

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 690**

Introduced by Fischer, 43; Adams, 24; Avery, 28; Burling, 33; Carlson, 38; Christensen, 44; Cornett, 45; Dierks, 40; Dubas, 34; Engel, 17; Erdman, 47; Flood, 19; Friend, 10; Fulton, 29; Gay, 14; Hansen, 42; Harms, 48; Heidemann, 1; Hudkins, 21; Janssen, 15; Johnson, 37; Karpisek, 32; Kopplin, 3; Lathrop, 12; Louden, 49; McDonald, 41; Nantkes, 46; Nelson, 6; Pahls, 31; Pankonin, 2; Pedersen, 39; Rogert, 16; Wallman, 30; White, 8.

Read first time January 17, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game Law; to amend sections 37-413 and  
2 37-414, Reissue Revised Statutes of Nebraska, and section  
3 37-452, Revised Statutes Cumulative Supplement, 2006;  
4 to provide for apprentice hunter education exemptions;  
5 to harmonize provisions; and to repeal the original  
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 37-413, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           37-413 (1) For the purpose of establishing and  
4 administering a mandatory firearm hunter education program for  
5 persons ~~born on or after January 1, 1977,~~ twenty-nine years of  
6 age or younger who hunt with a firearm or crossbow any species of  
7 game, game birds, or game animals, the commission shall provide a  
8 program of firearm hunter education training leading to obtaining  
9 a certificate of successful completion in the safe handling of  
10 firearms and shall locate and train volunteer firearm hunter  
11 education instructors. The program shall provide a training course  
12 having a minimum of (a) ten hours of classroom instruction or  
13 (b) independent study on the part of the student sufficient to  
14 pass an examination given by the commission followed by such  
15 student's participation in a minimum of four hours of practical  
16 instruction. The program shall provide instruction in the areas  
17 of safe firearms use, shooting and sighting techniques, hunter  
18 ethics, game identification, and conservation management. The  
19 commission shall issue a firearm hunter education certificate of  
20 successful completion to persons having satisfactorily completed a  
21 firearm hunter education course accredited by the commission and  
22 shall print, purchase, or otherwise acquire materials as necessary  
23 for effective program operation. The commission shall adopt and  
24 promulgate rules and regulations for carrying out and administering  
25 such programs.

1           (2) It shall be unlawful for any person ~~born on or after~~  
2 ~~January 1, 1977,~~ twenty-nine years of age or younger to hunt with  
3 a firearm or crossbow any species of game, game birds, or game  
4 animals except:

5           (a) A person under the age of twelve years who is  
6 accompanied by a person nineteen years of age or older having a  
7 valid hunting permit; and

8           (b) A person ~~born on or after January 1, 1977,~~  
9 twenty-nine years of age or younger who has on his or her person  
10 ~~a hunter education certificate~~ proof of successful completion of a  
11 hunter education course or a firearm hunter education course issued  
12 by the person's state or province of residence or a ~~firearm hunter~~  
13 ~~education certificate~~ issued by an accredited program recognized by  
14 the commission; or -

15           (c) A person twenty-nine years of age or younger who  
16 has on his or her person the appropriate hunting permit and an  
17 apprentice hunter education exemption certificate issued by the  
18 commission pursuant to subsection (3) of this section and who  
19 is accompanied as described in subsection (4) of this section. A  
20 person nineteen years of age or older having a valid hunting permit  
21 shall not accompany more than two persons having apprentice hunter  
22 education exemptions at the same time.

23           (3) An apprentice hunter education exemption may be  
24 issued to a person twenty-nine years of age or younger, once  
25 during such person's lifetime with one renewal, upon payment of

1 a fee of five dollars and shall be valid for a period of one  
2 calendar year from the date of issuance. The commission may adopt  
3 and promulgate rules and regulations allowing for the issuance of  
4 apprentice hunter education exemptions. All fees collected under  
5 this subsection shall be remitted to the State Treasurer for credit  
6 to the State Game Fund.

7 (4) For purposes of this section, accompanied means under  
8 the direct supervision of a person nineteen years of age or older  
9 having a valid hunting permit who is at all times in unaided visual  
10 and verbal communication with the person having an apprentice  
11 hunter education exemption. This subsection does not prohibit the  
12 use by such person nineteen years of age or older of ordinary  
13 prescription eyeglasses or contact lenses or ordinary hearing aids.

