with.

MOSER: But the Legislature would have pretty wide discretion on who they nominate?

WALT RADCLIFFE: You know, I'll have people ask me, I always say 25 votes. I'm starting say 33 anymore, but--

[LAUGH]

MOSER: We have a lot of time to burn.

WALT RADCLIFFE: That's right. Well, I said, you know, you are, you are one-third done with the Legislature. You're one-third done right now--

MOSER: We're about five percent--

WALT RADCLIFFE: I feel like I've played six holes of golf and I'm ten over.

[LAUGHTER]

MOSER: I, I'd say we're about five percent done.

BOSTELMAN: Thank you. Senator Gragert.

MOSER: Thank you.

BOSTELMAN: Senator Gragert.

GRAGERT: Thank you, Vice Chair Bostelman. I have a quick question on-- the Governor appoints these individuals, can he remove them?

WALT RADCLIFFE: No and I, I say that-- I mean, no. Once you make an appointment, I mean, you're-- if you're for the Governor, you're pretty well stuck with it. Now you can say things, but you do not, you cannot remove them, no.

GRAGERT: The Legislature?

WALT RADCLIFFE: Now that's-- it, it-- these types of appointments, with regards to department heads, yes. But it's not a universal statement with regards to appointments.

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GRAGERT: Thank you.

BOSTELMAN: Other questions? I have one for you, for you. I can't speak for the introducer and I don't want to go to the intent of the introducer of this bill, but it appears to me that what we're-- it is trying to be addressed or got, or, or, or a-- require, if you will, of a commissioner would be someone who is actively, you know, someone who probably could, could be, you know, farming, ranching, and have the loss because of the amount of wild animals, whatever they are, on the place and have a different voice along those lines. And it's not seen that that voice is there today. Having said that, would there be other language that you think-- that would be appropriate other than what's here?

WALT RADCLIFFE: Two things: first of all, I certainly wouldn't want to speak for the introducer either.

[LAUGHTER]

WALT RADCLIFFE: And secondly, I'm not in the habit of helping people make bad bills better when I'm on the opposition side.

[LAUGHTER]

BOSTELMAN: OK. Any other questions? Thank you, Mr. Radcliffe.

WALT RADCLIFFE: Thank you.

BOSTELMAN: Other opponents to LB859? Seeing none, we have three letters in opposition: one from the Nebraska Wildlife Federation, one from Wachiska Audubon Society, one from Eric Zach from Lincoln, Nebraska. Is there anyone who'd like to testify in the neutral capacity? Last chance, anyone in the neutral capacity? Senator Hughes, you are welcome to close on LB859.

HUGHES: Thank you, Vice Chairman Bostelman and members of the committee. As was stated earlier, I'm probably a little longer in the tooth on this committee than the rest of you. This issue has been building for quite some time. As Mr. Ross testified, you know, thank goodness Mother Nature is being kind to the wildlife in the state of Nebraska because numbers are expanding at a very rapid rate. The challenge we have, you know, those of us who do earn a living farming and ranching, is trying to-- it's hard enough to do that anyway without having additional forces coming out against us and that being the eating of our crops, you know, by large herds. The, the challenge

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that Game and Parks has-- there was discussion of how many landowners are showing up at these hearings. I've talked to a lot of people for the last 20 or 30 years that Game and Parks has been having these issues and they would complain and nothing happened. So they just quit going. They don't go and complain because nothing has happened for decades. And I think we're making progress on that front. I'm very appreciative of the meetings that I've had with the commissioners. I think they're hearing us, but I still think there needs to be commissioners who have skin in the game, you know, people who have an issue with wildlife on their property. Agricultural pursuits; if, if I owned John Deere stock in my portfolio, does that mean I have agricultural pursuits? Technically, yes. But I think in this instance, where we're dealing with individuals who have responsibility, not only just for the wildlife-- and we're talking, we're leaving Parks out of this-- but not just for the wildlife in the state of Nebraska, I think they also need to be looking at who's paying the feed bill and having a little more compassion, a little more sympathy for the challenges of those individuals. And it's not uniform across the state. There's no question about that; that, you know, this wildlife, they are herd animals. You know, they are, there's protection in numbers. And it's very unfortunate if you happen to be the landowner that's in the path that those herds travel. Trying to get the Game and Parks more engaged has been my goal. I think we're well on that path, but we still need to keep the pressure on because there are many parts of the state where they are certainly behind the curve. And that's part of what this bill will do is if we can get some commissioners who are actively engaged-- and that's not in the bill, but involved in farming and ranching-- I think that would make the commission a much better body. So with that, I'm happy to answer any questions.

BOSTELMAN: Senator Moser.

