

AMENDMENTS TO LB 836

(Amendments to Standing Committee amendments, AM1864)

Introduced by Louden, 49.

1 1. Insert the following new sections:

2 Section 1. Section 37-201, Revised Statutes Supplement,
3 2009, is amended to read:

4 37-201 Sections 37-201 to 37-811 and section 5 of this
5 act shall be known and may be cited as the Game Law.

6 Sec. 4. Section 37-559, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 37-559 (1) Any farmer or rancher owning or operating a
9 farm or ranch may destroy or have destroyed any predator preying
10 on livestock or poultry or causing other agricultural depredation
11 on land owned or controlled by him or her without a permit issued
12 by the commission. For purposes of this subsection, predator means
13 a badger, bobcat, coyote, gray fox, long-tailed weasel, mink,
14 opossum, raccoon, red fox, or skunk.

15 (2) Any farmer or rancher owning or operating a farm or
16 ranch, or his or her agent, may kill a mountain lion immediately
17 without prior notice to or permission from the commission if he
18 or she encounters a mountain lion and the mountain lion is in
19 the process of stalking, killing, or consuming livestock on the
20 farmer's or rancher's property. The farmer or rancher or his or her
21 agent shall be responsible for immediately notifying the commission
22 and arranging with the commission to transfer the mountain lion to

1 the commission.

2 (3) Any person shall be entitled to defend himself or
3 herself or another person without penalty if, in the presence of
4 such person, a mountain lion stalks, attacks, or shows unprovoked
5 aggression toward such person or another person.

6 ~~(2)~~ (4) This section shall not be construed to allow
7 such a farmer or rancher or his or her agent to destroy or have
8 destroyed species which are protected by the provisions of sections
9 37-314 and 37-501 to 37-503, the Nongame and Endangered Species
10 Conservation Act or rules and regulations adopted and promulgated
11 under the act, the federal Endangered Species Act of 1973, as
12 amended, 16 U.S.C. 1531 et seq., the federal Fish and Wildlife
13 Coordination Act, as amended, 16 U.S.C. 661 et seq., the federal
14 Bald and Golden Eagle Protection Act, as amended, 16 U.S.C. 668 et
15 seq., the federal Migratory Bird Treaty Act, as amended, 16 U.S.C.
16 703 et seq., or rules and regulations adopted and promulgated
17 pursuant to such provisions. federal regulations under such federal
18 acts.

19 Sec. 5. (1) The commission may issue a permit for
20 the killing of one or more mountain lions which are preying on
21 livestock or poultry. The permit shall be valid for up to thirty
22 days and shall require the commission to be notified immediately
23 by the permitholder after the killing of a mountain lion and shall
24 require the carcass to be transferred to the commission.

25 (2) To be eligible for a permit under this section, a
26 farmer or rancher owning or operating a farm or ranch shall contact
27 the commission to confirm that livestock or poultry on his or her

1 property or property under his or her control has been subject
2 to depredation by a mountain lion. The commission shall confirm
3 that the damage was caused by a mountain lion prior to issuing
4 the permit. The farmer or rancher shall be allowed up to thirty
5 days, as designated by the commission, to kill the mountain lion
6 on such property and shall notify the commission immediately after
7 the killing of a mountain lion and arrange with the commission to
8 transfer the mountain lion to the commission.

9 (3) The commission may adopt and promulgate rules and
10 regulations to carry out this section.

11 2. Renumber the remaining sections and correct the
12 repealer accordingly.