14 Sec. 2. Section 37-414, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 37-414 (1) The commission shall establish and administer  
17 a bow hunter education program consisting of a minimum of (a)  
18 ten hours of classroom instruction or (b) independent study on  
19 the part of the student sufficient to pass an examination given  
20 by the commission followed by such student's participation in a  
21 minimum of four hours of practical instruction. The program shall  
22 provide instruction in the safe use of bow hunting equipment,  
23 the fundamentals of bow hunting, shooting and hunting techniques,  
24 game identification, conservation management, and hunter ethics.  
25 When establishing such a program, the commission shall locate and

1 train volunteers as bow hunter education ~~training~~ instructors. The  
2 commission shall issue a certificate of successful completion to  
3 any person who satisfactorily completes a bow hunter education  
4 program established by the commission and shall print, purchase,  
5 or otherwise acquire materials necessary for effective program  
6 operation. The commission shall adopt and promulgate rules and  
7 regulations for carrying out and administering such program.

8 (2) A person ~~born on or after January 1, 1977,~~ twelve  
9 through twenty-nine years of age who is hunting antelope, deer,  
10 elk, or mountain sheep, ~~or wild turkey~~ with a bow and arrow  
11 pursuant to any provision of sections 37-447 to 37-453 and 37-457  
12 shall have on his or her person a ~~bow hunter education certificate~~  
13 (a) proof of successful completion of a bow hunter education course  
14 issued by his or her state or province of residence or a ~~bow hunter~~  
15 ~~education certificate issued by an accredited program recognized~~  
16 by the commission or (b) the appropriate hunting permit and an  
17 apprentice hunter education exemption certificate issued by the  
18 commission pursuant to section 37-413. Any person bow hunting with  
19 an apprentice hunter education exemption shall be accompanied by  
20 a person nineteen years of age or older having a valid hunting  
21 permit. Such person nineteen years of age or older shall not  
22 accompany more than two persons having apprentice hunter education  
23 exemptions at the same time.

24 (3) For purposes of this section, accompanied means under  
25 the direct supervision of the person nineteen years of age or older

1 having a valid hunting permit who is at all times in unaided visual  
2 and verbal communication with the person. This subsection does not  
3 prohibit the use by such person nineteen years of age or older  
4 of ordinary prescription eyeglasses or contact lenses or ordinary  
5 hearing aids.

6           Sec. 3. Section 37-452, Revised Statutes Cumulative  
7 Supplement, 2006, is amended to read:

8           37-452 (1) No person shall be issued a permit to hunt  
9 deer, antelope, elk, wild turkey, hunt antelope, elk, or mountain  
10 sheep unless such person is at least twelve years of age, except  
11 that any person who is twelve through fifteen years of age and who  
12 has not completed a hunter education course pursuant to section  
13 37-413 or 37-414 shall only hunt deer, antelope, elk, wild turkey,  
14 or mountain sheep when accompanied by a person ~~twenty-one~~ nineteen  
15 years of age or ~~ever~~ older having a valid hunting permit. A person  
16 nineteen years of age or older having a valid hunting permit shall  
17 not accompany more than two persons twelve through fifteen years  
18 of age hunting antelope, elk, or mountain sheep at the same time.  
19 A person nineteen years of age or older having a valid hunting  
20 permit shall not accompany more than two persons twelve through  
21 fifteen years of age hunting antelope, elk, or mountain sheep at  
22 the same time. A person nineteen years of age or older having  
23 a valid hunting permit shall not accompany more than two persons  
24 twelve through fifteen years of age hunting elk or mountain sheep  
25 at the same time.

1           (2) No person shall hunt deer or antelope unless such  
2 person is at least ten years of age, except that any person who  
3 is ten or eleven years of age shall only hunt deer or antelope  
4 when accompanied by a person nineteen years of age or older having  
5 a valid hunting permit. A person nineteen years of age or older  
6 having a valid hunting permit shall not accompany more than two  
7 persons age ten or eleven years of age hunting deer or antelope at  
8 the same time.

9           (3) For purposes of this section, accompanied means under  
10 the direct supervision of the person nineteen years of age or older  
11 having a valid hunting permit who is at all times in unaided visual  
12 and verbal communication with the person ten or eleven years of age  
13 or twelve through fifteen years of age, as the case may be. This  
14 subsection does not prohibit the use by such person nineteen years  
15 of age or older of ordinary prescription eyeglasses or contact  
16 lenses or ordinary hearing aids.

17           Sec. 4. Original sections 37-413 and 37-414, Reissue  
18 Revised Statutes of Nebraska, and section 37-452, Revised Statutes  
19 Cumulative Supplement, 2006, are repealed.