

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee February 27, 2025

**BRANDT:** OK. Welcome, everybody, to the Natural Resources Committee. Unusual opening today: Senator Raybould would like to make an announcement.

**RAYBOULD:** Oh, yes. Something very special is happening at the Capitol tonight. The Capitabol-- Capitol will be in orange lights tonight in honor of the Genoa Indian School and in remembrance of the children that never came home, so. Hence I'm wearing the orange T-shirt symbolizing that. But it's something truly spectacular for the Capitol. It should have happened last week, but the temperatures were too cold, so. If you see the Capitol looking like it's on fire, it's not. It's just turned orange, so.

**BRANDT:** And, and with that, welcome to the Natural Resources Committee. I'm Senator Tom Brandt from Plymouth. I represent Legislative District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster counties. I serve as chair of the committee. The committee will take up the bills in the order posted. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets that are on the table at the back of the room. Be sure to print, print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are also yellow sign-in sheets back on the table for each bill. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. We will begin each bill hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We, we will be using a five-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you have one minute remaining. And the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bills being heard. It is just part of the process, as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted in the

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hearing room. Such behavior may be cause for you to be asked to leave the hearing. Finally, committee procedures for all committees state that written position state-- comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included in the committee statement. I will now have the committee members with us today introduce themselves, starting on my left.

**CLOUSE:** Stan Clouse, District 37: Kearney, Shelton, and Gibbon in Buffalo County.

**CONRAD:** Hi. I'm Danielle Conrad from Lincoln.

**HUGHES:** Jana Hughes, District 24: Seward, York, Polk, and a little bit of Butler County.

**DeKAY:** Barry DeKay, representing District 40. Encompasses Holt, Knox, Cedar, Antelope, northern part of Pierce, northern part of Dixon County. And are you asking me to leave?

**BRANDT:** Not yet.

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

**RAYBOULD:** Jane Raybould, Legislative District 28, which is midtown Lincoln.

**JUAREZ:** Margo Juarez, District 5: south Omaha.

**BRANDT:** Also assisting the committee today: to my right is our legal counsel, Cyndi Lamm; and on my far left is our committee clerk, Sally Schultz. Our pages for the committee today are Kathryn, a junior, a junior majoring in environmental studies at the University of Nebraska-Lincoln. And it looks like we just have one today, or at least for a while. And with that, we will begin today's hearings with LB607. Welcome to the Natural Resources Committee, Senator Bostar.

**BOSTAR:** It's good to be here. Good afternoon, Chairman Brandt and members of the Natural Resources Committee. For the record, my name is Eliot Bostar. That's E-l-i-o-t B-o-s-t-a-r. Representing Legislative District 29. Here today to introduce LB607, a bill establishing a comprehensive approach to recycling in Nebraska. LB607 will help bring new, innovative recycling technologies to Nebraska, technologies that

can expand our ability to recycle plastic, strengthen our economy, and support a more sustainable future. Plastic waste is a growing challenge both here in Nebraska and across the country. Traditional recycling methods have limitations, and many plastics that could be repurposed still end up in landfills. A suite of recycling technologies offers a solution by processing many of these plastics into valuable raw materials which can then be used to create new products and chemicals. This not only reduces waste but also lowers pollution. LB607 ensures Nebraska's ready to embrace these innovations by defining a clear regulatory framework for new recycling methods. It recognizes these technologies and manufacturing processes, ensuring that facilities are properly regulated while encouraging investment in our state. These facilities will still be subject to important environmental protections, including oversight under the federal Clean Air Act, Clean Water Act, and Nebraska Department of Environment and Energy regulations. Beyond its environmental benefits, expanding our recycling capabilities represents an economic opportunity for Nebraska. It can attract new manufacturing investment, create high-quality jobs, and strengthen our state's supply chains by producing valuable materials domestically. 25 other states-- including our neighbors in Iowa, Kansas, and Missouri-- have already passed similar plastic recycling provisions, positioning themselves as leaders in the space. Nebraska should not be left behind. LB607 includes the establishment of a statewide battery stewardship program. Batteries, particularly lithium-ion and other rechargeable batteries, pose significant environmental and safety risks when improperly discarded. Additionally, improperly handled batteries can ignite fires, creating safety hazards for workers and emergency responders. By requiring battery manufacturers-- battery manufacturers to-- and retailers to participate in a comprehensive collection and recycling program, this act ensures that batteries are properly managed, reducing risks, both the environment and public safety. LB607 includes a revision to Nebraska's solid waste disposable-- disposal fee structure, ensuring that funding for critical environmental programs keeps pace with the state's waste management needs. Currently, the disposal fee stands at \$1.25 per ton of solid waste, set more than 30 years ago. Under LB607, the fee will increase incrementally over the next three years, rising to \$2.25 per ton in 2026, \$3.25 in 2027, and ultimately reaching \$4.25 in 2028. The additional revenue generated through these fees-- fee increases will be directed toward a variety of environmental initiatives that benefit communities across the state. These funds will help finance spill response efforts, remediation projects, and compliance enforcement to ensure that solid waste management operations meet the highest environmental and safety standards. Additionally, a portion of these

funds will be allocated for grants, local governments, and organizations working to develop and expand waste reduction and recycling programs. This will provide much needed support for communities looking to improve their waste management infrastructure, implement recycling projects, and reduce landfill dependency. Another critical component of LB607 is the Extended Producer Responsibility Data Collection Act, which enhances transparency and accountability in Nebraska's waste management system. The ability to track and analyze waste generation, recycling rates, and material recovery efforts is essential for making informed policy decisions that will drive long-term sustainability. By requiring producers to report detailed data on waste streams, Nebraska will have a clear understanding of its recycling infrastructure's strengths and weaknesses. This information will allow policymakers and stakeholders to identify gaps in service and measure the effectiveness of recycling initiatives. Data collection is the foundation of any effective waste management policy, and LB607 ensures that Nebraska has the tools necessary to create evidence-based solutions that benefit both the environment and the economy. Additionally, LB607 seeks to increase the use of recycled materials in manufacturing. Major challenge in Nebraska's recycling industry is the limited demand for recycled materials. Without strong markets for recycled plastics, glass, and paper, many materials collected for recycling ultimately end up in landfills due to lack of a viable buyer. By requiring certain products to contain a minimum percentage of recycled content, LB607 stimulates demand for recycled materials, encouraging businesses to invest in more sustainable production methods. This approach not only reduces reliance on new materials but also strengthens Nebraska's recycling industry by providing economic incentives for processors and manufacturers to incorporate recycled content in their products. LB607 provides a balanced approach to environmental policy by supporting innovative recycling solutions while maintaining appropriate regulatory safeguards and enhancing sustainable waste management practices. I would urge the committee to support LB607. Be happy to answer questions. Actually, before that, I will say we, we have some amendments that are being worked on. We don't have them back from Drafters. And, and, to be honest, even that's OK because we're, we're, we're still receiving a lot of feedback and a lot of requests to make revisions, which, by and large, we've been, we've been granting. So there are-- this-- the bill is still somewhat a bit of a work in progress. My intention is to get as many of those amendments figured out. And some of the issues even have only been just brought forward today, so. And kind of put that together and then come back to the

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committee with amendment language to ensure that we're focusing on the provisions that have the best chance for success.

**BRANDT:** OK. Let's see if we have any questions. Senator Raybould.

**RAYBOULD:** Thank you, Senator Bostar. Could you tell us which of all the states you had mentioned that have developed a similar piece of legislation, which one did you think was best suited to modify for Nebraska?

**BOSTAR:** I can get you the full list. I, I only-- offhand, I only looked at what our neighbors were, but there were-- there's-- so there's 25 other states-- so half the country has. But just around us, Iowa, Kansas, and Missouri have already done some of these things, so. But I'm happy to get you the full 25 state list.

**RAYBOULD:** That would be great. May I ask another question? So, you know, this-- and I haven't had a lot of time to get through it, so, if-- in a nutshell, could you tell me-- I see some requirements for retailers. I see requirements for manufacturers. But ultimately, do they have collector points for these type of batteries or is there, like, a safe storage for disposal plan in here? I'm only on page 17, so, sorry.

**BOSTAR:** So I-- no, I-- I'm not necessarily sure what you're asking me.

**RAYBOULD:** So where, where do you anticipate the disposal of these batteries yet, at the landfill?

**MOSER:** Lithium, you're talking about?

**RAYBOULD:** Yeah. Well, there's other batteries besides lithium.

**BOSTAR:** Yes. And so some of that's actually-- we are working on. So one of the things that's come up is about car batteries. So we're, we're taking amendments on that sort of thing too. So it would depend. And, and you're going to hear from the retailers as well in this hearing. Not in support. They may call it opposition, but I would encourage the committee to see it more as neutral information. And so we're-- you know, we're, we're working on it.

**RAYBOULD:** OK.

**BRANDT:** OK. Other questions? Senator DeKay.

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**DeKAY:** Thank you, Chairman Brandt. Thank you for being here today, Senator Bostar. Looking at the fiscal note a little bit, you're working on a lot of amendments.

**BOSTAR:** Yes.

**DeKAY:** And you have the expenditures basically the same for the next two years, but you show an influx of revenue almost three times. Is that just a educated guesstimate on where the revenue stream's going to come from?

**BOSTAR:** So that's that-- I, I-- in general, the, the increase is coming through that, that tipping fee per ton rate increase over three years. That's the biggest bulk of that. And so-- you know, those are used for a number of things. But supporting recycling industry at large and, and doing what we can to minimize what ends up in the landfill so that it's a more sustainable process. Because landfills cost our, our communities a lot of money, and especially when one has to close and we have to create a whole new one. I mean, those are really, really significant expenses. And so what, what you find is creating some continuous investment in minimizing some of that waste stream that ends up in the landfill, and working with all stakeholders to find a comprehensive approach actually is, is significant cost savings over getting that landfill to capacity quickly, having to either expand it, put a new one out. I mean, these are major costs. Just trying to avoid it to the extent possible.

**DeKAY:** Thank you.

**BRANDT:** Senator Clouse.

**CLOUSE:** Yes. Thank you, Senator Brandt. Senator Bostar, this is interesting. And glad we don't have to decide it today. A question that kind of--

**BOSTAR:** Feel free to advance it. That's fine.

**CLOUSE:** [INAUDIBLE] Senator Raybould. And I know you're good, but you didn't write all this. So who-- where did we get this from? Is it, like, Iowa or, or--

**BOSTAR:** It varies by-- I mean-- pieces from, from various-- some of this matches other state's language. Some of it comes from initially bringing stakeholders together and trying to find agreeable position in that language. Right? I mean, there's-- the bill is, is attempting to

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represent something that stakeholders with various interests in recycling can get behind. We're getting there.

**CLOUSE:** OK. And then one of the things after talking with some of the folks out on in the Rotunda today-- I, I'm just trying to get my, my head around the waste stream process, if you will. So I just need to think through that a little bit on--

**BOSTAR:** We'll have testifiers here that are going to actually-- that would be great for talking through all of that.

**CLOUSE:** So if you have this, how does it get from point A to point B?

**BOSTAR:** Yeah. Yeah. And, and please ask those questions because a lot of this is really interesting stuff. And, and I, I didn't know half of it before sort of daving-- diving into this bill. And it's, it's a-- it's-- what we do with the things we discard I don't think we really spend enough time considering because it, it has significant long-term costs: environmentally, just, just-- or, or budgetary for our communities, for landfills. I mean, it's-- how much resources we're able to extract back out of our waste streams so that we're not needing to go, you know, find them elsewhere. There's so many significant considerations that-- I, I know I-- I'll speak for myself. I don't think I spend enough time really, really thinking through.

**CLOUSE:** Thank you.

**DeKAY:** Senator Hughes.

**HUGHES:** Thank you, Chairman Brandt. I'm a big recycler, Senator Bostar.

**BOSTAR:** I appreciate that.

**HUGHES:** Who-- so I've got a battery recycling bill, LB309. I don't know if you're familiar.

**BOSTAR:** I've heard people like yours better.

**HUGHES:** Well, I'm just saying. Who worked with you on your battery portion here?

**BOSTAR:** I, I-- a number of folks.

**HUGHES:** But not a specific-- like, any of the group-- I see that we got letters from Recycling Partnership-- which I know they help bring some

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extended producer stuff to Colorado. I wasn't familiar with Recycling Science Council. Are they behind this? Maybe [INAUDIBLE].

