

AMENDMENTS TO LB 836

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 37-448, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 37-448 (1) Subject to rules and regulations adopted and
6 promulgated by the commission, the secretary of the commission
7 may designate special deer depredation seasons or extensions of
8 existing deer hunting seasons by executive order. The secretary
9 may designate a depredation season or an extension of an existing
10 deer hunting season whenever he or she determines that deer are
11 causing excessive property damage. The secretary shall specify the
12 number of permits to be issued, the species of deer allowed to be
13 taken, the bag limit for such species, the beginning and ending
14 dates for the depredation season or hunting season extension,
15 shooting hours, the length of the depredation season or hunting
16 season extension, and the geographic area in which hunting will be
17 permitted. ~~Each such permit shall give the holder the right to take~~
18 ~~one deer.~~ Hunting during a special depredation season or hunting
19 season extension shall be limited to residents, and the rules and
20 regulations shall be ~~restricted to firearms which are allow use of~~
21 any weapon permissible for use during the regular deer season.

22 (2) The depredation season may commence not less than
23 five days after the first public announcement that the depredation

1 season has been established. Permits shall be issued beginning
2 not less than three days after the first public announcement of
3 the depredation season and shall be issued in an impartial manner
4 at a location determined by the secretary. The commission shall,
5 pursuant to section 37-327, establish and charge a fee of not more
6 than twenty-five dollars for a special depredation season permit.
7 Fifty percent of the fee shall be paid by the commission to a
8 landowner or operator within the designated area upon satisfactory
9 proof a deer was killed upon his or her farm or ranch during the
10 special depredation season. The commission shall use the income
11 from the sale of special depredation season permits for abatement
12 of damage caused by deer. The commission shall also provide for
13 an unlimited number of free permits for the taking of antlerless
14 deer upon request to any person owning or operating at least twenty
15 acres of farm or ranch land within the geographic area in which
16 hunting will be permitted and to any member of the immediate family
17 of any such person as defined in subdivision (2)(a) of section
18 37-455. A free permit shall be valid only within such area and
19 only during the designated deer depredation season. Receipt of a
20 depredation season permit shall not in any way affect a person's
21 eligibility for a regular season permit.

22 Sec. 2. Section 37-523, Revised Statutes Supplement,
23 2009, is amended to read:

24 37-523 (1) It shall be unlawful to hunt or trap any
25 form of wild mammal or wild bird within a ~~two-hundred-yard~~
26 one-hundred-yard radius of an inhabited dwelling or livestock
27 feedlot, or to trap within a two-hundred-yard radius of any passage

1 used by livestock to pass under any highway, road, or bridge.

2 (2) This section shall not prohibit any owner, tenant, or
3 operator or his or her guests from hunting or trapping any form of
4 wild mammal or wild bird within such radius if the area is under
5 his or her ownership or control. This section shall not prohibit
6 duly authorized personnel of any county, city, or village health or
7 animal control department from trapping with a humane live box trap
8 or pursuing any form of wild mammal or wild bird, when conducting
9 such activities within the scope of the authorization, within such
10 radius if the area is under the jurisdiction of the county, city,
11 or village.

12 (3) Any person violating this section shall be guilty of
13 a Class III misdemeanor and shall be fined at least one hundred
14 dollars upon conviction.

15 Sec. 3. Original section 37-448, Reissue Revised Statutes
16 of Nebraska, and section 37-523, Revised Statutes Supplement, 2009,
17 are repealed.