

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB319**

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**Hearing Date:** Wednesday February 06, 2019  
**Committee On:** Natural Resources  
**Introducer:** Moser  
**One Liner:** Change provisions relating to notices, rules, and regulations of the Department of Natural Resources

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**  
**Aye:** 8 Senators Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

<b>Proponents:</b> Senator Mike Moser Jeff Fassett	<b>Representing:</b> Introducer Nebraska Department of Natural Resources
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<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

LB 319 makes three changes in statutes affecting administration of certain Department of Natural Resources duties. Section 1 would remove a requirement that a notice be provided by mail, and Sections 2 and 3 change rule making authority from mandatory to discretionary.

Section 1 amends 31-1017, which authorizes the Department of Natural Resources to handle all floodplain management matters, by removing the requirement that notice be provided to county, city and village clerks by mail for hearings on rules and regulations establishing minimum standards for local floodplain management. Removing the requirement "by mail" allows the department to provide notice electronically.

Section 2 amends 46-753, which creates the Water Resources Trust Fund, by stating that the department "may" adopt rules and regulations to administer the fund, rather than "shall".

Section 3 amends 61-206, which provides for the Department of Natural Resources having water rights jurisdiction and other general powers and duties, by stating that the department "may" adopt and promulgate rules and regulations on matters under its jurisdiction, rather than "shall".

Section 4 repeals the original sections.

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Dan Hughes, Chairperson