**BOSTAR:** They-- I mean, they have an interest, but it's-- there isn't, there isn't, like, one entity that's, like, behind the whole bill.

**HUGHES:** Right. Well, it's a--

**BOSTAR:** And so it's--

**HUGHES:** There's several bills in here because if--

**BOSTAR:** Well, let's--

**HUGHES:** Senator Armendariz from last year, the chemical recycling--

**BOSTAR:** Yes.

**HUGHES:** Yeah. I, I remember, I remember that from last year. That's a good one.

**BOSTAR:** You're an expert.

**HUGHES:** I'm not an expert, but. OK. But I, I'm wondering if we might not be able to work together on the battery piece.

**BOSTAR:** Senator Hughes, any opportunity--

**HUGHES:** And I--

**BOSTAR:** --to work with you--

**HUGHES:** I love to work with you too.

**BOSTAR:** --is just a, a, a privilege.

**HUGHES:** Totally. Best day ever.

**BRANDT:** OK. Are there any other questions? Senator Moser.

**MOSER:** So the fee that you're eliminating, the \$1.24 fee that's charged for every--

**BOSTAR:** Ton.

**MOSER:** --ton of garbage dumped at a landfill or compactor, currently that's used to fund Superfund sites. Where-- is that the same fee? I see heads shaking.



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**BOSTAR:** It, it, it would increase the fee.

**MOSER:** Well, Senator DeKay has a bill that increased the fee.

**BOSTAR:** Perfect.

**MOSER:** And I'm just curious whether-- when it said eliminate a fee, I was wondering if that was the same fee.

**BOSTAR:** We're-- so we're-- in this bill, ultimately, the fee gets from the \$1.25 up to, like, \$4-- no. Let me-- bear with me. I just-- \$4.25 over three-- in 2028. So we, we would be increasing the fee.

**MOSER:** OK. Well, that's quite a bit more than what DeKay-- Senator DeKay's bill--

**BOSTAR:** Well, look, I think Senator DeKay just-- he's, he's really gotta lean into it. You know? If you're going to increase a fee, you really got to go for it.

**MOSER:** Thank you.

**BOSTAR:** Thank you, Senator.

**BRANDT:** Any other questions? I don't see any other questions. Are you going to stick around to close?

**BOSTAR:** Of course.

**BRANDT:** Thank you. Now we're going to go to proponents. First proponent. Welcome.

**MARCUS BRANSTAD:** Thank you. Chairman Brandt, senators, it's a pleasure to be here with you guys today. My name is Marcus Branstad, M-a-r-c-u-s B-r-a-n-s-t-a-d. And I'm representing the American Chemistry Council. It's a national trade association. We represent over 200 different companies, including the leading plastic resin producers, as well as recycling technology innovators. I'm going to be here today supp-- in support of the-- basically, the, the first kind of section of this bill, which has to do with the recycling technology definitions. I just do-- I do want to say that I am from Iowa, so please don't hold that against me. But I do sit on the Natural Resources Commission there in the state, and so I do fully understand the, the great work that the Natural Resources Committee does here in Nebraska. And seeing all the snow geese flying over this morning on my drive made me think that maybe it's about time to head out into the fields here in Nebraska and

enjoy some of your beautiful resources here. But like I said, I'm here in support of the kind of-- some of the first provisions of the bill that have to do with the recycling technology definitions that are in there-- for example, pyrolysis, solvolysis, depolymerization, and others. And also in those provisions, it does set forth some language that would properly regulate facilities who use those technologies as a manufacturing process. And all of those, those technologies would be used to remanufacture all different types of plastics. If enacted, Nebraska would be the 26th state-- Senator Bostar did mention that-- in the country to recognize innovative recycling technologies as a manufacturing process. And why it's important to differentiate that is because a, a facility that would be utilizing these technologies to remanufacture plastic into new products does not fall under solid waste site permitting and jurisdictions. They don't-- they're not collectors of material from consumers or from households. They are not sortation facilities. So they do not sorta-- sort, you know, glass or anything else. Facilities like this simply purchase post-use polymers or post-use plastics from a sortation facility or even from an industrial source. But basically, as long as it's plastic, these facilities purchase that material to then remanufacture into, into new materials. Many states in the Midwest-- and I know Senator Raybould had a question regarding this-- and nearby have passed similar legislation over the last five or six years. And that list-- I'll kind of provide a little more expansive list-- is Iowa, Kansas, Missouri, Wisconsin, Illinois, Indiana, Michigan, Wyoming, Oklahoma, Arkansas. States that have-- you know, what I would classify as red states, blue states, purple states, states that are looking to attract new, you know, recycling markets and innovative technologies to take care of the glut of plastic that we have heading to our landfills. And we want to divert that. And we want to make it remanufactured into new materials. Those states that have passed this legislation have paved the way for investment to come to their states. The multiple companies that are seeking to expand their recycling operations and create markets for, for traditionally hard-to-recycle plastics, that's what this language does. This is not an incentive, an incentive bill. It's not providing-- we're not-- these companies aren't asking for, you know, statutory tax breaks or anything like that. It would, of course, be between the state and any, any company that was looking to invest, to invest here. The recycling technologies provisions in this bill do reflect years of negotiations, as, again, we've-- the American Chemistry Council has been supportive of legislation like this in, in, in many states. And we have had negotiations over the years with many trade associations, state regulatory agencies, recycling or-- organizations, legislators, and individual companies to fine-tune the definitions that are out there,

fine-tune the definition of what a, a manufacturing facility using these technologies would be. And, you know, we feel that this is a-- this is language that has been well-vetted across multiple different industries, across many states, working with many different agencies and the like. I know that there are other proponents and technical experts in line behind me to speak to these provisions specifically as well, but I really do appreciate the opportunity to, to speak with you today, Mr. Chairman and senators. And I would be happy to, to answer any questions myself, but the technical experts will be available to you as well moving forward.

**BRANDT:** OK. Let's see what we've got. Questions? Senator Juarez.

**JUAREZ:** Thank you. I would like to know-- and anyone who's in the audience can help me with this. Like, what trade journals could I look at if I wanted to learn more about these recycling steps that we're going forward with. Is there something that you would recommend for us to read on what's going on in the industry?

**MARCUS BRANSTAD:** Yes. Thank you very much for the question, Senator. There are numerous publications, studies that have been conducted from the processes themselves, the products that are manufactured, the environmental side of things, the air emissions and, and so forth. I do know another expert that's following me is-- will have certainly some, some more pointed examples of things. And I think that there might also be a handout that will be coming your way shortly during this hearing that may answer those questions for you as well. But there is a, a, a glut of information out there on these, on these technologies and on the products, ma'am.

**JUAREZ:** OK. Thank you.

**BRANDT:** So, so this information you can just email to all the committee members when you assemble that?

**MARCUS BRANSTAD:** That is correct. And I believe we do have a handout that may address some of that as well. It'll be coming to you in just a few minutes.

**BRANDT:** OK. Senator Moser.

**MOSER:** So the part of the bill that you're supporting is the one that defines your plastic resin companies as manufacturers and not recyclers so that the rules and regulations are different for the processes that they're using to recycle these plastics?

**MARCUS BRANSTAD:** Thank you very much for the question, Senator. So the, the resin manufacturers are the ones that are, you know, making the, the, the pellets and things that go to injection molders, and some of those-- some of those companies that manufacture plastic resin are also in this space as well because they want to recover material that has already been plastic and they want to create it into, into new plastic. It's a virgin-like product, which is very desirable for lots of different products, especially if they have food contact or anything like that or need to have specific qualities. But some-- so I guess the way to answer your question is some of the resin manufacturers have business entities that are in the business of these recycling technologies and would be considered manufacturing, just like a resin manufacturer, if they were to set up shop here in, in Nebraska, would be manufacturing. The differentiation between being a-- being regulated under solid waste statutes and manufacturing statutes for the purpose-- really is just to avoid things that a facility like this would never come in, in contact with, like things having to do with sorghum--

**MOSER:** Well, we heard we heard this bill last year.

**MARCUS BRANSTAD:** Yes.

**MOSER:** And this-- your part of it is similar to what we heard last year.

**MARCUS BRANSTAD:** Very-- yes. It is the same language. We worked with Senator Armendariz last year--

**MOSER:** That's the short question-- short answer to the question.

**MARCUS BRANSTAD:** Sorry. I get a little long-winded, but I appreciate the senator-- or, the, the question, Senator.

**BRANDT:** Any other questions? Senator DeKay.

**DeKAY:** Thank you. This is just a little bit off the subject matter what we're talking about today, but being from Iowa and being on the Natural Resources Commission, where do you see things going forward with recycling, with the fiberglass products specifically, like the blades off of wind turbines? I'm sure Iowa's dealt with that a lot more than a lot of states have. Because I think those talks are going to be taking place in the near future.

**MARCUS BRANSTAD:** Thank you very much for the question, Senator. And having-- I don't represent the, the, the windmill manufacturers or anything. But I do know at-- just probably as you do as well that

windmill blades are a very complex piece of, piece of equipment. They include lots of different materials from, you know, wood and fiberglass and resins and, and all different things, and they're all together, which makes them a, a complex thing to, to recycle. I've read about and researched, you know, the, the opportunities that are out there for that industry. But I don't want to-- I don't want to speak for them, as I, I represent, you know, the American Chem--

**DeKAY:** Well, I mean, I-- my question basically-- because there have been a lot of questions asked about how we can recycle those. And I thought there would be something-- you know, if there's something on the forefront that people are seeing happening that can make this a productive operation with them. To eliminate them in landfills would be nice to get ahead of and get to know. So thank you.

**MARCUS BRANSTAD:** And, and, Senator, if I may. And I, I do know that, you know, a lot of the technologies that are mentioned in, in here are used for, for other purposes. Pyrolysis, you know, for instance, in-- you know, is used for, for many different applications. It's not unique to the-- to recycling plastic only. And so some of these technologies just may be used in that, in that situation. But as the, the legislative-- as the language states, this is specifically for, for plastic. And it is specifically for post-use polymers, post-use plastic from the consumer or industrial source.

**DeKAY:** All right. Thank you.

**MARCUS BRANSTAD:** Thank you, sir.

**BRANDT:** Well, I don't see any more questions. Thank you.

**MARCUS BRANSTAD:** Thank you very much, Mr. Chairman.

**BRANDT:** Next, next proponent. Welcome.

**JEFFREY WOOSTER:** Thank you, Chairman. And thank you, senators, for giving us the opportunity to speak today. My name is Jeffrey Wooster, J-e-f-f-r-e-y; last name, Wooster, W-o-o-s-t-e-r. I am originally from Syracuse, just down Highway 2, towards Nebraska City for those of you who might not remember exactly where Syracuse is. Hopefully most of you know where it is. My sister and my mother still live in Lincoln. My parents lived in Syracuse for 45 years until my father passed away last year. I'm a chemical engineer by training and I'm a polymer innovation and technology development and sustainability guy by practice. So that was what I have spent 36 years of my adult life working on and being passionate about. And, and I care greatly about what happens to

plastics after they get used. I worked for a long time to figure out how to make the best possible plastics, how to develop the best possible applications. I worked on things like fresh cut produce bags. So if you'd like to buy salad in a bag, that's something that I had a large hand in developing and hold a number of patents on those technology areas. Specific to the recycling side, though, I've been working for about the last 15 years with private companies, with government organizations, with NGOs trying to advance the state of recycling for plastics, recognizing that we need to do a better job of using our natural resources. And once we've extracted materials that we make into something, we can take that material and remanufacture it into another product. It's good for the environment. It's good for the economy. It provides jobs that are local jobs. And it's good for the people using those products. My father was a farmer when he was young. And those of you who are farmers that know farmers know that farmers are pretty resourceful at reusing things, right? They save everything that they possibly can, and they reuse it whenever they possibly can. And my father instilled that sort of a mindset in me. And so I've always been mindful of trying to figure out how we do a better job of getting plastic back into the economy as materials that can be reused and remanufactured. And so I want to impress upon you today the importance of having the right terminology, the right legislative framework to make sure that that's possible. Right? We can work to collect materials. We can sort them. We can process them. We can make them into new items. But all of that requires investment. And investment only comes from business if they have the right regulatory framework and the right conditions for doing business. I would love nothing more than to see some companies that want to invest in new and novel recycling technologies come and put a plant in Nebraska, where I can bring my friends and showcase the kind of work that I've been doing for my whole career and show them the great things that happen in this state locally. It's really important that we continue to support innovation. Because if we don't have innovation in recycling-- and in anything else for that matter-- we'll never have things any better than they are right now. Right? We simply have to be open to new ideas, and that includes new ways of reprocessing, remanufacturing, and repurposing the plastic items that we use in our everyday life. Looking around this room, you can see plenty of things that are made out of plastic. Some of them might get reused. Most of them probably won't. Is there a reason for that? Sure. Sometimes it's economic. Sometimes it's technical. A lot of the technical challenges can be solved. A lot of the economic hurdles can be overcome. We just need to create the right mindset and the right desire by individual people and by companies to do what's the right thing to do for the environment but also to do the

right thing for their business. And people only invest in a business if it makes sense to recycle and repurpose those plastics. There are lots of different technologies that can be used for recycling plastics that are in limited use today but not in widespread use. And these are thermo methods, mechanical methods, chemical methods, all kinds of different technologies, everything from microwave technology to simply melting the material and subjecting it to shear or some other processing condition that causes separation, use of solvents for dissolving materials that have different solubility parameters-- all kinds of different things that really go beyond traditional mechanical recycling as we might imagine it. If you've seen a simple video of recycling of plastic, you probably know you collect the material, you sort it, you wash it, you reprocess it, and you make it into a new item. And that's a pretty simple process. And it works great for things like milk jugs and detergent bottles. It doesn't work great for complex things like food packaging. And food packaging is a very useful thing for us to have. We all want our food to be safe. We want the food that we eat to have the best possible quality. And having packaging that uses multiple kinds of plastics helps enable that. Right? So having complicated plastic packages and different pa-- plastic structures is something that's really beneficial to society. It lowers our cost of food. It prevents us from wasting food. It prevents spoilage. It protects human health, but it makes it more hard to recycle. So we need to invest in innovative technologies that will help, help make that possible.

