

LEGISLATIVE BILL 1001

Approved by the Governor April 10, 1984

Introduced by Constitutional Revision & Recreation
Committee, Labeledz, 5, Chairperson;
Wesely, 26; Carsten, 2; Abboud, 12;
Rupp, 22

AN ACT relating to game and parks; to amend section 37-215, Revised Statutes Supplement, 1982; to provide for establishment of special deprecation hunting seasons for deer; to provide procedures; 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, 1982, 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 twenty dollars for residents and one hundred dollars for nonresidents. ~~The~~ 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~~ and 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 such person is at least fourteen years of age, ~~except~~ Provided, that any person aged fourteen or fifteen shall only hunt deer or antelope when accompanied by a person aged twenty-one years or over.

(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 twenty dollars for residents and one hundred 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.

(3) Subject to rules and regulations adopted and promulgated by the commission, the secretary of the Game and Parks Commission may designate special deer depredation seasons by executive order. The secretary may designate a depredation season whenever he or she determines that deer are causing excessive property damage. The secretary shall specify the number of permits to be issued, shooting hours, the length of the depredation season, and the geographic area in which hunting will be permitted. Each such permit shall give the holder the right to take one deer. Hunting during a special depredation season shall be limited to residents and shall be restricted to firearms which are permissible for use during the regular deer season.

The depredation season may commence not less than five days after the first public announcement that the depredation season has been established. Permits shall be

issued beginning not less than three days after the first public announcement of the depredation season and shall be issued in an impartial manner at a location determined by the secretary. The fee for a special depredation season permit shall be twenty dollars and, of this amount, ten dollars shall be paid by the Game and Parks Commission to a landowner or operator within the designated area upon satisfactory proof a deer was killed upon his or her farm or ranch during the special depredation season. Receipt of a depredation season permit shall not in any way affect a person's eligibility for a regular season permit.

Sec. 2. That original section 37-215, Revised Statutes Supplement, 1982, is repealed.