



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 1117**

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**Hearing Date:** February 7, 2006

**Committee On:** Transportation and Telecommunications

**Introducer(s):** (Heidemann, Burling, Byars, Combs, Cornett, Cunningham, Fischer, Flood, Hudkins, Janssen, Kremer, Langemeier, Loudon, McDonald, Dw. Pedersen, D. Pederson, Raikes, Stuhr, Stuthman, Wehrbein)

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

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**Roll Call Vote – Final Committee Action:**

- X Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Senators Foley, Baker, Aguilar, Hudkins, Stuthman, Dw. Pedersen and Brown
	No	
	Present, not voting	
1	Absent	Senator Smith

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**Proponents:**

Senator Lavon Heidemann  
Michael Kelsey

**Representing:**

Introducer, District #1  
Nebraska Cattlemen

**Opponents:**

**Representing:**

**Neutral:**

Mark Brohman

**Representing:**

Nebraska Game & Parks Commission

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**Summary of purpose and/or changes:**

The bill allows for mowing and hay harvesting permits. **Section 1** is new language that requires the Department of Roads to issue permits to authorize and regulate the mowing and harvesting of hay on highway rights-of-way. The applicant must sign a written release indicating their assumption of all risk and liability for hay quality and any accidents and damages and that the State of Nebraska assumes no liability for the hay quality or for work done by the permittee. The owner or owner’s assignee of land abutting the right-of-way shall have priority in securing a permit. The department shall establish mowing and harvesting dates. The department shall

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charge a permit fee, which shall be remitted to the Highway Cash Fund. The department is given rule and regulation authority.

**Explanation of amendments, if any:**

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**Senator Tom Baker, Chairperson**