**BRANDT:** All right.

**JEFFREY WOOSTER:** Thank you.

**BRANDT:** Let's see if we have any questions. I don't see any. Thank you for your testimony.

**JEFFREY WOOSTER:** OK. Thank you.

**BRANDT:** Next proponent. Welcome.

**ANDREA ALBERSHEIM:** Mr. Chairman, committee. Thank you for the opportunity to speak today. I'm Andrea Albersheim, A-n-d-r-e-a; Albersheim is A-l-b-e-r-s-h-e-i-m. And I serve as the Associate Director for Plastics Sustainability at the American Chemistry Council. I am here to discuss the recycling technology section of the bill-- those first few sections we've been discussing already. And I do have a couple handouts that hopefully will answer some of your questions from earlier, give you a little bit more detail on what I'm trying to say

quickly in three minutes here. There are a lot of misconceptions about the innovative recycling technologies, and I want to address them. Hit the kind of nail on the head before you hear any of the negative potentially. First, these technologies have evolved over time. Pyrolysis, which is one of the technologies involved in this, has been used since ancient Egypt. It's been around forever. What we're talking about today, though, is its use in plastics recycling. And that is relatively new in the past ten years, and a lot has evolved in that time. We're also not here to talk today about waste to energy. Section 6 of the bill makes it very clear that fuel production is not considered recycling. This is plastics to production. Second, these technologies do not burn or incinerate plastic. They use heat in the absence of oxygen, meaning that there is no combustion that takes place. It's a-- as a manufacturing process-- which this bill would enable-- these facilities have a business incentive to preserve every single molecule and reuse it into new products. This reduces the need for fossil resources in making new plastics. Research has shown that these technologies can cut fossil energy use by 97% compared to landfilling. Third, these facilities would contri-- continue to be strictly regulated at federal, state, and local levels, and they comply with the Clean Air Act, the Clean Water Act, and all state permitting requirements. In fact, the emissions of these facilities are low enough that none of the existing standalone facilities-- and there are more than 12 already in the United States-- none of them qualify for Title V under the Clean Air Act. Their emissions are comparable to other businesses in the community, just like hospitals and universities that are our neighbors in our, in our communities. Additionally, these technologies are uniquely suited to process difficult-to-recycle plastics-- like we talked about today, the multilayered and mixed use bags, everything from kind of chip bags to clothing. And they are not bringing in trash into these facilities. These facilities purchase sorted, cleaned, and post-use plastic. Oftentimes, they have off-take agreements from mechanical recyclers from MRFs. That's your, your recovery facilities. It's a monetary incentive for-- to work with these mechanical recyclers. For the things that they cannot recycle, it goes to the advanced recycling to, to take off, and it keeps it out of the landfill. Just as technology for smartphones, solar panels, and electric vehicles have continued to evolve, these recycling technologies are finally getting to the point where they can scale up, they can commercialize, they're becoming more efficient, and they're really making an impact. Today, more than a dozen commercial facilities in the United States have a combined capacity to process nearly a billion pounds of plastic a year. And I'm going to say that again. That is 1 billion pounds of plastic that we are keeping out of landfills



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every single year in just these 12 facilities, and we can scale that number up. Nebraska has one of the lowest recycling rates in the country. And in order to meet your recycling goals, it will require Nebraska to expand its infrastructure and to adopt innovative solutions. These technologies are a critical piece of that effort. Thank you for your time. And I welcome any questions.

**BRANDT:** OK. Let's see what we've got. Senator Hughes.

**HUGHES:** Thank you, Chairman Brandt. Thanks for coming in. So I know you're talking about the, the beginning section of the-- kind of the chemical recycling. And, and that-- this kind of statute-- these have been passed in about 25 states? Is that--

**ANDREA ALBERSHEIM:** 25 states today, yup.

**HUGHES:** OK. That's what I just wanted to check. But not the EPR stuff at the back end? Yeah. Thank you.

**BRANDT:** Senator DeKay.

**DeKAY:** Thank you. You might have answered my question, but is there any residue leftover after you recycle, like ash or anything, that does go to the landfills at that point in time or not?

**ANDREA ALBERSHEIM:** And we can get you specific numbers on each technology. This is a bill that covers a the umbrella of technology. Some have that, some do not. Pyrolysis, for example, gets-- dependent on the facility and the, the feedstock that they're utilizing usually gets about a 75% yield to pyrolysis oil, which is then converted into the building blocks of new plastics. There's usually about 5% or less that goes to ash, which can get-- is clean, can either get landfilled or used in secondary projects like asphalt production. And then the rest goes into-- usually is a natural gas that they recuperate into the system and actually use to facili-- to fuel their property-- or, facility.

**DeKAY:** That's what I was asking a little bit about, because the-- we've had coal ash that goes into cement and other products, so.

**ANDREA ALBERSHEIM:** Yep. Right now, the reason it typically gets landfilled at most facilities, there's just not the scale needed to sell it. But if, if and when these facilities can scale up, there is a market for it for them to sell.

**DeKAY:** OK. Thank you.

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**ANDREA ALBERSHEIM:** Mm-hmm.

**BRANDT:** Senator Hughes.

**HUGHES:** Thank you, Chairman Brandt. If I recall-- was this bill last year or the year befo-- whenever it was-- last year or year before-- we were-- there was a video sent out to everybody of a place in-- I think it was Houston or somewhere that did some of this type-- I don't know if that came from you or someone else. I'm saying this to the universe.

**ANDREA ALBERSHEIM:** Yep.

**HUGHES:** That would be great for us to see again.

**ANDREA ALBERSHEIM:** We have several videos that we can see. And I'd love to invite you out to--

**HUGHES:** --helpful to see.

**ANDREA ALBERSHEIM:** If anybody wants to come see a facility, happy to invite you out. I think the closest is in Indiana. There's a couple in Ohio. Happy to have anybody out. But, yes, we can send you some videos. We have some compilation videos that show several different facilities. So you can see kind of both large-scale, colocated facilities and some of these smaller, kind of standalone facilities.

**HUGHES:** Thank you.

**ANDREA ALBERSHEIM:** Mm-hmm.

**BRANDT:** Senator Juarez.

**JUAREZ:** So I just have a general question that-- from-- I've heard on the news that we have plastic pieces in our bodies. Do you-- have you heard that on the news? It grossed me out. Is that really true?

**ANDREA ALBERSHEIM:** There is a lot of research being conducted right now on microplastics and the impact on your health. Not as part of this bill, but there's a lot of research being done in seeing if there's any health impact. To date, there has not been any-- their-- they are finding that there are some microplastics in human tissue, but there is no causation as to harm at this point. But I can follow up with you on some, some data because that is not my expertise.

**JUAREZ:** OK. Thank you.

**ANDREA ALBERSHEIM:** Yes.

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**BRANDT:** OK. I don't see any other questions. Thank you for your testimony. Next proponent. Welcome.

**DALE GUBBELS:** Thank you, Senator. And thank all of you senators. My name is Dale Gubbels, D-a-l-e G-u-b-b-e-l-s. My company is Firststar Fiber. We're probably the largest material recovery facility or recycling center in the state. We employ about 100 or better people. And we're keeping about 100-- close to 100,000 tons per year out of the landfill through marketing to a variety of end markets, including-- because we started-- and I was pleased to see Mr. Wooster here today because, thanks to Jeff, we were introduced to a program that you might have heard of called the Hefty ReNew Bag program. We were getting a lot of otherwise nonrecyclable plastics, everything from straws to fast food containers and a lot of plastic bags. In fact, you may remember a few years ago I was wandering the halls here in conjunction with the Nebraska Grocers, who had a problem-- plastic bags are a very suitable material for their operation. Well, we were one of the few operations in the country that are able to take plastic bags and all these other-- otherwise nonrecyclable plastics and put it into plastic lumber. We're also palletizing some of it. And the last speaker mentioned that there's a, a plant in Indiana that is taking some plastics and working through the chemical recycling process. That's one of our customers. We're palletizing these hard-to-recycle plastics in ways that they become feedstock for a lot of other potential manufacturers, including mechanical, because some of our material is actually going to Ca-- Canada, where we're working with another plastic lumber operation that is able to use this material as well. And none of this material would be recycled if it wasn't for these different approaches that we have put in place. That's why we're a strong proponent of this bill, because, as Senator Bostar mentioned, it is a very comprehensive bill because this is a very comprehensive and complex process. And it is-- boils down to it's a huge economic impact for the state. In fact, Senator DeKay, I'm originally from your district, Randolph, and I learned this past fall that my old hometown was-- had been paying \$30 a ton to dispose of its garbage in the landfill down in Jackson. The town clerk told me that they got a letter that said, oh, by the way, we're increasing it to \$60 a ton. This is happening all around the state. We have landfills that are closing or getting close to close or they're being purchased by larger companies. And I'm not against what they're doing, but it is a strong indication that our state needs to be awake to how these previous ways that we dealt with trash have to be dealt with in a way that helps all of us. Not to pick on you, Senator, either, but you mentioned windmills and what to do with the blades. Actually, one of the things that we have learned since we opened our

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operation is we're getting calls from all kinds of folks who have things that they need to get rid of, businesses across the state, across the region, and windmill blades just happened to be one of them. Problem is, there's so much plastic and it needs to be turned into something that we can sell. That's another component of Senator Bostar's bill, which I greatly applaud because we need more buyers for the material that we are producing. So the-- with that, I'd be happy to answer any questions.

**BRANDT:** Senator DeKay.

**DeKAY:** Thank you. I was going to ask you if you was related to the Gubbels that I know up there.

**DALE GUBBELS:** It's hard not to be related to all the Gubbels up there, tell you the truth.

**DeKAY:** More importantly, for right now, what deems a plastic unrecyclable?

**DALE GUBBELS:** What--

**DeKAY:** Did you say there--

**DALE GUBBELS:** --are unrecycla-- good-- very good question. The multilayered material is actually made up of different types of plastic resins, and they're not always compatible with one another. We were looking-- when Jeff introduced us to the process that he had in mind, we said, love to learn more about it. But by the way, we're a small state and we need a closer end market. So I went around with Jeff's staff for about two years and we found this plastic lumber operation. We can take these otherwise hard to recycle, which have these different resin in, in it, and melt them in such a way that it doesn't hurt our end product. And that is-- the, the primary thing is how to take a very complex thing, like a, a sandwich bag that might have seven layers of different resins in it, and recycle it in a way that they can be compatible with one another. So.

**DeKAY:** All right. Thank you.

**BRANDT:** Senator Hughes.

**HUGHES:** Thank you, Chairman Brandt. Good to see you again, Mr. Gubbels. When you're here in support of the bill, the whole entire thing, or are you also look at it more of this like, like chemical recycling, or are

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you, are you supporting the EPR, extended producer responsibility, the battery, the whole shebang?