MOSER: When the question came up about removing commissioners-- our library and Senator Halloran-- Section 4 talks about removal of commissioners for inefficiency, lack of support. There's a whole paragraph from there that you can read. But he was reading the bill, so God bless Senator Halloran. The other thing, though, and I, I'm getting a sense from you that you feel that the Game and Parks has been more focused on the sport of hunting and less on the people whose land the animals survive.

HUGHES: Absolutely. As I'm sure I've told you before, I'm in my sixth year and I have had numerous meetings with Game and Parks prior to

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this year about this very issue and have never had the response that I've gotten now since I've started introducing bills to make some changes, you know. And I think the Game and Parks has-- the commissioners have come to the table to discuss these things. And this is part of the process that, you know, I have found to work because what I was doing before, meeting with staff was absolutely not working. So if you're trying something and it's not working, try something different. And I'd like to say I do appreciate the commissioners who have come and met with me and we've talked about a lot of issues, but still there's a long ways to go.

MOSER: OK, thank you, .

BOSTELMAN: Senator Gragert.

GRAGERT: Real quick and for fear of taking too long here, but I also got to give credit where credit's due. Senator Albright pointed that out to me.

[LAUGHTER]

ALBRECHT: Oh, jeez.

BOSTELMAN: Thank you.

MOSER: He told me first.

[LAUGHTER]

BOSTELMAN: Senator Hughes, I do have one question as we, as we think about this. And I'm not going to speak about all commissioners, but I would say some of the commissioners-- I won't say most of the commissioners, but a lot of times what we see are people who are probably retired. So maybe it's a retired rancher, retired farmer who's still on the farms, on the ranch; son, daughter, whichever, may actually be doing the farming, but they're still there helping out. I understand, you know, where you're trying to go, I think with what you're meaning, but would we-- would you consider those individuals still fitting within the definition of what you're trying to do?

HUGHES: I'm just trying to put the definition out there to, to give the Governor a little finer guidance when he is making choices for this, this commission, the Game and Parks Commission. Hopefully when that comes up, we can-- if, if this bill should pass out and, and he should decide to sign it, then we can have a discussion about, you

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know, what, what the intent of this legislation was and discuss a little bit more of the, the issues that I see coming forward or that have-- that are on the table today of how it would certainly improve if we have some individuals who, like I said, had skin in the game when it comes to agricultural production because they are the ones paying, paying the bill. And the state is making millions, if not billions of dollars off of hunting and fishing. And, you know, the landowners just kind of, well, yeah, too bad. You know, they're on your property. They'll move on tomorrow. That's, that's the attitude that, that I've had for six years and I'm tired of it.

BOSTELMAN: Senator Quick.

QUICK: Thank you, Vice Chairman Bostelman. But, you know, do you know, and you may not be able to answer this, but have there been farmers and ranchers who, you know, sent in for an appointment and maybe haven't been-- do you-- I don't know if you'd know that or not, but--

HUGHES: I, I don't. You know, I, I know-- you know, I have looked at the list that the Governor puts out occasionally of all of the positions that he has to fill and it's very daunting.

QUICK: Um-hum.

HUGHES: I've, I've been a gubernatorial appointment myself--

QUICK: Um-hum.

HUGHES: --you know, so it's not-- it's something, generally, you would need to pursue. I don't know how many times that there are multiple choices. That, that would always make it easier, yet harder as well. You know, as far as the, the livestock position on the Natural Resources Commission, there is a gentleman who is going to be pursuing that, I have learned this week. So hopefully after, you know, a two-year vacancy, someone will step up to fill that position. I think the Natural Resources Commission has been operating quite well with one member short. We, you know, we want the best people possible to fill these positions and sometimes it's not the end of the world if we do wait a little time to, to bring them along.

QUICK: I did have a second question, if that's all right. So I know you're trying to narrow it down a little bit so it would be-- look more like maybe a farmer or rancher can have it. But the current

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language doesn't prevent a farmer or rancher from applying for or asking for any of the appointments?

HUGHES: No, nope.

QUICK: OK. All right, thank you.

BOSTELMAN: Any other questions? Seeing none, that will close our hearing on LB859. Thank you, Senator Hughes. We will now open our hearing on LB860. Senator Hughes, you're welcome to open at your leisure.

HUGHES: Good afternoon. Vice Chairman Bostelman and members of the Natural Resources Committee. For the record, my name is Dan Hughes, D-a-n H-u-g-h-e-s. I am here today to introduce LB860. The intention of this bill is to redraw the Game and Parks Commission districts based on landmass. The Game and Parks manages land and wildlife, not people, so it makes more sense that these districts are based on landmass and not population. Also, the land that Game and Parks owns and manages is spread across the state of Nebraska. Therefore, I believe it would give a better representation to the board. This bill was not, and I repeat, was not designed to get rid of any particular commissioner. That never entered into my mind. If you talk to my staff, we, we worked very hard and came up with lots of different maps of trying to get the landmass relatively equal and keep it somewhat regional, if at all possible. I tried to keep the districts the same size, while staying within county borders. I'd be happy to try and answer any questions.

