

controlled shooting area statutes. LB 209, as amended, very simply set up a two-tiered system of controlled shooting areas--commercial and private. The bill defines commercial and private and then reduces the five-mile limitation to two miles around commercial controlled shooting areas. If you have two private controlled shooting areas with a common boundary then there is a two-mile buffer around them. All controlled shooting areas, whether they're commercial or private, must meet all of the other requirements of the laws and I'd like to point out some of the restrictions that do remain intact. The land under the permit must be no less than 120 acres and no more than 1,280 acres. The land must be contiguous. The permitholder must release at least 200 birds in any given year and regardless of whether or not they shoot 200. The permitholder must release no less than the number of birds taken if that number is greater than 200. No more than one percent of the land mass in a county may be licensed as a controlled shooting area. The licensed area must meet all posting requirements set down by Game and Parks Commission, which currently is every 500 feet there must be a sign. Game and Parks must find that the issuance of the permit is in the public interest and, as amended, there must be a public notice and a public hearing prior to the issuance of a license. In discussions with Game and Parks, the commission has stated that there is not an ecological or a biological reason for the original five-mile restriction. It was Game and Parks' position that the other statutory positions or restrictions, I'm sorry, the one percent of the county's area, the size of the area and the posting requirements provide the birds with the necessary tools to be protected. The public safety is being met and any other ecological concerns that they have. I've heard numerous concerns raised by the individuals who currently hold controlled hunting area permits about the five-mile limit and I'd like to take this time to point out that the five-mile restriction is actually a restriction on the free use of property in this type of a commercial enterprise. I doubt that any of you would support a five-mile restriction on the location of hotels, restaurants, corn fields, cattle operations or anyone else's business enterprise, yet we do that under the current law governing controlled shooting areas. LB 209, as amended, strikes a compromise between the competing interests of the current CSAs and the original proposal of 209. I'd also like to point out that in Nebraska there were, at last count, 38 controlled shooting areas. Of those 38, 9 are owned and operated by 3 different groups. Nearly one-fourth of all of the controlled hunting areas in the state are owned by three groups.