**DALE GUBBELS:** The whole shebang.

**HUGHES:** OK. Yes.

**DALE GUBBELS:** And if it was up to me, there would probably ten other amendments in there of additional things.

**HUGHES:** You could have come in support of my bill too. Just saying.

**DALE GUBBELS:** Yeah. Yeah. I was supportive for your bill. It's a great bill. And I'm glad you mentioned that. We have suffered in the last few years from--

**HUGHES:** You had one of the-- yeah.

**DALE GUBBELS:** Yeah. We've had three fires that we know were caused by lithium batteries. And that gets to the heart of the whole issue about solid waste. We've always thought as a society, you know, when we're done with it, just make it go away. It doesn't go away. It goes somewhere else. And we've got to deal with those consequences. This is a good bill to start with. And I'm pleased to hear that Senator Bostar is already thinking about amendments. This is an issue that-- let's face it, ever since the Industrial Revolution started, we'd never thought about where all of this stuff goes. It's going to take us a while to figure this all out. So we need a comprehensive bill to do that.

**HUGHES:** Thank you.

**BRANDT:** Senator Clouse.

**CLOUSE:** Thank you, Senator Brandt. Mr. Gubbels, can you tell me a little bit about your operation? Where-- how-- where you're set up and--

**DALE GUBBELS:** Sure.

**CLOUSE:** --and I guess I'm going where this, is, where I'm from, out the middle of the state, in greater Nebraska, and even greater further north, we don't have a lot of places out there. And so the tonnage costs and all those things, those tipping fees can be pretty significant for a small village or a small individual carrier. So-- and just talk about your-- yours if you would a little bit.

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**DALE GUBBELS:** Sure. Well, thanks for asking, Senator. We actually do process a lot of the material from outstate. We're actually getting stuff from Ogallala that is servicing about 40 smaller communities around Ogallala. We go into even parts of Colorado, Kansas, Missouri, and Iowa. And our operation is based in Omaha. We get material in a lot of different forms. It might be source separated by the community or it might be comingled, which is how Lincoln and Omaha-- and Kearney also does it. Our challenge has always been to find as close of end markets as possible because freight is costly for any business. And when you're dealing with low-value materials, like much of our recyclables, we're the farthest away from many of the mills that we support. So if there's a downturn in commodity prices, we're among the first that they shut, shut off. But through a lot of innovative approaches-- and-- hub and spoke is one that we just received a grant from the Nebraska Environmental Trust. And we're going to try and set up five hubs per year for the next three years. And by that, I mean we're going to look to the larger communities, 5,000 to 10,000, and talk to them about, how can we help you help your neighbors? Because until we aggregate this material in forms that it can travel distances, they're never going to be able to cut down on those costs at the rising landfills, because you can't just start spending it somewhere else and think you're saving money. We got to make it more efficient for everyone.

**CLOUSE:** Thank you.

**BRANDT:** Senator Juarez.

**JUAREZ:** Thank you, Senator Brandt. So your facility is in north Omaha, right?

**DALE GUBBELS:** It is not. I wish it was, in some ways.

**JUAREZ:** Where is it at?

**DALE GUBBELS:** We're-- do you know where Kellogg's is on I Street?

**JUAREZ:** Uh-huh.

**DALE GUBBELS:** We're straight west of them.

**JUAREZ:** Oh. Because I was thinking of a place that I took my styrofoam to.

**DALE GUBBELS:** We're-- they're one of our customers. Up on the 480, I believe.

**JUAREZ:** Yes.

**DALE GUBBELS:** Plasti-- Plastilite?

**JUAREZ:** Yes.

**DALE GUBBELS:** Yeah. They make much of the styrofoam or ex-- expanded polystyrene for Omaha Steaks. But they are taking it back in-- that you dropped off. They're grinding that. And we're working with them to help them get it to a different market, because it's not always clean enough for them to put back into the product that they're making. But the majority of that type of material is going into-- and I'm sure you have it hanging in your house-- window-- or, rather, picture frames. That's where most of this stuff is going to be made into.

**JUAREZ:** So at your facility, you don't take styrofoam there?

**DALE GUBBELS:** Actually, we do now. We just got a grant from the Foam Recycling Coalition to put in a densifier. Because the Hefty bags that I mentioned, we break those bags open, and that type of plastic-- it's a, it's a very recyclable plastic, but it's mostly air. So we got a grant to put in a piece of equipment to shrink it down into a log. And that's what-- we're able to recycle them.

**JUAREZ:** OK. That's great news. I'm gla-- because I was going to complain. I really don't like going clear across town to take my styrofoam. So I wish that they would put more containers in other parts of the city because, you know, it's disappointing to read how we are the lowest recy-- have the lowest recycling rates in the country. And it's just like, you know, we like convenience, right? When we're going to try to get the-- goals like this accomplished, that's important.

**DALE GUBBELS:** Yeah. Very much so. And, and you put your finger right on it. We love convenience. I'm no different than anyone else, but it costs a lot of money to provide that convenience because all the stuff you sit out to curb all mix together. We have spent-- it's approaching \$4 to \$5 million just in equipment alone to try and separate it out so it becomes valuable again. And that's why the landfill surcharge in this bill is important too. Because it's not just us. The communities-- Neligh is another one that I've been talking to about setting up a, a program to make it possible for them to be a hub so that all the communities around there, Osmond and elsewhere, can, can participate.

**JUAREZ:** Thank you for being here.

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**DeKAY:** Any other questions? One quick question. You say you break this down into a log or pellets or whatever, doe-- then does that move on to somebody else that reprocess that into, say, Hefty trash bag then at that point in time?

**BOSTAR:** It doesn't go back into the bags, unfortunately, because, again, we can't make it--

**DeKAY:** But it goes someplace else to be reprocessed.

**DALE GUBBELS:** The, the one in Indiana-- it's one of these chemical recycling operations-- and that is-- got the capability to-- I'm no chemist, but it takes it down into a form that they can capture the-- and separate those resins.

**DeKAY:** OK. Thank you.

**DALE GUBBELS:** Yeah.

**BRANDT:** Any further questions? I see none. Thank you for your testimony.

**DALE GUBBELS:** Thank you, senators.

**BRANDT:** Any more proponents? Proponents.

**JOHN HANSEN:** Mr. Chairman, members of the committee. For the record, my name is John Hansen, J-o-h-n; Hansen, H-a-n-s-e-n. I'm the President of Nebraska Farmers Union. We are, as an organization, in strong support and have been for decades of trying to push our local communities, our, our state, and a, a variety of, of different entities that we work with to try to come up with structural fixes to structural problems, and recycling is certainly one of those. And so if you've ever had the opportunity to try to work with communities to try to figure out more cost-effective ways for them to be able to gather and, and repurpose and reuse and plug back into the, the stream their materials and all the communities that are-- the folks out in the country that are tied to that, it's not a simple issue. So we thank Senator Bostar. We thank Senator Hughes. We thank all the different folks who are bringing ideas forward on what we need to do. But when I-- to be honest, when I looked at the fiscal note for this bill, I didn't bother to print it out on my office printer. So I was trying to be proactive and not waste any more paper than necessary. So I'm not surprised there's a lot of amendments coming. And I, I know it's a complicated situation. We work on it in a bunch of different ways. We've done a bunch of work in the past with ag chemicals and ag plastics and a-- kind of a big pain in the neck



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because we get a lot of our stuff, a lot of our ag chemicals in plastics. And so trying to figure out a responsible way to, to gather those and, and deal with them responsibly is not so simple. So we are in support of, of this bill. We're in support of Senator Hughes' bill. We're in support of, of all the things that we can do. But the cost of not looking at this proactively-- the, the, the most cost-effective thing you can do is to reduce the, the, the stream of materials that need to be dealt with on, on down the road. So we've also been looking at, you know, how do we-- how do we package things? How do we-- it-- don't-- you know, look at how we sell things? We've, we've supported everything from the bottle bill-- going back to the '70s-- to all different kinds of approaches. But the-- an ounce of prevention in this area is certainly worth a pound of a cure. And we are incurring costs. And we're going to continue to do more costs as we go forward, as we don't have structural approaches to structural problems. So with that, I'd be glad to answer any questions if you have any. Except I just remembered I was going to say something to Senator DeKay, that we, we have brought in two different manufacturers who are doing wind turbine blades in different kinds of ways to the Wind and Solar Conference, who are operating in the Midwest. And they are, they are doing this really kind of amazing job of cutting stuff down so that you can put a lot more blades on a, on a truck and load them. And they-- one company comes from Tennessee, the other company comes from Oklahoma. And if-- we can-- we have been trying to work with those folks and kind of keep in relationship with them to get them to do a satellite location in Nebraska. So if you look north to south, east to west and you look at our transportation system and you look at where the wind turbines are, Nebraska ought to be trying to recruit those kinds of companies to come to our state and recycle blades. So with that, I would end my testimony and answer any questions that I can.

**BRANDT:** OK. Let's see if we've got questions. I don't see any.

**JOHN HANSEN:** Thank goodness.

**BRANDT:** Yes. OK. Next proponent. Are there any proponents left? Opponents. Welcome.

**BLAIR MacDONALD:** Thank you, Chairman Brandt and members of the Natural Resources Committee. My name is Blair MacDonald, spelled B-l-a-i-r M-a-c-D-o-n-a-l-d. And I'm appearing as the registered lobbyist on behalf of the Nebraska Beverage Association in opposition to LB607. The Nebraska Beverage Association has been representing the nonalcoholic beverage industry and local distributors of Coca-Cola, Pepsi, and Keurig Dr Pepper in this state for more than eight decades. Our

organization supports local recycling, including support for funding recycling grants through the Litter Reduction and Recycling Fund in Senator Clouse's LB167, which the governor signed into law earlier this week. We are opposed to the extended producer responsibility data collection and minimum recycled content requirements included in this bill. We see the EPR data collection and reporting as an unfunded mandate on businesses like our members', as well as retail businesses. It is also somewhat redundant data collection to what the state is currently undertaking. In 2023, the Department of Environment and Energy announced that they would be updating the statewide waste characterization study. A similar study was last conducted in 2009. This past summer, the Department of Administrative Services collected RFPs for a contractor to perform a four-season municipal waste characterization study, or Solid Waste Infrastructure and Recycling, SWIFR, program of eight municipal landfills in the state. That is being funded by a grant from the EPA. The third document in your handout has a one-pager on that before the, the contract and, and RFP were proposed. If I had a better printer, I'd, I'd give you the 92-page RFP that was submitted by SCS contractors that were awarded the, the contract for that waste characterization study. At the hearing on-- let's see. The collections are currently underway, and the planned date for the study report to be completed is the fall of 2026. We see that the study as, as key to analyzing the state's current recycling infrastructure for all, all parties to develop next steps that the state and industry should take to improving recycling. At the hearing on LB167 last month, I also spoke about how our organization plans to have follow-up discussions with recycling organizations in the state and with the Department of Environment and Energy on ways to increase flexibility and usage of the existing recycling grant programs to increase awards and reimbursements for local recycling projects. NDEE has announced the 2025 award for all three of the recycling grant programs that are funded through state fees, totaling \$9.8 million in grants to support 136 projects across the state. In 2025, 54 litter grants totaling 4.0-- almost \$4.3 million were-- are going to be awarded in the public education, cleanup, and recycling categories. And for 2025, 24 projects totaling just a little over \$3 million were funded under the business fee and di-- disposal fee categories that pay into the Waste Reduction and Recycling Incentive Funds. As it pertains to minimum recycled content standards, our parent organization, the American Beverage Association, is working with our members-- PepsiCo, The Coca-Cola Company, and Keurig Dr Pepper-- to decrease the amount of packaging used in production of our products and to increase the amount of rPET utilized. In 2019, we launched the Every Bottle Back campaign, and last year we updated that but with the Made to be Remade

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initiative, which is also the two handouts in-- I included. We want our plastic bottles back and our aluminum cans back to be recycled and remade into new plastic bottles and aluminum cans. We've also made innovations in utilizing thinner plastics, which are easi-- more easily recyclable, including making our bottle caps 100% recyclable as well. Our association is officially neutral on the chemical or advanced recycling portions of this bill, which is consistent with our position from 2023 and LB599. We were neutral on that bill, but at the time we did request that the removal of-- there-- that it be removed that private businesses would have the ability to receive state grant funding from the Waste Reduction and Recycling Incentive Fund included in Section 16 of this bill. Those funds are used by local nonprofit recycling organizations and municipalities for community recycling projects within the state. And I spoke with the representatives from the American Chemistry Council after the hearing in 2023 and again after this bill was introduced. And it's-- at, at the time, I thought that that was inadvertently included in the bill, but I have come to find, find out that actually it was included at the behest of Mr. Gubbels and his company, which if-- under this bill, his company and the processes that they do at their facilities would be included as advanced recycling and/or manufacturing. And to that point I stated back in 2023, if this is manufacturing, then certainly we could look at the state tax incentive current programs such as Nebraska Advantage-- or, ImagiNE Act to potentially find some tax incentives to complete-- I, I'll wrap up my thoughts.