BOSTELMAN: Thank you, Senator Hughes. Are there any questions? Senator Moser.

MOSER: Did you look to see whether some commissioners could be disqualified because of where they live currently?

HUGHES: I did not.

MOSER: OK, thanks.

HUGHES: And, and, and since, I have found there is concern with one of the commissioners and I have spoken to him and assured him that that is absolutely not my intent. I think there is a, an additional map that has been drawn that the committee can look at that would alleviate that problem--

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MOSER: OK.

HUGHES: --that issue.

MOSER: Thank you.

BOSTELMAN: Thank you, Senator Moser. Senator Gragert.

GRAGERT: Thank you, Vice Chairman. You say that landmass-- you want to do this by landmass but you don't, you don't think it should be a little bit of both landmass and the number of people that an individual is going to have to answer to and/or, you know, be able to represent in that, in that landmass?

HUGHES: Just looking at the Game and Parks, it's wildlife and parks. You know, nowhere does it say people. That is a big part of their job. You know, my intent with this bill is to get better representation in the west.

GRAGERT: Yeah, but-- and I guess that's where I'm going with that. It's about animals. Game and Parks is about animals and, and the management of them, but the issues are always the people that are not getting represented. Like, you know, you feel yourself--

HUGHES: The landowners?

GRAGERT: The landowners--

HUGHES: Exactly.

GRAGERT: --that, you know, by widening, you know, the range that one individual is responsible for, I think people probably should be playing into it, shouldn't you? And, you know, how many people he has to represent or tries to represent?

HUGHES: That's, that's a discussion we can have.

GRAGERT: OK, thank you.

BOSTELMAN: Other questions? Seeing none, thank you, Senator Hughes. I'm sure you'll stay for closing. And I ask anyone who would-- proponents to LB860, please step forward. Good afternoon.

DEAN EDSON: Good afternoon. Vice Chairman Bostelman, members of Natural Resources Committee, I'm Dean Edson, D-e-a-n E-d-s-o-n. I'm the executive director of the Nebraska Association of Resource

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Districts testifying in support of LB860 on behalf of the association. Well, it's going to sound like Groundhog Day. These are [INAUDIBLE] comments from the previous testimony, but I want to preface my remarks. Again, our testimony is not targeted toward any existing commission member. In addition, we've had many existing positive relationships with the Game and Parks and management of NRD parks and facilities and other joint parks. Also, as I've mentioned in my previous testimony, we invite the director and assistant director to our, all of our NRD manager meetings, our annual meetings, our legislative conference. So we try to keep improving that working relationship. Our testimony is focused on trying to address concerns we hear from landowners about relationships between ag landowners and the commission. Again, at our legislative conference, our board members discussed this issue in detail and voted unanimously to support the bill to expand district representation on landmass, as it could improve trust and cooperation among ag landowners. However, we would suggest the committee consider leaving District 2, representing only Douglas County and District 8 as Lancaster County only, rather than merging them with the other counties. The concern raised by the NRDs and those merged-in counties was they were concerned that someone from Lincoln or Omaha would represent their county, where they had some rural representation, maybe, before. So as an alternate, what we would suggest is expand the number of districts so that more residents in non-urban areas could be represented. For example, Nebraska statutes allow for up to 21 board members on our local NRD boards and we have several districts that do that. This gets as much geographical representation as possible. The thing to point out, and it's not in the written testimony, but the Water Sustainability Fund that you heard about previously, that's an \$11 million appropriation. There's 21 commission members overseeing \$11 million. And so the issue of expanding the representation and adding maybe more commission members and maybe combining it a little bit with what in your previous bill you discussed might help with getting some more rural representation and ag representation. Again, we're willing to work with the committee and the commission to help improve relationships with all parties involved. We would encourage support for the bill with some suggested changes. Thank you for the opportunity to comment and I'd be glad to take any questions you have.

BOSTELMAN: Thank you, Director Edson. Are there any questions from committee members? Seeing none, thank you, Director Edson, for your testimony. Next proponent. Anyone else who would like to testify as a

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proponent for LB860? Seeing none, anyone who'd like to testify in opposition, as opponent, please step forward. Good afternoon.

