

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 871

Introduced by Fischer, 43.

Read first time January 11, 2010

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game Law; to amend section 37-413,
2 Revised Statutes Supplement, 2009; to change provisions
3 relating to persons accompanying apprentice hunters; and
4 to repeal the original section.

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

1 Section 1. Section 37-413, Revised Statutes Supplement,
2 2009, is amended to read:

3 37-413 (1) For the purpose of establishing and
4 administering a mandatory firearm hunter education program for
5 persons twelve through twenty-nine years of age who hunt with
6 a firearm or crossbow any species of game, game birds, or game
7 animals, the commission shall provide a program of firearm hunter
8 education training leading to obtaining a certificate of successful
9 completion in the safe handling of firearms and shall locate
10 and train volunteer firearm hunter education instructors. The
11 program shall provide a training course having a minimum of (a)
12 ten hours of classroom instruction or (b) independent study on
13 the part of the student sufficient to pass an examination given
14 by the commission followed by such student's participation in a
15 minimum of four hours of practical instruction. The program shall
16 provide instruction in the areas of safe firearms use, shooting
17 and sighting techniques, hunter ethics, game identification, and
18 conservation management. The commission shall issue a firearm
19 hunter education certificate of successful completion to persons
20 having satisfactorily completed a firearm hunter education course
21 accredited by the commission and shall print, purchase, or
22 otherwise acquire materials as necessary for effective program
23 operation. The commission shall adopt and promulgate rules and
24 regulations for carrying out and administering such programs.

25 (2) It shall be unlawful for any person twenty-nine years

1 of age or younger to hunt with a firearm or crossbow any species of
2 game, game birds, or game animals except:

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

6 (b) A person twelve through twenty-nine years of age who
7 has on his or her person proof of successful completion of a hunter
8 education course or a firearm hunter education course issued by the
9 person's state or province of residence or by an accredited program
10 recognized by the commission; or

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

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

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

16 Sec. 2. Original section 37-413, Revised Statutes
17 Supplement, 2009, is repealed.