**BRANDT:** OK. Let's see if we have any questions. Senator Clouse.

**CLOUSE:** Yes. Thank you, Senator Brandt. I'm, I'm going to speak on behalf of Senator DeKay because he has a dilemma and he's using his love-- Lopers [INAUDIBLE], but he talked about last week-- or-- and when it was so cold out, he had two bottles of water that froze in his car.

**BLAIR MacDONALD:** Uh-huh.

**CLOUSE:** Only one of them didn't freeze. It was milky. So is that the plastic that's doing that or is it the qual-- water quality?

**BLAIR MacDONALD:** It's the fat content. I don't, I don't know.

**CLOUSE:** Well, they couldn't tell us yesterday when we were talking about pure water, so--

**BLAIR MacDONALD:** Yeah.

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**CLOUSE:** --I figured it's gotta be the bottle, but maybe not.

**BLAIR MacDONALD:** Well, I, I-- so to some of my--

**CLOUSE:** You don't have to answer that.

**BLAIR MacDONALD:** --testimony here, I would just say though-- yes, you are seeing that the plastic bottles that you're, that you're buying in your 24 pack or even a single bottle act-- of, of Diet Dr. Pepper, those bottles-- those plastic bottles are getting thinner because we are using less r-- rPET, so.

**CLOUSE:** I'm not sure what he had in it, but-- you don't have to answer-- he said it's water.

**BLAIR MacDONALD:** I don't know what was in.

**DeKAY:** I'm sure you didn't see that question coming, did you?

**BLAIR MacDONALD:** I surely did not.

**DeKAY:** Neither did I.

**CLOUSE:** Thank you.

**BRANDT:** OK. Any other questions? I see none. Thank you.

**BLAIR MacDONALD:** Thanks.

**BRANDT:** Next opponent. Welcome.

**ANSLEY FELLERS:** Thank you. Thank you, Chairman Brandt and members of the Natural Resources Committee. My name is Ansley Fellers, A-n-s-l-e-y F-e-l-l-e-r-s. And I'm here on behalf of the Nebraska Grocery Industry Association, as well as the Nebraska Petroleum Marketers and Convenience Store Association. And I'm testifying in opposition to LB607. While we appreciate Senator Bostar's efforts here, in a nutshell our associations oppose the portions of the bill related to the battery recycling, extended producer responsibility, or EPR, and minimum recycle content mandates. We echo concerns shared related to awarding Waste Reduction and Recycling Incentive Fund grants to private entities. Manufacturers, wholesalers, and retailers pay fees which were intended for specific purposes, and we'd ask they continue to fund programs which help the industry meet new environmental stewardship obligations and expectations. We don't have a position on chemical recycling, though we would mention that recycling which incentivizes

turning used plastic back into plastic allows packaged good manufacturers to recycle materials to meet stewardship demands. Turning used plastic into other things might still be recycling. It does actually remove products from the recycling stream that could otherwise be reused perhaps more than once. Although we appreciate the lofty goals for both recycling materials and putting that recycled content back into new products, as I've mentioned to this committee in the past, recycling is hard. I'd like to just say, you know, kudos to Dale at Firststar Fiber. I mentioned that to the committee last time. If we could put one of those centers in Omaha and then again in North Platte and western Nebraska, we could meet a lot of the needs we talked about with dirty and hard-to-recycle plastics. Before creating new programs and new fees and new mandates and new fines, we should be focused on practical and concerted efforts to get households, commercial locations, and even local governments to recycle in an organized and meaningful way. Like other states, our recycling infrastructure is not at the right scale, and for some products the technology doesn't even exist to meet mandated goals in ways that manufacturers and retailers can get certain products to consumers. Beyond the logistical challenges, failure to meet obligations under the bill would have financial ramifications for our producers. We also believe, as the last testifier stated, that the EPR portion of the bill is unnecessary at this time, given the current outstanding statewide waste characterization study. And I will leave off that portion since you already heard it. Our state has invested in a study as well as several recycling programs, and we should continue to build on those successes or incent market-based investments in recycling infrastructure and technology, thinking beyond municipal borders toward harmonized statewide systems. As it relates to minimum recycled content, there is already a significant gap between the demand for recycled material-- particularly plastic-- and the available supply based on the combination of environmental mandates and voluntary industry goals. A new mandate would exacerbate the mismatch of supply and demand and again would have legal and financial implications. Finally, everyone involved in the supply chain here is committed to improving recycling results, but everyone in this discussion must also continue prioritizing product integrity and consumer safety. We appreciate Senator Bostar and his staff engaging in this bill, listening-- he included some language related to food products-- and for considering our comments. At this time, given the number of products we retail, we still have significant concerns about the majority of this bill, but we remain committed to working with Senator Bostar and other stakeholders to improve Nebraska's recycling rates and increase circularity in all

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types of packaging throughout our supply chain. With that, I'd be happy to answer any questions.

**BRANDT:** OK. Let's see. Senator Hughes.

**HUGHES:** Thank you, Chairman Brandt. Thank you for coming in, Ms. Fellers. Do you happen to know how many states-- I know one state around us have an EPR, you know, program. Do you know how many total do?

**ANSLEY FELLERS:** I know of-- the prog-- I'm familiar with programs in three-- I think there might be somebody behind me who knows. They're, like, real--

**HUGHES:** I saw this come up.

**ANSLEY FELLERS:** --four. So I think there might--

**HUGHES:** Oh.

**ANSLEY FELLERS:** Oh, jeez. I'm not giving you a five. So--

**HUGHES:** I know Colorado. That's the only one I know.

**ANSLEY FELLERS:** Think some of them-- I know-- Color-- I think-- I would say that some of them, they're not all-- I-- even-- they're not even all created equal, yeah, in that sense.

**HUGHES:** OK. Thank you.

**BRANDT:** Any other questions? I don't see any. Thank you.

**ANSLEY FELLERS:** Thank you.

**BRANDT:** Next opponent. Welcome.

**ANDREW HACKMAN:** Good afternoon, Senator Brandt. My name is Andrew Hackman, A-n-d-r-e-w H-a-c-k-m-a-n. I'm here on behalf of AMERIPEN. AMERIPEN is the national trade association that represents all the manufacturers of packaging, from folks that make packaging components of all material types-- cans, glass, paper, plastic-- and then those brands that use those materials to actually package their goods-- cereal producers, cleaning product producers, automotive producers, spice makers across the spectrum. And then waste management and a few other companies who do actual waste collection are members of ours as well. We are here in opposition to the EPR and recycled content provisions-- that's Section 38 through 41 for the EPR provisions-- and

Sections 42 through 58 for the recycled content provisions. We don't have a comment on the advanced recycling portions of the bill. But we'll say in terms of the extended producer responsibility section of the bill, as mentioned, there are, are-- as I alluded to, there are five states that have passed EPR bills in, in entirety. Those are Maine, Oregon, California, Colorado, and Minnesota. Minnesota most recently last year, which had the most amount of support from stakeholders across the spectrum. The provision that's in this bill is, is not EPR, I'll, I'll, I'll be frank. It requires a \$1,000 registration fee from producers-- and that can be done through a producer responsibility organization-- and then submission of data. We don't see a whole lot of improvement from recycling happening because of that data submission. In most cases, we'd like to see actual data produce greater understanding of the recycling system. It sounds like the state is doing excellent work in terms of planning for that with existing legislation. I will note that states that have looked to sort of take an initial step in the space of extended producer responsibility-- states like Illinois and Maryland have passed what's known as a needs assessment bill, which sets up some foundational pieces of extended producer responsibility, defines certain terms. In Maryland, they actually had the producer responsibility organization register with the state or file with the state. We'd be more supportive of an approach like a needs assessment if that's not already being done underneath the existing solid waste planning activities here in the state. We have suggested that to Senator Bostar's office. And, and happy to follow up with language relative to those two states. And we do need to get the definitions right. There is a definition of producer that's in the EPR sections that is not consistent with the other states. That causes a big problem when you're trying to figure out who actually has responsibility. The supply chain is very complex, and we want to make sure that we know who has to raise their hand and actually pay that fee. So consistency is important. With regard to the recycled content mandates in the bill, we are opposed to that as well. They go to 30% pretty quickly in terms of requiring 30% recycled content in categories that have not had mandates for recycled content anywhere else across the globe, where flexible films, recycled content is something that's tough to put into, into those flexible films because they have to stretch. They have to have that ability to, to wrap around things and cling to them. And those are one of the hardest categories to have recycled content in them. So with regard to that, we, we do have some significant concerns. We would need much greater flexibility and understanding in terms of the supply of recycled content. And it does require a third-party certification for recycled content. That's something that doesn't exist in most of the product categories that are

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under the scope of a covered material for the recycled content provisions. So we're happy to, to work with the committee and the sponsor to suggest suggested amendments, to offer language from Illinois or Maryland with regard to extended producer responsibility. But unfortunately, on those two provisions, we're unable to, to support the legislation at this time. And can answer any questions the committee might have.

**BRANDT:** OK. Let's see. Questions? I'm not seeing any. Thank you for your testimony. Next opponent. Welcome.

**JOEY ADLER RUANE:** Good afternoon, Chairman Brandt and members of the Natural Resources Committee. My name is Joey Adler Ruane, J-o-e-y A-d-l-e-r R-u-a-n-e. And I am here today as a registered lobbyist for the Nebraska members of the Recycled Materials Association, REMA-- formerly known as the Institute of Scrap Recycling Industries-- which represents 1,700 companies across the entire recycled materials supply chain that play a critical-- critical role in providing materials to America's manufacturing industries. The letter in front of you goes into way more detail. I'm just going to highlight a few things here real quick. Sections 1 through 14 and Section 59 of LB607 create new definitions for chemical recycling. That is where the largest part of REMA's opposition comes into. They seek to exempt chemical recycling from the oversight and regulatory authority by the Environmental Quality Council that covers materials, recovery facilities, and recycling centers handling plastics and other municipal recyclable materials. Section 59 exempts recyclable plastics as defined as post-use polymers and recovered feedstocks from the solid waste definition but only if they're processed or held at a chemical recycling manufacturing facility. And REMA has additional concerns over the need to define recycled plastics in the manner proposed by Section 11 and related definitions in Section 7, 14, and particularly if minimum recycled contents portions of the bills in Sections 42 to 58 are removed. While REMA agrees that recyclable materials should not be deemed solid waste, exempting chemical recyclers from the regulatory framework and state oversight governing their municipal plastic recyclers does not create a fair regulatory environment. Finally that I'm going to just briefly bring up here is that the language proposed in LB309, the Safe Battery Collection Recycling Act, is much closer to the framework for safe battery collection recycling that REMA's electronics and battery recycling members would support. We're concerned that LB607 as written could be-- could relegate the millions of tons of recovered materials that our members recycle every year to an inferior status under Nebraska law. While we agree that chemical recycling should be considered on a level regulatory status with all



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other forms of recycling, it should not be at the expense of proven plastic recycling methods that successfully return valuable raw materials into the manufacturing supply chain year in and year out, keeping those materials out of landfills. Unfortunately, without needed clarifications and corrections, we cannot support this legislation. We look forward to the opportunity to continue to work with proponents of this legislation to resolve our concerns in a way that does not inadvertently create winners and losers-- losers but rather advances all recycling and improving raw materials supply chains. With that, I'll take any questions.

