

AMENDMENTS TO LB699

Introduced by Natural Resources

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 37-201, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5           37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510  
6 and section 2 of this act shall be known and may be cited as the  
7 Game Law.

8           Sec. 2. A hunting permit may be issued to any  
9 developmentally disabled person who has a license-purchase  
10 exemption certificate issued by the commission authorizing such  
11 person to purchase a hunting permit. The commission may adopt and  
12 promulgate rules and regulations to establish forms and procedures  
13 for the issuance of license-purchase exemption certificates. Any  
14 license-purchase exemption certificate issued pursuant to this  
15 section shall be issued at no cost to the developmentally disabled  
16 person and shall clearly state on its face that the holder must at  
17 all times while hunting be accompanied as described in subsection  
18 (4) of section 37-413. No license-purchase exemption certificate  
19 shall be issued to any person who has been found by any court  
20 or mental health board to pose a current danger to himself or  
21 herself or others. As part of the application process for a  
22 license-purchase exemption certificate, a developmentally disabled  
23 person shall present the commission with a written authorization

1 signed by a physician indicating that the developmentally disabled  
2 person is at all times capable of understanding and following  
3 directions given by another person and that the developmentally  
4 disabled person is not currently a danger to himself or herself  
5 or others. For purposes of this section, developmentally disabled  
6 person means a person who has a developmental disability as defined  
7 in section 83-1205.

8           Sec. 3. Section 37-404, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           37-404 (1) Any resident of the United States who has  
11 resided in this state continuously for a period of thirty days  
12 before applying for a permit under the Game Law and who has a  
13 bona fide intention of becoming a legal resident of this state,  
14 supported by documentary proof, shall be deemed to be a resident  
15 and may be issued a resident permit under the Game Law.

16           (2) No hunting permit shall be issued to any person who  
17 is known to have a significant physical or mental disability and  
18 who is unable to safely carry or use a firearm because of such  
19 disability except as provided in section 2 of this act.

20           (3) The commission may limit the number of days for which  
21 a permit is issued and the number of fish or game birds taken on  
22 one permit. The commission may provide for a method of tagging and  
23 identification of fish and game birds taken under a nonresident  
24 permit.

25           Sec. 4. Section 37-413, Revised Statutes Cumulative  
26 Supplement, 2012, is amended to read:

27           37-413 (1) For the purpose of establishing and

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

22 (2) It shall be unlawful for any person twenty-nine years  
23 of age or younger to hunt with a firearm or ~~crossbow~~ air gun any  
24 species of game, game birds, or game animals except:

25 (a) A person under the age of twelve years who is  
26 accompanied by a person nineteen years of age or older having  
27 a valid hunting permit, as described in subsection (4) of this

1 section;

2 (b) A person twelve through twenty-nine years of age who  
3 has on his or her person proof of successful completion of a hunter  
4 education course as described in subsection (1) of this section or  
5 a ~~firearm~~ hunter education course issued by the person's state or  
6 province of residence or by an accredited program recognized by the  
7 commission; ~~or~~

8 (c) A person twelve through twenty-nine years of age who  
9 has on his or her person the appropriate hunting permit and an  
10 apprentice hunter education exemption certificate issued by the  
11 commission pursuant to subsection (3) of this section and who is  
12 accompanied as described in subsection (4) of this section; or-

13 (d) A developmentally disabled person who holds the  
14 appropriate hunting permit and a license-purchase exemption  
15 certificate issued pursuant to section 2 of this act and who is  
16 accompanied as described in subsection (4) of this section.

17 (3) An apprentice hunter education exemption certificate  
18 may be issued to a person twelve through twenty-nine years of age,  
19 once during such person's lifetime with one renewal, upon payment  
20 of a fee of five dollars and shall expire at midnight on December  
21 31 of the year for which the apprentice hunter education exemption  
22 certificate is issued. The commission may adopt and promulgate  
23 rules and regulations allowing for the issuance of apprentice  
24 hunter education exemption certificates. All fees collected under  
25 this subsection shall be remitted to the State Treasurer for credit  
26 to the State Game Fund.

27 (4) For purposes of this section, accompanied means under

1 the direct supervision of a person who is: (a) Nineteen years  
2 of age or older having a valid hunting permit. If such person  
3 is nineteen years of age or older but not older than twenty-nine  
4 years of age, he or she shall have also completed the required  
5 course of instruction to receive a certificate of completion for  
6 ~~firearm~~ hunter education; ~~if hunting with a firearm or crossbow~~  
7 ~~as described in subdivision (2)(b) of this section or for bow~~  
8 ~~hunter education if hunting with a bow and arrow as described in~~  
9 ~~section 37-414,~~ and (b) at all times in unaided visual and verbal  
10 communication of developmentally disabled persons authorized under  
11 section 2 of this act or no more than two persons having an  
12 apprentice hunter education exemption certificate. This subsection  
13 does not prohibit the use by such person nineteen years of age  
14 or older of ordinary prescription eyeglasses or contact lenses or  
15 ordinary hearing instruments.

16 Sec. 5. Section 37-414, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

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

1 and train volunteers as bow hunter education 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~~ accredited by the commission and shall print,  
5 purchase, or otherwise acquire materials necessary for effective  
6 program operation. The commission shall adopt and promulgate rules  
7 and regulations for carrying out and administering such program.

8 (2) A person twelve through twenty-nine years of age who  
9 is hunting antelope, deer, elk, or mountain sheep with a bow and  
10 arrow or crossbow pursuant to any provision of sections 37-447 to  
11 37-453 shall ~~have on his or her person~~ (a) have on his or her  
12 person proof of successful completion of a bow hunter education  
13 course issued by his or her state or province of residence or  
14 by an accredited program recognized by the commission, ~~or~~ (b)  
15 have on his or her person the appropriate hunting permit and an  
16 apprentice hunter education exemption certificate issued by the  
17 commission pursuant to subsection (3) of section 37-413 and be  
18 accompanied as described in subsection (4) of section 37-413, or  
19 (c) hold the appropriate hunting permit and a license-purchase  
20 exemption certificate issued pursuant to section 2 of this  
21 act if required pursuant to such section. and an apprentice  
22 hunter education exemption certificate issued and enforced by the  
23 commission pursuant to section 37-413.

24 Sec. 6. Original sections 37-404 and 37-414, Reissue  
25 Revised Statutes of Nebraska, and sections 37-201 and 37-413,  
26 Revised Statutes Cumulative Supplement, 2012, are repealed.