

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB499

Chairperson: Senator Tom Carlson

Committee: Natural Resources

Date of Hearing: February 08, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB499 makes the following changes to the powers and duties of the Game and Parks Commission:

- Section 37-304 in LB 499 makes a new distinction between the procedures governing the commission's power to pass orders and to adopt and promulgate rules and regulations.
 - The commission's power to promulgate rules and regulations governing “the methods or type, kind, and specifications of hunting, fur-harvesting, or fishing gear used in the taking of any game, game fish, non-game fish, game animals, fur-bearing animals, or game birds” would remain under the Administrative Procedures Act (APA).
 - The commission would be able to pass commission orders, which would fall under a new set of administrative procedures, governing:
 - Conservation orders
 - Seasons
 - Open and closed areas
 - Bag limits
- Section 37-314 (1)-(3) in LB499 sets up a new set of administrative procedures under which commission orders are passed. Under these new rules, the commission would hold a public hearing on each proposed commission order similar to the way business is conducted today. Under the new process, the commission would be allowed to make changes to the orders at the same meeting in response to public input before publishing the final orders. Right now under the APA, the commission is required to table the proposed rules before making season changes.
- Section 37-314 (4) adds bird, fish, and wild animal populations to the list of endangered items that could allow the commission to open or close game seasons. Under current emergency regulations, the commission can only close a season if there is a threat to human life or property. This provision would give the commission the latitude to quickly respond to disease epidemics or other extenuating circumstances rather than waiting up to several months for the next scheduled commission meeting.

Principal Introducer: _____

Senator Lydia Brasch