DOUG ZINGULA: Good afternoon. Chairman Hughes and Vice Chairman Bostelman, my name is Doug Zingula, D-o-u-g Z-i-n-g-u-l-a. I am currently a commissioner for Nebraska Game and Parks, serving in the 7th District, which comprises the western Panhandle of the state, a lot of which we're talking about here today. There have been several modifications to the districts over the past 20 years that have influenced the boundary lines of these various commission districts and boundaries. But we feel that the current design has, has been and is working very well for all wildlife and fisheries and all the people in Nebraska. Earlier, you heard the gentleman, Walt, talking about just the engagement with the commissioners in all the districts and all the different meetings that we attended. And, and I guess I just, without necessarily repeating some of the things he went over, I just want to reiterate that we do. I mean, in my own area, you know, I've attended probably a half a dozen big game meetings here in the last month and 45 days as well as numerous meetings concerning McConaughy and the list goes on and on. And so, you know, as we go forward here, some of the concerns that, that we would have is-- and we talked earlier about the commissioners, that one district he would not reside in and therefore would have to vacate his position. Another commissioner would not be eligible for reappointment. And at the same time, concerns that, you know, we're, we're hearing a little bit in terms of representation by population. You know, we hear a lot about wildlife and, and geographical areas, but a lot of our parks are located here in the eastern part of the state and it is of, you know, high use and of high concern for, for the folks here in eastern Nebraska. So the way we're looking at some of this is that we're losing some of that representation. So, again, I guess in closing, you know, I would welcome any, any questions or anything that you might--

BOSTELMAN: Thank you, Commissioner.

DOUG ZINGULA: --want to ask.

BOSTELMAN: Thank you, Commissioner Zingula. Are there any questions? Senator Moser.

MOSER: What brought you to be interested in being a commissioner?

DOUG ZINGULA: I got involved with Game and Parks about six or seven years ago through family and friends and one thing kind of led to

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another. And I met folks and, and became very interested in the area. I have a home up in Chadron, the Pine Ridge area. And just the wildlife, I mean, it's a kind of unique situation. We have all the, all the big game in the western Panhandle, from mountain lions to bighorn sheep, elk, deer. And, and so it's just part of my background that I've always had an interest and, and appreciated everything that, you know, wildlife has done for me and, and the people of the state. And so--

MOSER: What's your occupation?

DOUG ZINGULA: I'm retired at this point.

MOSER: What did you do for a living?

DOUG ZINGULA: I spent 32 years with Cabella's in Sidney, Nebraska.

MOSER: OK, thank you.

DOUG ZINGULA: Um-hum.

BOSTELMAN: Other questions? Senator Gragert.

GRAGERT: Thank you, Vice Chairman Bostelman. So I think I've already heard you say that you think the present system is working fine, but you don't think that there would be a possibility for more commissioners?

DOUG ZINGULA: I, I think nine, at this point is, is I think pretty representation [SIC] of, of what we have out there in the state. I think, I think we all strive to do the best we can in terms of listening to all sides. And I'm not sure adding one or two is-- I'm not sure that that will change things that dramatically.

GRAGERT: So you go to-- Walt kind of gave us some numbers there, how many meetings--

DOUG ZINGULA: Um-hum.

GRAGERT: --you all attend and--

DOUG ZINGULA: Right.

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GRAGERT: --sounds like quite a few. Do you go-- do you have meetings down in your area, beyond, beyond just all nine commissioners coming together?

DOUG ZINGULA: Sure, sure, absolutely. So as an example, I attended three of the big game meetings here that were held in, in January. So there were probably two to three commissioners besides just myself who-- I represent that district. But I also attended one at McConaughy, which was District 5, so it was close to my area so I felt, you know, it was important that I be there, as well as the fisheries meetings. We've had mountain lion meetings. My first year on the commission was-- we were in the middle of the debate on mountain lion season so I attended probably a half a dozen town hall meetings up in the northern Pine Ridge, northwest part of the state. I listened to all the landowners and their concerns in regards to mountain lions. And we have the Cowboy Trail that is coming through our area out there and so I have met with several of the local communities and, and chambers on, on different aspects of the Cowboy Trail. So to answer your question, the short answer is, is yes.

GRAGERT: OK and one more and I don't know if you'd be able to answer me or not, but at these meetings and all these meetings you've attended, what percent would you say are farmers and ranchers as your audience versus people interesting [SIC] in hunting and big game and mountain lions?

DOUG ZINGULA: Um-hum.

GRAGERT: Do you, do you get a lot of farmers and ranchers at these meetings?

DOUG ZINGULA: Absolutely.

GRAGERT: OK.

DOUG ZINGULA: And, you know, I say that-- I would say over at least half are, are farmer/ranchers. You know, it's-- you know, what's a, what's a sportsmen versus-- I mean, sportsmans [SIC] can be farmer/ranchers. Ranchers can be sportsmans [SIC] as well. So a lot of times, you know, that, that can, can straddle both sides, but absolutely.

GRAGERT: All right, thank you.

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BOSTELMAN: Other questions from, from committee members? How long have you been a commissioner, again?

DOUG ZINGULA: I'm starting my third year.