**BRANDT:** OK. Let's see. I don't see any.

**JOEY ADLER RUANE:** Thank you.

**BRANDT:** Thank you for your testimony. Next opponent. Welcome.

**RICH OTTO:** Thank you, Chairman Brandt, members of the committee. My name is Rich Otto, R-i-c-h O-t-t-o. And I'm here today to testify on behalf of the Nebraska Retail Federation and the NAS-- Nebraska Hospitality Association in opposition to LB607. Many of the previous testifiers touched on the opposition to other sections, so I will focus the remaining comments on the battery portion of this act, which is Sections 19 to 37. And we do understand the importance of the battery stewardship programs. The fires that have occurred are problematic, and we do need to look to solutions on the lithium batteries. One of the things that Senator Bostar mentioned was that car batteries are included in this. That was very problematic for us. Currently, car batteries are recycled at, I believe, the highest percentage of any consumer product, maybe almost 99%. Kudos to Senator Hughes. Her LB309 actually excluded those car batteries, understanding that there already is a path forward for those to be recycled. We would-- appreciative that Senator Bostar's willing to take those out in the amendments that he's sent up. Other concerns in regard to the battery stewardship organization is actually on the collection and how it'll be implemented. A few states have passed this. I'm not aware of any of that have actually implemented it. And-- so we don't have a model as far as how the collection will happen, how we hit the goals, how we hit the collection numbers. And it's definitely something the committee needs to look at as far as what other states are doing going forward. Those collection numbers do vary by the types of batteries you have. For instance, if we included the car batteries, it'd be very easy to hit the goals for the battery stewardship organization since they're already collected at a high rate. Some batteries are very low, some are mid-tier, and so I would encourage you to potentially have different

collection rates that vary by the type of battery and marry-- stair-step approach on what those collection rates need to be over time. We also would encourage that there's a little more framework about who runs the battery stewardship organization, potentially having a steering committee or an advisory committee that has all stakeholders involved so that we can continue to work with them. Again, one of our concerns is the collection rates in rural Nebraska. The hub and spoke model was mentioned before that-- to get those rates, we probably need some of those collection sites to be maybe in our smaller communities but then where even the smaller communities around them can have retailers potentially working with those community collection sites to, to hit the intended rates. That touches on primary concerns about the collection under the battery stewardship organization. We do have concerns with the other sections besides the advance recycling. Happy to answer any questions.

**BRANDT:** OK. Let's see what we've got. I don't see any. Thank you. Next opponent. Any more opponents? OK. Neutral. Anybody testifying in the neutral capacity? Welcome.

**KENT HOLM:** Welcome. And thank you. Chairman Brandt and members of the Natural Resources Committee. My name is Kent Holm, K-e-n-t H-o-l-m. I am Environmental Services Director for Douglas County, the Omaha area. As part of my responsibilities for Douglas County, its overall solid waste management and assisting with the implementation of the regional Integrated Solid Waste Management Plan. I am also a board member and legislative representative of the Cornhusker Chapter of the Solid Waste Association of North America-- acronym SWANA. And I'm also an advisory council member of the Nebraska Recycling Council. So as you've already heard, LB607 has a number of moving parts to it. And while I'm testifying in a neutral capacity, I, I can support the bill's overall goal of improving recycling in Nebraska. Some of those bills' provisions really align with the recommendations from the LR163 interim study to examine the opportunities to increase recycling of municipal solid waste. And I-- can't stop it-- saying thank you to Senator Hughes for your leadership in guiding that interim study and final report. So that's, that's very much-- was very much needed. And I think it has a lot of applicability to what we're talking about today, what we talked about two weeks ago with LB309 and so on. One of the study's recommendations is a, an updated statewide waste characterization study. And you've heard that referenced already. NDEE is already undergoing that. And sounds like we'll have results from that sometime mid-late next year. That data's going to provide us with a much better understanding of our waste stream, our disposal practices, and really start to identify opportunities very much identified in, in LR163's

study about, you know, what's the resource value of those materials and how can we reclaim those? And more importantly, how can we transfer that into economic value for Nebraska? You know, as the saying goes, you can't manage what you don't measure, and we are far behind the curve in measuring what we deal with in solid waste throughout the system. So I'm hopeful that with some of this, this legislation's been introduced, the waste characterization study, and so on, that will make strides in that, in that regard, because we do need that to be able to identify what the opportunities are. A-- another key recommendation from the LR163 study is a review of Nebraska's Integrated Solid Waste Management Act, and specifically an evaluation of the effectiveness against the updated waste characterization study and state's Climate Action Plan. And to quote from the study report, the dramatic change in the scope, scale, and make-up of the materials entering into the solid waste management system has not been evaluated against the original goals of that Integrated Solid Waste Management Act, which was enacted in 1992. With the development of the state's Climate Action Plan, the emergence of extended producer responsibility programs across the country, now is the time to review that 1992 act. And finally, extended producer responsibility programs can shift the product end of life responsibility and cost from our state and local government to the private sector, incentivizing manufacturers. And I, and I want to stress that, man-- incentivizing the manufacturers and producers to develop safer and more recyclable products, and with the potential to also bring recycling-related jobs and economic development to Nebraska. And frankly, that can be a piece of property tax puzzle. With that, I'd-- happy to entertain any questions.

**BRANDT:** OK. Let's see if-- Senator Raybould.

**KENT HOLM:** Yes.

**RAYBOULD:** Thank you, Mr. Holm, for your testimony. So in your, in your work with the Solid Waste Association of North America, is there a state that stands out-- or when you go to conferences or meetings or webinars, is there a state that stands out that is, is doing a particularly good job? I know we heard mentioned in Indiana, there's more processors. Or in Ohio. But is there one state you could single out or--

**KENT HOLM:** I don't know that there's necessarily a state that you can single out. SWANA at the, the national level is, for example, very focused right now on the battery issue. I am sitting on one of the national SWANA groups talking specifically about batteries and how to handle that. And the, the whole concept of embedded batteries, things

like vapes and other things where the battery is not designed to actually be taken out by the consumer, that's a huge issue. And there is a big push to try to find better answers to that. The battery bills-- the battery components of these, these bills don't include those embedded batteries, but we have to start some place. The huge fire issue like at Firststar Fiber and other, other places, we've got to address that. And the battery EPR bills that have been passed around the country. There are some very specific instances there. Washington, D.C. is probably the one that has the most track record of a bill that has-- is similar to what is being introduced here in, in LB309. So I would say that they have a little bit of a track record. Illinois, Washington, they are just getting theirs enacted, as is Color-- Colorado is just starting to, to push theirs through the system. I believe there's 12, 13 other states right now that have similar legislation going. So there isn't necessarily a specific, you know, model state out there that has-- we need more opportunities for creating the demand. You heard that from some of the other folks. We have to have the demand there to make a sustainable recycling system, and that's what we should strive for.

**RAYBOULD:** OK. Thank you very much.

**BRANDT:** Senator Juarez.

**JUAREZ:** Thank you. So I would like to know, how do you become aware of recycling issues in Douglas County? Because that's where I'm from. And I was at a city council meeting where there was a person who wanted to recycle cars. I think he wanted to cut them up or something. And there were-- I don't recall that your-- anybody from your department was there to speak about, you know, that idea that this particular vendor was trying to put forth. The-- this entity actually also lives in my district. And it was just neighbors that were there fighting this particular business on wanting to do something like that. Are you aware of when that entity went before the city council?

**KENT HOLM:** I am not aware of that specifically, no. But I'd be happy to reach out to you later and, and see if we could connect with, with someone that could help with that.

**JUAREZ:** OK. Because I just wasn't sure with your particular department if that, that kind-- because it was metal if that fell outside of your department or not.

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**KENT HOLM:** I'm specifically with Douglas County, so not with the city of Omaha. So I wouldn't, I wouldn't inter-- interact with the city council there.

**JUAREZ:** Thank you.

**KENT HOLM:** But I certainly have peers on the city side of things, and I can certainly help you get to the right people.

**JUAREZ:** Thank you for that clarification.

**KENT HOLM:** You're welcome.

**BRANDT:** Any other questions? I see none.

**KENT HOLM:** Thank you.

**BRANDT:** Thank you for your testimony. Anybody else in the neutral capacity? Welcome.

**ALLISON KUSTIC:** Thank you. Good afternoon, Chair and members of the committee. For the record, my name is Allison Kustic, spelled A-l-l-i-s-o-n K-u-s-t-i-c. And I'm the State Government Relations Manager for the Association of Plastic Recyclers, APR. APR is deeply appreciative and supportive of the work to improve recycling in Nebraska. And while we're neutral on this bill, we are committed to helping Nebraska realize the economic and environmental benefits of stronger recycling programs. I represent the businesses across the U.S. and Canada that recycle plastic packaging collected from Nebraska households every day. Our members buy plastic milk jugs, laundry detergent bottles, yogurt containers, and other plastic from local recycling programs and from recycling facilities such as Dale's Firststar Fiber. We then sort, wash, and grind those plastics to make recycled pellets or flakes that are used to manufacture new plastic packaging and products. More than 5 billion pounds of plastic packaging is recycled annually. Recycling is important to a lot of stakeholders, and it will take a comprehensive set of strategies to improve recycling. I encourage you to consider what is best for Nebraska residents and businesses as a whole and not get bogged down in some of the details that can be addressed. And it sounds like the senator is taking lots of amendments. Recycling provides substantial benefits to the economy and to the environment. Recycling today generates more than \$700 million in economic impact in the state, yet Nebraska's one of the ten worst states at recycling. There are valuable plastics buried in landfills or littered in waterways or farms that our businesses could use today as feedstock to support U.S. manufacturing. To do that, we need a

comprehensive package of strategies to collect more materials, improve safety, increase data, and improve the economics recyc-- economics of recycling, and this bill does some of those things. I want to address the waste characterization study versus the data collected in this bill. The waste characterization study is a landfill audit, whereas the data reporting that would be through this bill is much more comprehensive and provides detailed information that be-- will be more relevant on how to run a recycling program, how to expand MRFs, invest in recycling in the state. And you can also see trends over time because as this-- this is annual reporting, whereas the waste characterization study is a snapshot in time. They're typically done every five to ten years. And sometimes that, that cost can fall on the state. I know this time it's coming from a grant through the EPA, but to keep up that it is expensive. This would have producers supply that data. I also want to address the minimum recycled content mandates in the bill, as we did provide technical expertise on that section of the bill. We heard opposition from the beverage containers. There are-- the beverage containers aren't included in that section of the bill under that-- those provisions. They are different types of products. And belie-- we believe those will drive strong end markets for recycled products for the recycled material that my members process. So the-- while there is still work to be done to fine-tune the language on this bill, we encourage the committee to discuss how to create a package of solutions that moves Nebraska forward in a way that's best for the state and its residents. We are deeply appreciative of Senator Bostar's work to bring this bill forward to highlight the substantial economic and environmental value of recycling, and grateful for the opportunity to provide technical ex-- advice to senators-- Bostar's office, and we look forward to continuing conversations about the bill. Thank you for your time and consideration. And I'm happy to take any questions.

**BRANDT:** OK. Let's see what we've got. Oh. Senator DeKay. Didn't see you.

**DeKAY:** Thank you. I've heard a lot today about how many pounds of plastic are being recycled. Is there any data how many pounds of plastic are consumed or used in the state every year or not? As--

**ALLISON KUSTIC:** There may be data, and I'm happy to follow up with some of that. I don't have it offhand right now. I think the data reporting that would go into this is really important because it does give a more comprehensive, like, view of how much packaging is being sold into the state, how much of that is plastic, different types of plastic. And so that's the data that would be really helpful to expand recycling

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programs. But I can see if I can find you any information that's currently out there.

**DeKAY:** Thank you.

**ALLISON KUSTIC:** Mm-hmm.

**BRANDT:** Any other questions? Senator Raybould.

**RAYBOULD:** Thank you, Ms. Kustic, for testifying. So you represent the plastic recyclers in our state of Nebraska.

**ALLISON KUSTIC:** So I represent plastic recyclers across the U.S. We actually don't have any members in your state. I, I can check to make sure there aren't any other recyclers that aren't members of APR. We do have some in, in nearby states, Missouri and Iowa, and I imagine that they probably take materials that are recycled in Nebraska. One of the challenges is if you have low recycling rates, there isn't much of a business opportunity for recyclers to come into the state because there won't be enough material collected for them to have facilities here.

**RAYBOULD:** Thank you. Just, just so-- for the record, Mr. Gubbels is right behind you saying, I do. I do.

**ALLISON KUSTIC:** Oh, yes.

**RAYBOULD:** OK. Thank you.

**BRANDT:** OK. Any other questions?

**JUAREZ:** Yeah. I have a quick question based on this last comment you just made. So, I mean, really, how do you know that our recycling behavior wouldn't improve if you wer-- you know, if you're not present? I guess the fact that you're not here makes me wonder if you're contributing to our low rate of recycling because you're not helping us in that area.

