

E AND R AMENDMENTS TO LB699

Introduced by Murante, 49, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following 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 person
9 who has a developmental disability and 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 person who has a
16 developmental disability and shall clearly state on its face that
17 the holder must at all times while hunting be accompanied as
18 described in subsection (4) of section 37-413. No license-purchase
19 exemption certificate shall be issued to any person who has been
20 found by any court or mental health board to pose a current
21 danger to himself or herself or others. As part of the application
22 process for a license-purchase exemption certificate, a person who
23 has a developmental disability shall present the commission with

1 a written authorization signed by a physician indicating that the
2 person who has a developmental disability is at all times capable
3 of understanding and following directions given by another person
4 and that the person who has a developmental disability is not
5 currently a danger to himself or herself or others while engaged in
6 hunting with a firearm. For purposes of this section, developmental
7 disability has the same meaning as 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 person who has a developmental disability, who
14 holds the appropriate hunting permit and a license-purchase
15 exemption certificate issued pursuant to section 2 of this act, and
16 who is 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~~
9 ~~in section 37-414;~~ and (b) at all times in unaided visual and
10 verbal communication of persons who have a developmental disability
11 and who are authorized under section 2 of this act or no more
12 than two persons having an apprentice hunter education exemption
13 certificate. This subsection does not prohibit the use by such
14 person nineteen years of age or older of ordinary prescription
15 eyeglasses or contact lenses or 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.

27 Sec. 7. Since an emergency exists, this act takes effect

1 when passed and approved according to law.

2 2. On page 1, strike beginning with "hunting" in line 1
3 through line 10 and insert "the Game Law; to amend sections 37-404
4 and 37-414, Reissue Revised Statutes of Nebraska, and sections
5 37-201 and 37-413, Revised Statutes Cumulative Supplement, 2012;
6 to authorize hunting permits as prescribed for persons who have a
7 developmental disability; to authorize license-purchase exemption
8 certificates; to change provisions relating to mandatory firearm
9 hunter education programs and bow hunter education programs; to
10 change provisions relating to firearm, air gun, bow and arrow, and
11 crossbow hunting; to harmonize provisions; to repeal the original
12 sections; and to declare an emergency."