

AMENDMENTS TO LB 1003

(Amendments to Standing Committee amendments, AM2691)

1 1. Insert the following new sections:

2 "Section 1. Section 37-101, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 37-101. (1) The Game and Parks Commission shall consist
5 of ~~seven~~ eight members, one from each of the ~~seven~~ eight districts
6 provided for by section 37-102, and shall be appointed by the
7 Governor with the consent of a majority of all members of the
8 Legislature. Members of the commission shall be legal residents
9 and citizens of Nebraska and shall be well informed on wildlife
10 conservation and restoration. At least two members of the
11 commission shall be actually engaged in agricultural pursuits and
12 shall reside on a farm or ranch, and not more than ~~four~~ five of the
13 members of the commission shall be affiliated with the same
14 political party.

15 (2) When the term of any member of the commission
16 expires, ~~the Governor shall appoint~~ a successor shall be appointed
17 as provided in subsection (1) of this section for a term of five
18 years from the same district as the member whose term has expired.
19 Beginning with appointments made for terms beginning after January
20 1, 2008, in districts which contain more than one county, the
21 Governor shall not appoint a person from the same county as his or
22 her predecessor. Each member shall serve until the appointment and
23 qualification of his or her successor. In case of a vacancy

1 occurring prior to the expiration of the term of a member, the
2 appointment shall be made only for the remainder of the term.

3 (3) All members of the commission shall be citizens and
4 bona fide residents of the district from which they are appointed.
5 When a member ceases to be a bona fide resident of the district,
6 from which he or she was appointed, the office shall be immediately
7 vacated.

8 (4) If the Legislature is not in session when members of
9 the commission are appointed by the Governor, they shall take
10 office and act as recess appointees until the Legislature next
11 thereafter convenes.

12 (5) Members may be removed by the Governor for
13 inefficiency, neglect of duty, or misconduct in office, but only
14 after delivering to the member a copy of the charges and affording
15 an opportunity of being publicly heard in person or by counsel in
16 his or her own defense, upon not less than ten days' notice. Such
17 hearing shall be held before the Governor.

18 (6) If such member is removed, the Governor shall file in
19 the office of the Secretary of State a complete statement of all
20 charges made against such member and his or her findings thereon,
21 together with a complete record of the proceedings. No person who
22 has served a full five-year term shall be eligible for
23 reappointment as a member of the commission until at least five
24 years have elapsed between any previous term which he or she might
25 have served and the effective date of his or her new appointment.

26 Sec. 2. Section 37-102, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 37-102. For purposes of section 37-101, the state is
2 hereby divided into ~~seven~~ eight districts. The limits and
3 designations of the ~~seven~~ eight districts shall be as follows:

4 (1) District No. 1. The counties of Richardson, Pawnee,
5 Nemaha, Johnson, Otoe, Cass, ~~Lancaster~~ Sarpy, Saunders, Butler,
6 Gage, Seward, Saline, and Jefferson;

7 (2) District No. 2. ~~The counties of Sarpy and~~
8 County;

9 (3) District No. 3. The counties of Washington, Dodge,
10 Colfax, Platte, Merrick, Nance, Boone, Madison, Stanton, Cuming,
11 Burt, Thurston, Wayne, Pierce, Antelope, Knox, Cedar, Dixon, and
12 Dakota;

13 (4) District No. 4. The counties of Thayer, Nuckolls,
14 Webster, Adams, Clay, Fillmore, York, Polk, Hamilton, Hall,
15 Buffalo, Kearney, and Franklin;

16 (5) District No. 5. The counties of Harlan, Furnas, Red
17 Willow, Hitchcock, Dundy, Chase, Hayes, Frontier, Gosper, Phelps,
18 Dawson, Lincoln, and Perkins;

19 (6) District No. 6. The counties of Howard, Greeley,
20 Wheeler, Sherman, Valley, Garfield, Holt, Boyd, Keya Paha, Rock,
21 Brown, Loup, Blaine, Custer, Logan, McPherson, Arthur, Grant,
22 Hooker, Thomas, and Cherry; ~~and~~

23 (7) District No. 7. The counties of Deuel, Garden,
24 Keith, Sheridan, Cheyenne, Morrill, Box Butte, Dawes, Sioux, Scotts
25 Bluff, Banner, and Kimball; and

26 (8) District No. 8. Lancaster County."

27 2. On page 2, strike lines 4 through 20 and insert

1 "(2) If there is reasonable cause to believe that any
2 wildlife that is diseased, is needed for scientific study of
3 disease, or is considered dangerous to human, wildlife, or
4 livestock health, is present on any property, the commission or its
5 designee shall make a reasonable attempt to gain access to the
6 property by permission of the property owner, tenant, lessee,
7 occupant, or person in control of the property. If such attempt is
8 not successful or impracticable, the commission or its designee may
9 enter the property to take wildlife that is diseased, needed for
10 scientific study of disease, or dangerous to human, wildlife, or
11 livestock health. Immediately subsequent to any entry on the
12 property, the commission or its designee shall notify the property
13 owner, tenant, lessee, occupant, or person in control of the
14 property regarding the activities of the commission's designee on
15 such property. The property owner shall retain all legal rights to
16 recover damages from such entry, except that damages for trespass
17 shall not be available."

18 3. On page 7, strike beginning with the underscored
19 colon in line 9 through "years" in line 19 and insert "fourteen
20 dollars per permit for permits which are valid for 2002 and
21 eighteen dollars per permit for permits which are valid beginning
22 January 1, 2003"; in line 24 after the comma insert "and"; and
23 strike beginning with the last comma in line 25 through "years" in
24 line 27.

25 4. Renumber the remaining sections and correct the
26 repealer and internal references accordingly.