**ALLISON KUSTIC:** Sure. So-- thank you for the question. I appreciate it. And, and I understand the concern there. Yeah. There-- I-- and I'm happy to provide numbers on each of the different types of recycling facilities in the U.S. There aren't necessarily numbers that match up with each-- and, like, it's not like each of the states necessarily has a PET plastics reclaimer in them or, you know, one that processes HDPE plastics. They're sort of spread throughout the U.S., and they collect from lots of different regions. So-- I, I mean, I think it would be a great opportunity to have more businesses invest in Nebraska and that

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we'd certainly like to see that. But we'd have to have more data on the types of plackit-- packaging sold here and then ultimately more collection that would make that possible. And then also like I spoke to the recycled content mandates portion of this bill, if there's a place for our reclaimers to sell the products that they, they process to the recycled pellets and flakes back to manufacturers who would process things in Nebraska, that provides a stronger economic benefit for them to be present here.

**JUAREZ:** OK. Thank you.

**ALLISON KUSTIC:** Yeah. Of course.

**BRANDT:** Any other questions? I see none. Thank you.

**ALLISON KUSTIC:** Thank you.

**BRANDT:** Anyone else in the neutral capacity? Senator Bostar, you're welcome to close. As he is walking up here: online, we had 22 proponents, 5 opponents, and 0 in the neutral capacity.

**BOSTAR:** Thank you, Mr. Chairman, members of the Natural Resources Committee. It has been a pleasure. I think all of us here today learned a couple things. One is most people are pretty good with this bill as it is. And, and, and people really like Senator Jana Hughes.

**HUGHES:** Yeah.

**BOSTAR:** That's my takeaway. Look, we-- it is a-- you know, we refer to it as a comprehensive bill, and it is, because it's a multifaceted problem that deserves our attention. And the status quo truly is not working. We could do better. We should do better. There are things in the bill that, that need to be fixed and changed and, and we'll-- I'll, I'll bring you an amendment that will address some of those things. But there's a lot of opportunity here. And, and I really hope that all of us can really try to work to, to seriously engage in this topic. It is a difficult one. It's complicated. But it, but it deserves our attention and our focus. And, and, you know, the one nice thing about the bill was that there wasn't a section in it that didn't have someone come and talk about how they have an issue with it. And that's, that's the kind of, like, completeness that I, that I look for in my legislation. But I thank you for your time. And I'd be happy to answer any final question-- oh. Thank you.

**BRANDT:** OK. Let's see if we've got any questions to make it more complete than it already is.



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**HUGHES:** I got one.

**BRANDT:** Senator Hughes.

**HUGHES:** Yay. Thank you, Chairman Brandt. So-- OK. This is a question for you, Senator Bostar. I kind of see it as four parts, right-- the chemical manufacturing part, the extended producer part, the battery part, and then the mandated recycling-- or, the last part.

**BOSTAR:** Let's call it required instead of mandated.

**HUGHES:** OK. Just-- Sophie's Choice, which is your favorite? If you could only pick one, which would go with?

**BOSTAR:** Oh. Which one to keep? That's tough.

**HUGHES:** It's four children. You can only pick one.

**BOSTAR:** I-- you know--

**HUGHES:** It's like a movie.

**BOSTAR:** But I have two children.

**HUGHES:** All right. Pick your two children.

**BOSTAR:** What if I told you I had four?

**HUGHES:** Oh my-- stop.

**BOSTAR:** Why don't-- I'll tell you what. Why don't--

**HUGHES:** Which one has the most legs? Which one do you-- because I feel-- these are, these are huge things by themselves. I mean, just-- our, our battery bill that we've been working on we've been working on for months with many, many different people. And, and we need some amendments and-- still, you know? And I look at each of those-- each of those things is minimum of that too. So if you had one to just really dive in and focus on now-- and, and I'm not saying that that goes away. Next year, you can pick the other one, but.

**BOSTAR:** I, I think probably the right way to approach that is, like, let's-- when we-- because, again, we've gotten a lot of feedback even just as of today--

**HUGHES:** Sure.

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**BOSTAR:** --which, you know, it's a free country, but, in my opinion, that's a little late. I always appreciate feedback earlier than the day of the hearing from some folks, but, hey. You know.

**HUGHES:** It happens.

**BOSTAR:** Some of us are new at this. It's OK. So why don't we go through and put together that feedback, look at these amendments, see what folks can live with, see what still accomplishes the stated goals, and then that will help inform really what's-- which provisions are closest and which are further away. But it-- I, I feel like--

**HUGHES:** --offhand right now [INAUDIBLE].

**BOSTAR:** I, I'm telling you, we've gotten a lot of feedback just today--

**HUGHES:** OK. OK. OK.

**BOSTAR:** --which I have not yet been able to go through all of.

**HUGHES:** Process. Yeah.

**BOSTAR:** So why don't we-- like, it, it just feels like it would be more responsible of me to, to do that first.

**BRANDT:** OK. Senator Juarez.

**JUAREZ:** Thank you. So, you know, I hope-- since this is-- I'm a freshman senator. This was very amazing to me. Enlightening, for sure, to learn about all these topics. And again, like I've said, I'm really disappointed about where Nebraska ranks--

**BOSTAR:** Me too.

**JUAREZ:** --in recycling. So obviously, for our committee, you know, that's a huge-- that's a huge issue for us to take a look at and plan. You know, how do we want to, you know, improve on that stat? Because I'm not happy that we have that stat at all. And, you know, like, at my house I have two recycling bins. I paid so that I have a second one, you know. And-- I mean, it all-- it's all little steps that help contribute to try to improve our environment. But I really hope that we don't ignore and try to make a, a plan so that we can improve this, this statistic, because it's extremely disappointing to me. Thank you.

**BOSTAR:** I completely agree.

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**BRANDT:** OK. Anyone else? Seeing none. That will close our hearing today on LB607. We'll give everybody a minute to clear out that wants to leave.

**BOSTAR:** It has been a pleasure.

**BRANDT:** Yes. As always. And the next one will be LR17. Senator Quick. OK. Is everybody ready to get started? Are we on, Sally? OK. Welcome, Senator Quick. Let's learn about LR17.

**QUICK:** Good afternoon, Chairman Brandt and members of the Natural Resources Committee. I'm Dan Quick, D-a-n Q-u-i-c-k. And I represent District 35. And I'm here today to introduce LR17. It was brought to me by-- it was brought to my attention that the city of Grand Island, who now owns Camp Augustine, is interested in a potential relationship with Game and Parks, having the area incorporated into the state park system to be mer-- to be managed and conju-- in conjunction with or as part of Mormon Island State Recreation Area. LR17 simply approves the indication of intent by the Game and Parks Commission to incorporate Camp Augustine into the state park system. If the re-- if, if the resolution is approved, the Game and Parks Commission will begin discussions with the city of Grand Island regarding the future management of the property. The passing of this reso-- resolution in General File would only allow these talks to occur. Thank you. And I appreciate the committee's vote to advance this to General File. And I'll answer any questions that you have.

**BRANDT:** OK. Let's see. Senator Raybould.

**RAYBOULD:** Thank you, Senator Quick. So is it the intention of Gra-- the city of Grand Island to continue to own Camp Augustine?

**QUICK:** Well, see, the-- what this LR will do, it will allow the Game and Parks and Grand Island to talk about that. So it-- whether it would be whether they would retain the property or Game and Parks be partners with it or if Game and Parks would will-- would take over part of the property. But I think-- this just allows that negotiation to take, to take-- to begin that process. Because they can't do it right now. Legally, they can't even talk about it. So this just would allow for that.

**RAYBOULD:** Thank you very much for that clarification.

**DeKAY:** Senator Juarez.

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**JUAREZ:** Thank you. So my quick question is, can you tell me a little bit more about Camp Augustine? I mean, are there cabins there or-- what's at this camp?

**QUICK:** Yeah. Well, it was the Boy Scout camp there. And so I think it's like-- I don't know if it tells how many acres there are. I know there's-- and-- the Game and Parks might be able to answer that better too, how many acres is there. But we have Mormon Island, and it's part of the state park system, and it's adjacent to that.

**JUAREZ:** OK.

**QUICK:** So this all would be-- could be close in proximity. And I think together-- I don't know the exact number of acres, but probably 400 to 600 acres, somewhere in that area, become a-- could become a state park if this all happened eventually.

**JUAREZ:** OK. Thank you.

**BRANDT:** OK. Senator DeKay.

**DeKAY:** Thank you. Tell me a little bit about the Saint Augustine Camp. How big is it? And would there-- would this be expanded if it did become a state park, the footprint of it?

**QUICK:** And I think it's, like, 135 acres, is-- I believe that that's right.

**RAYBOULD:** It says 156 acres.

**QUICK:** 156? OK. Yeah. I'm--

**DeKAY:** And would--

**QUICK:** Maybe the-- maybe more of an island [INAUDIBLE].

**DeKAY:** Maybe one of the other testifiers could--

**QUICK:** Yeah. They could probably answer that question. But I know that Boy Scout camp was utilized up until just recently. I mean, the Boy Scouts had to sell that property, and I think the city accommodated them by, by acquiring that property. And it's really-- I think this could be a really a good thing for Grand Island, probably central Nebraska, if we can make that into some state park system with-- I know some of the talks-- just from the city of Grand Island's side-- I know they haven't had, had those talks with the Game and Parks yet, but

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their-- some of their-- what they've looked at is maybe having cabins out there, additional camps, you know, RV campsites and tent campsites, and there's some other things that they would like to see happen out there. But, but this just would allow for them to begin those talks.

**BRANDT:** OK. Any other questions? I have one. Do you know what the value-- what it's valued at?

**QUICK:** I think it's on-- but I think I might have to let the--

**BRANDT:** We'll let somebody behind you answer it, but that's fine.

**QUICK:** Yeah.

**BRANDT:** And you'll stick around to close?

**QUICK:** I will.

**BRANDT:** All right. First proponent. Welcome.

**BRAD MELLEMA:** Good afternoon, committee. Appreciate being here. Brad Mellema, B-r-a-d M-e-l-l-e-m-a. Director of Tourism Bureau for Grand Island, Nebraska. Glad here to speak as a proponent for LR17, allowing the communication to take place between the Nebraska Game and Parks Commission and the city of Grand Island to find out the best way to potentially incorporate the recently acquired Camp Augustine-- city of Grand Island purchased that land from the Boy Scouts-- and see what, what is possible in terms of combining that into a potential state recreation area or state park or whatever that may end up being. And it's very important for south central Nebraska to have these recreational areas. Mormon Island came about in the 1960s as part of the interstate chain of lakes with, with the ponds and the gravel pits that were there. It's about 160 acres in size, and it butts up against a channel of the Platte River. There is some ground to the east of there, a Department of Transportation ground that goes all the way basically another two miles that has, has or is in the process of being transferred into the Game and Parks' portfolio. So all told, when you combine those three parcels of grand-- ground, it would be about 550 acres and about three miles of riverfront-- both sides of the river, for the most part-- with public access to the ground for recreation, camping, those kinds of things. So it's important to those folks that live in the area, quality of life for people that come to live and work and be in the area. But it's also a destination. We, we believe that, fully improved, this can be a place that people from all over the state and the surrounding states would come to this place to recreate and to enjoy the water and enjoy the, the, the services that could be

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accommodated there. So I want to speak on behalf of that. I think the question came up is, what was the value of Mormon Island? It was right in that \$2 million range that the city paid the Boy Scouts for that. I don't have the exact number, but it was very close to, to that dollar figure, if that's what you were asking.

**BRANDT:** OK. Let's see if we got a question. And you said Mormon Island, but you meant Camp Augustine.

**BRAD MELLEMA:** Well, Mormon Island and Camp Augustine-- Mormon Island is on the south side of the river. Camp Augustine-- I'm sorry. The-- Camp Augustine was purchased.