BOSTELMAN: Third year, so over the last three years, have you seen an increase in complaints or interests from those farmers and ranchers on depredation specifically?

DOUG ZINGULA: In some cases, yes. I think-- you know, we've had-- I think our elk herd is doing extraordinarily well right now and so we've had some calls on that and we've, you know, attempted to address that. And we will continue to address those, you know, those situations. Antelope has been another one and in my area, you know, particularly when we have some tough winters, when they start congregating in, in large numbers and, you know, in, in fields and those types of things. So again, the biologists out in, in our area and out of Alliance, I mean, I think they've done a great job in working with the landowners and trying to come up with solutions, you know, to those and we will continue to do so.

BOSTELMAN: How large of an area does that biologist cover, do you know?

DOUG ZINGULA: The districts are a little different, but it would-- most of the Panhandle.

BOSTELMAN: OK. Do you know who the commissioners were in your district prior to you serving now?

DOUG ZINGULA: Mark Spurgin was the, was the commissioner.

BOSTELMAN: And do you know what their-- that background-- and the person before that; how long did that person serve, do you know?

DOUG ZINGULA: Mark served eight years, I believe, and I don't know prior to that.

BOSTELMAN: And his background was, do you know?

DOUG ZINGULA: --was-- he was a rancher-- cattle producer.

BOSTELMAN: And did you, did he speak with you about applying, putting in an application? Who encouraged you, if anyone?

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DOUG ZINGULA: No, Mark did not-

BOSTELMAN: OK.

DOUG ZINGULA: Yeah.

BOSTELMAN: OK. Thank you. Any other questions? Seeing none, thank you, Commissioner Zinga-- Zingula?

DOUG ZINGULA: Zingula.

BOSTELMAN: Thank you for coming in today and making the trip in. Next opponent, please. We don't bite so you can--

SCOTT SMATHERS: I don't know about that.

[LAUGHTER]

BOSTELMAN: You can come up quickly.

SCOTT SMATHERS: Good afternoon again, Chairman Bostelman and members of the committee. My name is Scott Smathers, S-c-o-t-t-S-m-a-t-h-e-r-s. Once again, I'm the executive director of the Nebraska Sportsmen's Foundation. And again, our membership base is the one who decides our positions on our, on our legislative issues along with our executive board, which is nine individuals. The reason we have an issue with LB860 and ask you to keep it in committee is simply the fact that-- from a standpoint of District 2 and 8 representing Lancaster and Douglas County. Yes, we understand there's a landmass issue. We understand that, that there is some thought process in the western part of the state. They're not being fully represented with-- in number of commissioners. However, there is a component that has to play into this in regards to the population base. Again, I represent the end users. It is a user-paid system. I certainly respect the value of ag and loss of ag due to crop depredation. This bill has nothing to do with crop depredation. This has to do with representation. We are the end users. We are the ones that pay the bill. And we continue to pay the bill and we'll always pay the bill because it's our passions and our dreams. To answer a question earlier, 62 percent of our membership base, which is above 14,000 now thanks to issues this year, has raised awareness and are involved in ag production-- yes, Senator Hughes, thank you-- are involved in ag production and come from a representation of the land. They come from a direct view of-- second or third generational from production, either livestock or crop. If we didn't grow up on the farm, most of us grew up in communities where we

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worked on the farm as kids because it was the only source of income without being driven to town by mom and dad, which was not going to happen. So with that said, our membership base is not going to get too upset about this bill or drive hard on this bill. In fact, we like the current representation that we have. I can tell you, I travel the entire state all-year-long, obviously predominantly when the session [SIC] is not in session, working with sportsmen's groups, conservation groups, environmental groups, landowners, sportsmen's clubs. Yes, there are occasions I hear conversations in regards to Game and Parks. Typically, I find that a lot of that is coffee shop war and coffee shop hype and misinformation. That's what we exist for, on our side of the fence, for the end user. We are really striving to find common ground on some of the other issues that Senator Hughes has brought to the table throughout the summer and this session. The fiscal note has zero impact on any of those issues. I don't know. Our membership, as some of you may know, when they have a dog in the fight grab all the bone, they're consistent and they will reach out. Landowners can do the same thing. There's phone calls. There's emails. There's-- attend meetings. I've been to a lot of these game commission meetings where there's a large number of landowners and users, the sportsmen, who are one in the same 60 percent of the time for us. So I would suggest-- I would hope that you keep this bill in committee. And we can maintain and possibly look at-- was it-- I don't remember how many years ago-- was there another bill brought that was to add another district? I can't remember if that was 2014 or 2013, somewhere in that time frame. Maybe it's time to look at it again. So I'd urge you-- we may take that avenue as opposed to this one, but that will end my testimony and I'd say thank you.

