

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1081

Introduced by Christensen, 44; Hansen, 42; Lautenbaugh, 18.

Read first time January 18, 2012

Committee: Natural Resources

A BILL

- 1 FOR AN ACT relating to deer permits; to amend section 37-448, Revised
- 2 Statutes Cumulative Supplement, 2010; to provide for free
- 3 permits for farmers to hunt antlerless deer as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-448, Revised Statutes Cumulative
2 Supplement, 2010, is amended to read:

3 37-448 (1) Subject to rules and regulations adopted and
4 promulgated by the commission, the secretary of the commission may
5 designate special deer depredation seasons or extensions of existing
6 deer hunting seasons by executive order. The secretary may designate
7 a depredation season or an extension of an existing deer hunting
8 season whenever he or she determines that deer are causing excessive
9 property damage. The secretary shall specify the number of permits to
10 be issued, the species of deer allowed to be taken, the bag limit for
11 such species, the beginning and ending dates for the depredation
12 season or hunting season extension, shooting hours, the length of the
13 depredation season or hunting season extension, and the geographic
14 area in which hunting will be permitted. Hunting during a special
15 depredation season or hunting season extension shall be limited to
16 residents, and the rules and regulations shall allow use of any
17 weapon permissible for use during the regular deer season.

18 (2) The depredation season may commence not less than
19 five days after the first public announcement that the depredation
20 season has been established. Permits shall be issued in an impartial
21 manner at a location determined by the secretary. The commission
22 shall, pursuant to section 37-327, establish and charge a fee of not
23 more than twenty-five dollars for a special depredation season
24 permit. The commission shall use the income from the sale of special
25 depredation season permits for abatement of damage caused by deer.

1 The commission shall also provide for an unlimited number of free
2 permits for the taking of antlerless deer upon request to any person
3 owning or operating at least twenty acres of farm or ranch land
4 within the geographic area in which hunting will be permitted and to
5 any member of the immediate family of any such person as defined in
6 subdivision (2)(a) of section 37-455. A free permit shall be valid
7 only within such area and only during the designated deer depredation
8 season. Receipt of a depredation season permit shall not in any way
9 affect a person's eligibility for a regular season permit.

10 (3) In addition to the permits authorized under
11 subsections (1) and (2) of this section, the commission shall issue a
12 free permit to hunt and take one antlerless deer for every one
13 thousand dollars of proven crop damage attributed to deer to any
14 person owning or operating farm land who presents proof to the
15 commission of crop damage caused by deer as evidenced by an official
16 insurance estimate by a claims adjuster, a paid insurance claim for
17 such damage, a yield map, or an estimate by the commission. The
18 commission shall issue one such permit with a bag limit equal to one
19 antlerless deer for every one thousand dollars of crop damage caused
20 by deer for which the owner or operator of farm land presents
21 evidence to the commission and requests such permit. An owner or
22 operator of farm land holding such a permit and his or her immediate
23 family may hunt and take up to the bag limit specified on such permit
24 of antlerless deer for each such permit on property owned or farmed
25 by such person. If the owner or operator is unable to use or sell any

1 carcass and the commission is unable to remove the carcass in a
2 timely manner, the owner or operator may dispose of any antlerless
3 deer carcass in any other manner.

4 Sec. 2. Original section 37-448, Revised Statutes
5 Cumulative Supplement, 2010, is repealed.