

E AND R AMENDMENTS TO LB 43

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original section and all amendments thereto
2 and insert the following section:

3 Section 1. For purposes of this section, the definitions
4 in section 39-1302 apply.

5 The Department of Roads shall issue permits which
6 authorize and regulate the mowing and harvesting of hay on the
7 right-of-way of highways of the state highway system. The applicant
8 for a permit shall be informed in writing and shall sign a release
9 acknowledging (1) that he or she will assume all risk and liability
10 for hay quality and for any accidents and damages that may occur as
11 a result of the work and (2) that the State of Nebraska assumes no
12 liability for the hay quality or for work done by the permittee.
13 The owner or the owner's assignee of land abutting the right-of-way
14 shall have priority to receive a permit for such land under this
15 section until July 30 of each year. Applicants who are not owners
16 of abutting land shall be limited to a permit for five miles of
17 right-of-way per year. The department shall allow mowing and hay
18 harvesting on or after July 15 of every other year unless haying
19 was completed the year prior due to drought or other declaration.
20 The department shall charge a permit fee in an amount calculated to
21 defray the costs of administering this section. All fees received
22 under this section shall be remitted to the State Treasurer for
23 credit to the Highway Cash Fund. The department shall adopt and

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- 1 promulgate rules and regulations to carry out this section.