

LEGISLATIVE BILL 690

Approved by the Governor February 7, 2008

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.

FOR AN ACT relating to the Game Law; to amend section 37-413, Reissue Revised Statutes of Nebraska, and sections 37-414 and 37-452, Revised Statutes Supplement, 2007; to change provisions relating to mandatory firearm hunter education and bow hunter education programs; to provide for apprentice hunter education exemption certificates; to change provisions relating to hunting permits; and to repeal the original sections.

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

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

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

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

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

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

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

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

(4) For purposes of this section, accompanied means under the direct supervision of a person nineteen years of age or older having a valid hunting permit who is at all times in unaided visual and verbal communication of no more than two persons having an apprentice hunter education exemption

certificate. This subsection does not prohibit the use by such person nineteen years of age or older of ordinary prescription eyeglasses or contact lenses or ordinary hearing aids.

Sec. 2. Section 37-414, Revised Statutes Supplement, 2007, is amended to read:

37-414 (1) The commission shall establish and administer a bow hunter education program consisting of a minimum of (a) ten hours of classroom instruction or (b) independent study on the part of the student sufficient to pass an examination given by the commission followed by such student's participation in a minimum of four hours of practical instruction. The program shall provide instruction in the safe use of bow hunting equipment, the fundamentals of bow hunting, shooting and hunting techniques, game identification, conservation management, and hunter ethics. When establishing such a program, the commission shall locate and train volunteers as bow hunter education ~~training~~ instructors. The commission shall issue a certificate of successful completion to any person who satisfactorily completes a bow hunter education program established by the commission and shall print, purchase, or otherwise acquire materials necessary for effective program operation. The commission shall adopt and promulgate rules and regulations for carrying out and administering such program.

(2) A person ~~born on or after January 1, 1977,~~ twelve through twenty-nine years of age who is hunting antelope, deer, elk, or mountain sheep with a bow and arrow pursuant to any provision of sections 37-447 to 37-453 shall have on his or her person a ~~bow hunter education certificate~~ (a) proof of successful completion of a bow hunter education course issued by his or her state or province of residence or a bow hunter education certificate issued by an accredited program recognized by the commission or (b) the appropriate hunting permit and an apprentice hunter education exemption certificate issued and enforced by the commission pursuant to section 37-413.

Sec. 3. Section 37-452, Revised Statutes Supplement, 2007, is amended to read:

37-452 (1) ~~No person shall be issued a permit to hunt deer, hunt antelope, elk, or mountain sheep unless such person is at least twelve years of age, except that and any person who is twelve through fifteen years of age shall only hunt deer, antelope, elk, or mountain sheep when accompanied supervised by a person twenty-one nineteen years of age or over older having a valid hunting permit.~~

(2) No person shall hunt deer unless such person is at least ten years of age, and any person who is ten through fifteen years of age shall only hunt deer when supervised by a person nineteen years of age or older having a valid hunting permit.

(3) A person nineteen years of age or older having a valid hunting permit shall not supervise more than two persons while hunting deer, antelope, elk, or mountain sheep at the same time.

Sec. 4. Original section 37-413, Reissue Revised Statutes of Nebraska, and sections 37-414 and 37-452, Revised Statutes Supplement, 2007, are repealed.