

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 12, 2005 LB 673

they include the regulations for developing a county management plan for methods of prairie management, for issuing general notices, and for procedures, and requesting state aid made available in Section 15 of the amendments. Also, it redefines the enforcement management goal. The committee amendments redefine the management prairie dog colony as one confined to one landowner. This is a standard that's much less subjective than originally, which was a problem with some of the county commissioners in the counties that were involved with prairie dogs. Number two, the counties would have less need for...to enter the property to view the colonies, and that was one thing that the county commissioners did not want to get involved in, in having to go onto the land and make subjective decisions. It also is consistent with the ultimate purpose of the bill and it greatly reduces the instances where the county intervention is required. There's also a number of cleanup and clarifying revisions that are made in individual notices that may be served to the landowners, and I will list those. It changes the duty of the county to serve notice when reason to believe the landowner has allowed colonies to expand to adjacent land. It changes the duties of the landowner notified to employ management interventions within 60 days of the date of the notice; that they have to respond to the requirements within 60 days. Number three, clarifying that the landowner's right to challenge is...has to be within 15 days of the notice. It clarifies the right to challenge an individual notice and it's available in either type of the notice, and there's two types of notice. One would be a notice that was imposing a fine, and the other would be that the...to enter property to perform the management actions and charge the landowner for the costs of that. And so he could, the landowner, could challenge either one of those types of notices. Also, it requires the landowner to request for a hearing in writing. If he wants to have a hearing, he has to do that in writing. The amendments retain the right of the landowner to protect any amount of fine...or to protest any amount of fine or management cost imposed against the property, and to appeal any decision of the county to the courts. One other thing, and Senator Loudon mentioned this, in...there's a revision in 81-2,237; states the legislative intent to appropriate \$100,000 toward a Damage Control Fund for each year of the upcoming biennium, and Senator Loudon, I think,