**BRANDT:** Yeah. So Camp Augustine was purchased for \$2 million.

**BRAD MELLEMA:** Correct.

**BRANDT:** OK. That, that answers that question. Senator DeKay.

**DeKAY:** Maybe somebody behind you will answer this. So what amenities would be added to that for, for [INAUDIBLE]? It would be canoeing, kayaking, and what other--

**BRAD MELLEMA:** Yeah. It, it's a, it's a very nice piece of property in that there's three lakes on it on the existing Mormon Island and the DOT ground. And then the river does run right through the middle of it. And I have personally canoed and kayaked that stretch of the river-- actually went well beyond that-- and was able to enjoy that that way. Camp Augustine has, I think, six or eight cabins existing on it. There's a dining hall. There's-- some of those buildings could be reclaimed and reused, and some of them cannot. And it needs some upgrades to sewage systems, electric systems, those kinds of things. And there has been a site plan by the city of Grand Island proposed, and it includes RV camping, pavilions, those types of things. And there's some-- at-- the Boy Scouts had a small pond down there that was used for fishing and to teach people how to canoe and kayak, as Boy Scouts will do. And I would imagine those would stay, you know, capacity very similar to that going forward.

**DeKAY:** Geographically speaking, are there any, like, sandpits or anything in that area where scuba diving like they do farther west in the Kearney area? Is there--

**BRAD MELLEMA:** Yeah. Well, there's three, there's three gravel pits right-- two exist in the existing Mormon Island property, one on the DOT ground just east of there, and then there's a small gravel pit on

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the Augustine side. So there's four. And there's some smaller ones yet. So back to water clarity and those kinds of things, that's up to the people that, that do that, whether they're appropriate for that.

**DeKAY:** All right. Thank you.

**BRANDT:** Senator Moser.

**MOSER:** So how come the Boy Scouts wanted to sell the property?

**BRAD MELLEMA:** That's a question you have to ask them, but it has to do with they have quite a few camp properties in the state of Nebraska, and camping as a whole isn't as popular as it used to be. And so they decided to col-- consolidate their efforts into a couple of properties statewide. That's part of the reason. But again, you'd have to ask them exactly why they did that. So it was an economics reason and a consolidation. And if you're paying attention to Boy Scouts in Nebraska, they consolidated the, the-- what-- the Trails Council into the Omaha Council-- is that right-- more recently. So there's, there's some consolidations happening statewide in the Boy Scouts, and this was a part of that plan.

**MOSER:** Thank you.

**BRANDT:** Senator Juarez.

**JUAREZ:** Thank you. I have a quick question. I'd like to know who actually creates a value for a property like this. I mean, are there real estate agents for parks or-- who, who helps you with this?

**BRAD MELLEMA:** Right. You know, that, that-- the city of Grand Island purchased it. And I'm not with the city. I'm, I'm a standalone organization that way. But they did have the site appraised with independent appraisers. So they purchased that land at-- and I think by law they're required to purchase it within the, the, the stated value of the land. They can't inflate that or whatever. So those, those things were handled by the city of Grand Island and the seller, which of course was the Boy Scouts.

**JUAREZ:** I'm curious who-- about the appraiser. It's interesting to me how that-- come up with the value for something like that.

**BRANDT:** I would think there will be a testifier following that can answer that question.

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**BRAD MELLEMA:** And there's documents that answer that question very specifically associated with the sale of that land. So--

**JUAREZ:** Thank you.

**BRAD MELLEMA:** --going forward, that could be a more appropriate answer to that, maybe.

**BRANDT:** Senator Clouse.

**CLOUSE:** Thank you, Senator Brandt. Brad, do they still have the pool there?

**BRAD MELLEMA:** There is a pool there.

**CLOUSE:** So is it still functional or is it--

**BRAD MELLEMA:** As far as I know, it's still functional. I have no idea if it would survive into the modernization of that. It's an aboveground pool. And, and my guess is it wouldn't survive that, but I don't know that.

**CLOUSE:** And, and the, the-- just for the-- I actually con-- performed a wedding out there here a couple years ago, probably just before it closed up. And it, it-- this is a good partnership, a good arrangement. City of Kearney's done that with the shooting range partnership with the Game and Parks. So the-- these are good opportunities for that, that joint effort, so. Thank you.

**BRANDT:** So would this be a gift to Game and Parks from the city of Grand Island?

**BRAD MELLEMA:** Well, approval of LR17 allows them to decide that. So there's about-- there's one of a maybe-- the-- they'll need to explain maybe a dozen ways that this thing could come about, whether it's a land transfer or, or a lease or a-- they, they have lots of-- so I'm going to defer that question to our friends at the Game and Parks.

**BRANDT:** So I guess my last question is, once this opens up, will it draw a lot of people from Kearney to Grand Island?

**BRAD MELLEMA:** I, I would think that interstate goes both directions. Let me tell you, though, if you look at the placement of, of-- yeah-- of the recreation areas available in south central Nebraska and you look along the Platte River-- and justifiably, there's beautiful, plentiful recreation opportunities with the state and other areas. And



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we have some, but it's an underserved area when you look at the population base of the Tri-Cities in that-- within an hour's drive of, of there. There's a desperate need for this kind of recreation in our part of the state.

**BRANDT:** OK. I don't see any other questions.

**BRAD MELLEMA:** Thank you.

**BRANDT:** We'll let you off the hook. Next proponent. Welcome.

**TIMOTHY MCCOY:** Good afternoon, Chairman Brandt, members of the Natural Resources Committee. My name's Timothy McCoy, T-i-m-o-t-h-y M-c-C-o-y. I'm the Director of the Nebraska Game and Parks Commission at 2200 North 33rd Street here in Lincoln. We are obviously in support of this. This is legislatively under 37-342 to-- we have to get permission prior to entering into a discussion with, with any-- if we are dealing with any local, government subdivision, or agency before we even express an intent. So there-- we don't we don't know a lot of answers to a lot of questions because according to statute we have to get permission first, and that's why we're here. So we did put together-- you know, we've got some information. If-- you know, this is hard to predict because we don't, we don't know. If, if this came to us as a, as a lease arrangement where we-- or a, or a management agreement where we manage the property and they develop it, that's one path. If this, if this comes into-- if the city of Grand Island really wants to sell this or they want to gift it, I mean, there-- those will follow the existing processes that we have to use for acquisition. And anything with a donation has to go in front of-- has to be approved by my commission. It has to come to the, I believe, the, the buildings division, the-- and then potentially approval by the Executive Board or the Legislature and the governor. So there, there's other processes for different routes, and we have no idea which way this will go.

**BRANDT:** OK. Let's look-- ask questions here. Senator Moser.

**MOSER:** So is one of the things you're going to look at when you-- try to discover what all the issues could be. Is one of those issues whether you can afford to take it over and operate it?

**TIMOTHY MCCOY:** Oh, yeah. That's-- I mean, that's, that's part of-- part of what the-- the other part of this is we have to provide some intent to the Legislature of how we would fund this. Everything we've been able to look at just from the perspective of if this was a management agreement based on what their, what their initial development plans

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are, what we think it would cost, it would be resenue-- revenue positive, and we would be doing it through Parks cash. The reason this--

**MOSER:** You, you're not expecting a request for an appropriation to buy it?

**TIMOTHY McCOY:** Not-- we're not expecting a-- we're not expecting to-- if we came to request one, it would, it would have to be from Parks cash. Not-- I don't think it would be wise to come do-- try to get general funds for something like this.

**MOSER:** OK. Thank you.

**TIMOTHY McCOY:** And that's the reason the statute was put in. It was in 1984. There was apparently frustration from the Legislature. We had got into these agreements with some other properties that we had taken on management for. And I think our property partners and maybe my agency at the time were coming down and asking for general funds under those agreements that-- basically, our, our commission agrees and we can get into a management agreement. And so-- I'm-- I went and looked the legislative history up of why this is in here, and that's why.

**MOSER:** OK. Thank you.

**BRANDT:** Senator DeKay.

**DeKAY:** If you have looked at this from, like, the 10,000-foot view, do you have any cost estimates what it would take to put in the amenities that would attract people to that--

**TIMOTHY McCOY:** I know the city of Grand Island went through a process where they, they issued an RFP and worked with a designer to try and develop some initial stuff. I don't remember the exact numbers off the top of my head. I know that we've got a copy of it somewhere. I think it was in the range of \$45 million for-- that was based on the design they got of a full money build-out of, of the entire-- of the entire location.

**DeKAY:** All right. Thank you.

**TIMOTHY McCOY:** We would likely-- if, if we were going down that road, we would phase it. It's not something you likely just do all at once.

**BRANDT:** So you have a lot of experience. We have a lot of parks, a lot of variety in this state. And I know this is just the start of this,

but typically on a-- where you're the fourth largest city or third largest city in the, in the state, what-- that would probably have different amenities than one that was way up in the Sandhills. What would you envision for a site like this?

**TIMOTHY McCOY:** We would envision some additional campground development. This sits on the north side of the channel, so you don't-- you're a little bit away from the interstate noise, potentially adding some cabins, probably a-- some sort of a larger building that can accommodate events and groups of people. There's-- and then there's probably some really nice opportunity here with the channel and the river to create some floating opportunities, a lot of trail connectivity. We would envision-- I would envision a site like this close to Grand Island. We would want to do some, like, outdoor naturalist programs. We would-- we, we would probably do an indoor, you know, a, a, a kind of an indoor building with garage doors that you could do airguns and archery, you know, maybe outdoor archery too. Just provide a, provide a breadth of those different types of opportunities. Because that's what we see. I think there's a lot of interest in Grand Island from that sort of outdoor experience piece that's not necessarily just camping and fishing along the interstate, but more of that outdoor learning opportunity.

**BRANDT:** And with the state fair-- and I know you have a very large presence at the state fair for two weeks every year, or ten days, this probably would tie in to that?

**TIMOTHY McCOY:** Well, it definitely, it definitely could. And I would imagine it will also be the hardest time to get into the campgrounds or get-- if we have cabins and campgrounds, that will be very, very busy. We're already that way at Mormon Island during the fair.

**BRANDT:** OK. Anything else? Senator Moser.

**MOSER:** So do they have problems with flooding in this area?

**TIMOTHY McCOY:** It's one of the things that they've-- the-- that I-- my understanding is they went through their, through their plan. They looked at flooding. There's pro-- there are some parts of this property that you would-- you may be able to just do day camping or day use. There is a pretty good part of it that is not, I believe, directly in the floodplai-- in the floodplain, from what I've saw-- or, what I've heard. I've not "sawn" the maps yet. That was, I know, work that was being done by the consultants that the city hired that helped them develop their ini-- this initial plan.

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**MOSER:** Does the Platte River have water in it going by there most of the time?

**TIMOTHY McCOY:** Yeah. The channel that goes through--

**MOSER:** Or does it go dry once in a while--

**TIMOTHY McCOY:** It does. And, and the-- this is not on the major channel. So it's on the nor-- it's on the-- it's on one of the northern channels. It's a little smaller. So it normally has flow. It's not, it's not normally a very deep or wide stretch.

**MOSER:** OK. Thank you.

**BRANDT:** OK. I guess I don't see anything else. Thank you for your testimony.

**TIMOTHY McCOY:** Thank you all.

**BRANDT:** OK. Any other proponents? Any opponents? Anyone in the neutral capacity? Senator Quick, you're welcome to close. And while he's coming up here: online, we had 1 proponent, 0 opponents, and 1 in the neutral capacity.

**QUICK:** All right. Thank you, Chairman Brandt and committee members. I think one of the things that I see-- you know, this is strictly just to give them the permission or the intent that they can actually begin talks and, and figure out if this is a viable process and, and, and what, what it might look in the future. And then like he-- like Tim McCoy said, they'd have to come back to the Legislature to approve anything that would, would have to come forward from that. And, you know, we talked about the state fair, but there's also-- they have a lot of shows there, whether it's livestock shows, equipment shows, Husker Harvest days. I also think about the cranes when-- you know, when the cranes are going through. Now, I don't know how the camping would work out depending on that time of year, but, you know, there's a lot of people that come out and stay around the Grand Island area and Kearney area as well for the-- when the cranes come through. So I just see this as a great opportunity for-- espec-- especially for central Nebraska to have a, a larger state park. We don't really have that, that opportunity. We have to, to travel to other parts of the state to go to, to, to camp. Not that I'm a camper, but I know people that do it. And-- my brother being one of them. So with that, I'll, I'll take any other questions.

**BRANDT:** Senator Moser.

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**MOSE:** So is it big enough to put a lake the size of Okoboji on it?

**QUICK:** It is not.

**MOSE:** Oh. Otherwise, McDonnell would be all over it.

**BRANDT:** OK. Senator Clouse.

**CLOUSE:** I was just going to make a comment that since Senator Brandt says everybody from Kearney goes over there if, if the city would be interested in selling it to the city of Kearney.

**BRANDT:** I don't see any other questions. We will close the hearing on LR17. If everybody would clear the room. We're going to have a very quick exec session here.