BOSTELMAN: Thank you, Mr. Smathers. Are there questions from the committee? Seeing none, thank you, Mr. Smathers.

SCOTT SMATHERS: Thank you.

BOSTELMAN: Next opponent who would like to testify, please step forward.

WALT RADCLIFFE: Good afternoon again. My name is Walt Radcliffe, W-a-l-t R-a-d-c-l-i-f-f-e, appearing before you as a registered lobbyist on behalf of, of Friends of Nebraska Parks in opposition to LB860. Quite honestly, this bill is as much a matter of opinion. It's not really a matter of fact, I don't think. I-- we, we feel that the system we have is working pretty well and there really isn't hardly a dramatic reason to change it. I won't go through a conversation about

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one man, one vote because this is an appointed commission. But what, what you might find interesting is just a quick look back as to how the Legislature has dealt with the issue of, the structure of the Game and Parks Commission. Prior to 2002, there were seven commissioners. They served five-year terms. They couldn't be reappointed without sitting out a term. But-- and there were, there were, there were no limits on the number of terms, but in 2002 in LB1003, the number of districts and commissioners were changed. It was increased from seven to eight, removed Lancaster County, and added Sarpy County. Then in District 1, District 2, there were some changes. And that's when they also address some of the agricultural language that we saw in the last bill, as far as the, the composition of membership. That went along till-- it only, only lasted for about six years till 2008 in LB1049 [SIC]. At that time, a new at-large district was added to bring the total number of commissioners up to nine. So we've been working under this structure for about the last 12 years and it's, and it's seemingly, it seemingly has worked pretty well. Also, we transition to a period of, of four-year terms. Previously, it had been five. Term limits, now you can only serve for two terms. So what it really boils down to is the Legislature has looked at and changed the makeup of the commission over, over a period of years. And there's usually been a showing and some discussion as to why that was necessary. Frankly, we just don't think there's a, a real need to make those changes at this time. So with that, I'll end my testimony. I'm reticent to answer questions since I failed my last Q&A, but--

[LAUGHTER]

WALT RADCLIFFE: But I read the-- if you'll read the bill, Walt, you know, two pages.

[LAUGHTER]

WALT RADCLIFFE: But thank you, Senator Halloran and Senator Albrecht.

ALBRECHT: Yay.

BOSTELMAN: Thank you, Mr. Radcliffe, for your testimony. Any questions from the committee? Senator Albrecht.

ALBRECHT: Thank you, Vice Chair Bostelman. Well, your institutional knowledge means a lot to all of us. Thank goodness you have it and we

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need to hear it. But you just talked a little bit about these maps and how, how-- what was the rationale between-- I mean, just in this case?

WALT RADCLIFFE: I can explain that rationale to you when you can explain the rationale of what you--

ALBRECHT: Well, the new one.

WALT RADCLIFFE: --do next year.

ALBRECHT: OK, fair enough.

[LAUGHTER]

ALBRECHT: OK. But, but hold on--

WALT RADCLIFFE: Drawing lines on maps, I remember Senator Clark from Sidney said to me, he said, Walt, you draw a line, there's always going to be somebody on the other side.

ALBRECHT: That's right.

WALT RADCLIFFE: Now that didn't seem too profound at the time, but the more I think about it, the more right he was.

ALBRECHT: OK, but do you have a green copy of this bill?

WALT RADCLIFFE: I do have a green copy.

ALBRECHT: Will you go to page 2, line 10?

WALT RADCLIFFE: Page 2, line 10.

ALBRECHT: What's that say?

WALT RADCLIFFE: "At least three members of the commission shall be actually engaged in agricultural pursuits."

ALBRECHT: Wasn't that what we just talked about the last--

WALT RADCLIFFE: Well, we changed-- I don't have a copy of the last one. We struck agricultural-- this is-- this, Senator, is that same language, yes.

ALBRECHT: Um-hum.

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WALT RADCLIFFE: But in that one, it struck-- this is existing language, as you know.

ALBRECHT: Uh-huh.

WALT RADCLIFFE: OK? But the last bill, I wish I had it right here in front of me, but it, it struck "agricultural pursuits" and put something else in, if I recall.

ALBRECHT: OK, so they're adding more to it.

WALT RADCLIFFE: Yeah.

ALBRECHT: So if this new map actually covers more ground and if the, the two topics we're talking about with these two bills here today have to do with landmass, right, with, with-- there is more with the farmers that are having trouble, right?

WALT RADCLIFFE: Yeah. That's, that's the contention--

ALBRECHT: So--

WALT RADCLIFFE: --yes.

