



Hundredth Legislature - First Session - 2007
Committee Statement
LB 43

Hearing Date: January 16, 2007

Committee On: Transportation and Telecommunications

Introducer(s): (Heidemann, 1)

Title: Provide for mowing and hay-harvesting permits for right-of-ways of highways

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

- | | | |
|---|---------------------|---|
| 8 | Yes | Senators Mines, Pedersen, Louden, Hudkins, Stuthman, Aguilar, Schimek and Fischer |
| | No | |
| | Present, not voting | |
| | Absent | |
-

Proponents:

Senator Lavon Heidemann, Introducer
Pete McClymont
Wes Sheets
Joe Herrod

Representing:

District #1
Nebraska Cattlemen
Nebraska Division of Izaak Walton League
Nebraska Council of Sportsmen's Clubs

Opponents:

Representing:

Neutral:

John L. Craig
Kirk Nelson

Representing:

Nebraska Department of Roads
Nebraska Game & Parks Commission

Summary of purpose and/or changes:

The Department of Roads is authorized to establish a permit program to mow and harvest the hay on the right-of-ways of the state highway system. The owner of the land adjacent to the right-of-way shall have priority in the permit process. Each applicant must sign a release form that acknowledges they will assume all risk and liability, and that the state is not liable for hay quality or work done by the permittee.

The department shall set the fee involved with the cost of the process, and the funds collected will go to the Highway Cash Fund. The department also has rule and regulation authority to carry out this program.

Explanation of amendments, if any:

The committee amendment, AM12 limits the time an owner of the land abutting the right-of-way has priority to receive a permit for such land until July 30 of each year. Applicants who are not owners of the abutting land shall be limited to a permit for five miles of right-of-way per year.

A time period was also added to the bill so that the department shall allow mowing and hay harvesting on or after July 15 every other year unless haying was completed the year prior due to drought or other declaration.

Senator Deb Fischer, Chairperson