

LEGISLATIVE BILL 437

Approved by the Governor March 19, 1979

Introduced by Constitutional Revision and Recreation Committee, Reutzell, 15, Chmn.; Carsten, 2; Hefner, 19; Stoney, 4; Koch, 12; Pirsch, 10; George, 16

AN ACT to amend section 37-215, Revised Statutes Supplement, 1978, relating to game and parks; to change a requirement for hunting deer or antelope as prescribed; and to repeal the original section.

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

Section 1. That section 37-215, Revised Statutes Supplement, 1978, be amended to read as follows:

37-215. (1) The Game and Parks Commission is authorized to issue permits for the killing of deer and to prescribe and establish regulations and limitations for the hunting, killing, transportation, and possession of deer. The commission may specify by regulation the information to be required on applications for such permits. Regulations and limitations for the hunting, killing, transportation, and possession of deer may include, but not be limited to, regulations and limitations as to the type and caliber and other specifications of firearms and ammunition used, and specifications for bows and arrows used. Such regulations and limitations may further specify and limit the method of hunting deer, and may provide for dividing the state into management units or areas and the commission may enact different deer harvest regulations for the different management units as pertains to sex, species, and age of the deer harvested. The number of such permits may be limited, as provided by the regulations of the commission, but the permits shall be disposed of in an impartial manner. Whenever the commission shall deem it advisable to limit the number of permits issued for any or all management units, the commission shall, by rules and regulations, determine who shall be eligible to apply for such permits. In establishing eligibility, the commission shall give preference to persons who did not receive a permit during the previous year or years. Such permits may be issued to allow killing of deer in the Nebraska National Forest and other game reserves and such other areas in the State of Nebraska as the commission may designate whenever the commission shall deem that permitting such killing will not be detrimental to the proper preservation of wildlife in Nebraska in such forest, reserves, or areas. The

commission shall charge a fee for each permit so issued in the sum of fifteen dollars for residents and fifty dollars for nonresidents; Provided, that the commission may issue nonresident permits only after a reasonable period has first been provided solely for issuance of resident permits; and provided further, that should the commission issue nonresident permits the issuance of resident permits shall continue until permit quotas have been filled or a reasonable cutoff date reached. No permit shall be issued until after a reasonable period for making application, as established by the commission, has expired. When more valid applications are received for any management unit than there are permits available, such permits shall be allocated on the basis of a public drawing. All valid applications received during the predetermined application period shall be considered equally in any such public drawing without regard to time of receipt of such applications by the Game and Parks Commission. No person shall be issued a permit to kill deer or antelope unless he such person is at least fourteen years of age; Provided, that any person aged fourteen or fifteen shall only hunt deer or antelope with when accompanied by a person aged twenty-one years or over, ~~who also possesses a current deer permit for the management unit in which both hunters are hunting.~~

(2) The Game and Parks Commission may also issue permits for the killing of antelope and may establish separate and, when necessary different, regulations therefor within the limitations prescribed in subsection (1) of this section for the taking of deer. The commission shall charge a fee for each antelope permit so issued in the sum of fifteen dollars for residents and fifty dollars for nonresidents. The provisions for the distribution of deer permits and the authority of the commission to determine eligibility of applicants for permits as described in subsection (1) of this section shall also apply to the distribution of antelope permits.

Sec. 2. That original section 37-215, Revised Statutes Supplement, 1978, is repealed.