ALBRECHT: And you're probably not the one to ask. I hope somebody else behind you comes up because I'd really like to know, you know, of the complaints that people have about-- you know, what, I mean, what does the-- what does Game and Parks do when they have masses of large herds going into certain sections of ground? I mean, do they pay for the fences that get broke? Do they--

WALT RADCLIFFE: I'll take a stab at it because I don't-- but then somebody else can get up. First of all, probably not a lot of elk in Lincoln and Omaha, so we don't have to worry--

ALBRECHT: No, but there's sure an awful lot over here.

WALT RADCLIFFE: --about it here.

WALT RADCLIFFE: But, I--

ALBRECHT: And you know, once they come to Lincoln and you hit one, you're not going to like it.

[LAUGHTER]

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WALT RADCLIFFE: No, that's true.

[LAUGHTER]

ALBRECHT: So--

WALT RADCLIFFE: I should get somebody with a cattle prod here--

ALBRECHT: I, I, I'll ask--

WALT RADCLIFFE: --behind me.

ALBRECHT: --somebody behind you, but actually--

WALT RADCLIFFE: I do not, I-- the Game and Parks does not have money to pay people for damages.

ALBRECHT: Um-hum.

WALT RADCLIFFE: No. No, they do not.

ALBRECHT: OK, that's it. That's, that's interesting.

WALT RADCLIFFE: And part of that, it's, it-- part of that reason-- and then I'm, I'm really teetering on the edge of my knowledge, is a lot of those funds are restricted as to what they can be used for.

ALBRECHT: Well, very good. Well, thanks for being here.

WALT RADCLIFFE: OK. Thank you all very much.

BOSTELMAN: Any other questions?

ALBRECHT: Oops.

[LAUGHTER]

BOSTELMAN: Thank you, Mr. Radcliffe, for your testimony. Next testifier in opposition. Good afternoon.

WES SHEETS: Good afternoon, Senators. My name is Wes Sheets, spelled W-e-s S-h-e-e-t-s. I live here in Lincoln and over in the east part of the city. I'm appearing before you in behalf of the Nebraska division of the Izaak Walton League, which is probably one of the oldest conservation citizens' group in this state and in the country, as a matter of fact. Our chapter in Lincoln was formed in 1924 so it's

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getting close to 100 years old. I guess I'd love to have been around in the beginnings, but didn't make it. We appear in opposition to LB860 heard in committee. And I just would like to say that I thought about just saying ditto to what Mr. Radcliffe just said because the notes that I just handed out pretty much reiterate exactly verbatim what he's talking about and I haven't seen Walt in several years so there's no collaboration involved there.

[LAUGHTER]

WES SHEETS: But nevertheless, the, the Nebraska division consists of 13 chapters ranging from Imperial, Nebraska up to Wayne and back to Lincoln. As I told, it's quite an old organization. In general, LB860 serves to concentrate the oversight of management and the use of our state's very large renewable natural resources, our wildlife, as well as many of the recreational facilities across our fine state and a very unbalanced board of commissioners. I'd just like to point out early in the formation of our country, back in a couple hundred, three, 250 years ago, our forefathers that came from Europe were existing under a system of feudalism where wildlife, by and large, was totally restricted and owned and controlled by the king. As a, as a formation of our country, we, we divulged [SIC] into a system where the wildlife actually has been adjudicated for all the citizens of the country and I think that-- with the objective of using the wildlife where permissible and enjoying in their attributes along the road. While recognizing our state's rights, Nebraska has been entrusted that oversight of the wildlife resources to the Game and Parks Commission. It's our premise that this is best accomplished by adhering as close to [SIC] possible to the principle of one man, one vote. That's been brought up before when creating the board of commissioners. That's certainly not going to be possible in all cases. And it's common sense, it needs to happen when nearly half of our population lives in a metropolitan area. But they're concerned because they have value in our wildlife resources as well. While our wildlife resources are widely varied, they should be considered as a whole and managed by the state of Nebraska as a whole entity. The very nature of our population distribution with the large cities creates a lot of difficult connection with that large wildlife resource, but we should try. We'd just like to, to recommend that the existing system has been working fine. It was, it was intensely studied in the early 2000s and in 2008, when most of the current statute was put in place, as I understand it. And in our opinion, that is taking care of most of the issues in a

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quite adequate source. So with that, I'd attempt to answer any questions you might have.

BOSTELMAN: Thank you, Mr. Sheets. Are there questions from the committee members? As I look at the map-- sorry, as I look at the map now, District 8 and District 2 has three commissioners. That being the at-large member then Mr. Brandt, Commissioner Brandt, Commissioner Bell. So Commissioner Cassels, Brandt, and Bell represent Districts 8 and 2; does that sound right?

WES SHEETS: Sounds correct. You know, I'd point out that that at-large commissioner could be from any district, though, pending on the appointment.

BOSTELMAN: Well, no, I agree.

WES SHEETS: It just happens that he has to come from one district, I guess.

BOSTELMAN: Right, I agree. OK, thank you.

WES SHEETS: OK.

BOSTELMAN: Thank you for your testimony. Next opponent. Anyone else who would like to testify in opposition to LB860, please step forward. Good afternoon.

STAN PATZEL: Good afternoon. My name is Stan Patzel, S-t-a-n P-a-t-z-e-l. I have a couple of issues. One is the, the redistricting. Where we're at right now, we have nine commissioners, which-- and we have two in District 1 and District 2. And those two represent 22 percent of the, of the commissioners, but they cover about 55 percent of the population. And this redistricting will probably-- District 1 and 2, which will have two commissioners, will probably cover close to 70 percent of the population in the state of Nebraska. And again, somewhere back in my history or civics classes at school, there was something about government for the people by the people; one man, one vote. And we're way out of proportion. Now we're certainly willing to compromise and what we've had has worked. And I would just like to see us keep what we have. Another concern that I have is this redistricting is going to take away one of our commissioners. And through the years, we've had many outstanding commissioners in the state of Nebraska. We've been very fortunate, but none are more outstanding or more qualified than Dan Kreitman, whose job would be

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eliminated if we had-- if we went with this new redistricting. Dan grew up in a working-class family. He worked his way through dental school. He's built a, a fantastic business. He's purchased farms in southeast Nebraska, in central Nebraska and ranches in western Nebraska. And he's, he's done all this and as a commissioner. He's kind of checked all the boxes that we need as a commissioner. He-- his business ability, his passion for wildlife, and, and, the farms from border to border qualify for him-- qualify him for this job. Dan has also committed tens of thousands of dollars to wildlife agencies such as Pheasants Forever, Rocky Mountain Elk Foundation, Ducks Unlimited. And we have been very, very fortunate to have him in this state and I think it would be a crime if we lost this valuable asset by, by doing a redistricting that really doesn't make much sense.

BOSTELMAN: Thank you, Mr. Patzel. Are there any questions? Senator Moser.

MOSER: Are you a-- currently a commissioner?

STAN PATZEL: No, I am not a commissioner, but I have all the respect in the world for the commissioners we have. I know Dan-- well, I know Rick Brandt. These are people that care about that, that care about those resources.

MOSER: And where, where do you live, you say?

STAN PATZEL: I live here in Lincoln.

MOSER: Here in Lincoln and are you a sportsman?

STAN PATZEL: I am, I am a sportsman. Yes, I am a sportsman. I am involved with, with Pheasants Forever, Ducks Unlimited, and Rocky Mountain Elk Foundation, but nothing to the extent of the generosity that Mr. Kreitman does.

MOSER: What's your occupation?

STAN PATZEL: I was a supply manager at Goodyear for 21 years.

MOSER: OK. Thank you very much.

STAN PATZEL: OK, thank you.

MOSER: [INAUDIBLE]

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BOSTELMAN: Sorry, just a minute, sir. We do have questions.

GEIST: He asked my questions.

BOSTELMAN: Oh, he did?

MOSER: And yet--

BOSTELMAN: Are there any questions?

GEIST: Thank you, Senator Moser.

BOSTELMAN: I do believe-- looking in here and, and maybe the introducer will, will cover that, but I do believe in this specific instance, it does, in the bill, it does provide the district, the member serving former District 1 will assume the role serving new District 5 and that his or her term shall expire in 2024. So I'm not so sure--

STAN PATZEL: But again, that would be complete-- he can't do that because he does not live in that area. That's my understanding. I may be, I may be wrong on that. That's my understanding. He lives in what is currently District 1 and they're taking that out of-- putting that into another area and--

BOSTELMAN: That may affect more than him, though.

STAN PATZEL: Yeah and I think that would be a shame because we have some fine commissioners.

BOSTELMAN: OK, thank you, Mr. Patzel.

STAN PATZEL: Thank you.

BOSTELMAN: Anyone else who would like to testify in opposition to LB860? Seeing none, I do have three letters in opposition; one is from Nebraska Wildlife Federation, one is Wachiska Audubon Society, and Eric Zack in Lincoln, Nebraska. With that, I would ask anyone who would like to testify in the neutral capacity to please come forward. Neutral capacity, anyone who would like to testify in a neutral capacity? Seeing none, OK, Senator Hughes, please close.

HUGHES: Thank you, Vice Chairman Bostelman and members of the committee. Just curious, during the-- Mr. Radcliffe's testimony about the last time the boundaries were changed, do you suppose the

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commissioners thought they were working fine before that? You know, the boundaries have been changed multiple times by the Legislature because circumstances change. So with that, I appreciate your patience with this hearing and I'd be happy to answer any questions.

BOSTELMAN: Thank you, Senator Hughes. Are there other further questions from the committee members? Seeing none, that will close a hearing on LB860. Thank you all for coming today to your Natural Resources Committee.