

LEGISLATIVE BILL 1204

Approved by the Governor April 11, 1972

Introduced by William Skarda, Jr., 7th District

AN ACT to amend section 37-214.03, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to exempt additional persons from payment of fees for hunting and fishing privileges as prescribed; to make certain acts unlawful except as prescribed; to provide for permits, fees, and reports; to provide a penalty; to repeal the original section; and to declare an emergency.

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

Section 1. That section 37-214.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

37-214.03. Any veteran of any war as defined in section 80-401.01, who is a legal resident of the State of Nebraska, and (1) who is rated by the Veterans Administration as fifty per cent or more disabled as a result of service in the armed forces of the United States, or (2) who is receiving a pension from the Veterans Administration as a result of total and permanent disability, which disability was not incurred in line of duty in the military service, or (3) who served in the armed forces of the United States during the Spanish-American War, Phillipine Insurrection, Boxer Rebellion, or World War I and received an honorable discharge for that service, or (4) who is a veteran as defined in section 80-401.01 and is sixty-five years of age or older and received an honorable discharge for such service shall be exempt from the payment of any fees provided by the laws of the State of Nebraska for the privilege of fishing or hunting in Nebraska, except that such exemption shall not extend to the privilege of commercial fishing or of hunting for deer, antelope, wild turkey, or any other species of fish and game on which the open season is limited to a restricted number of permits, or to special permits for a restricted area or game management unit. If disabled persons are unable by reason of physical infirmities to hunt and fish in the normal manner, the Game and Parks Commission may issue special permits without cost to those persons to hunt and fish from a vehicle, but such permit shall not authorize any person to shoot from any public highway. The Game and Parks Commission is authorized to promulgate rules

and regulations necessary to carry out the provisions of this section.

Sec. 2. It shall be unlawful for any person (1) while airborne in any aircraft to shoot or attempt to shoot for the purpose of killing any bird, fish, or other animal, (2) to use any aircraft to harass any bird, fish, or other animal, or (3) to knowingly participate in using any aircraft for such purposes unless he is the holder of a currently-valid permit issued under the provisions of section 3 of this act and engages only in activities permitted by such permit.

Sec. 3. The Game and Parks Commission may, to aid in the protection of livestock and other domesticated animals, issue a special permit authorizing the holder thereof to use aircraft for the purpose of hunting, shooting, or attempting to shoot coyotes. Such permit shall be issued upon the payment of an annual fee of five dollars and shall expire on December 31 following the date of its issuance. The form of such permit and of the application therefor shall be prescribed by the commission.

Sec. 4. The holder of a permit issued under the provisions of section 3 of this act shall report to the Game and Parks Commission, not later than fifteen days after the end of each calendar quarter, the number of coyotes taken during such quarter. The commission shall file with the Secretary of the Interior the annual report required by Public Law 92-159, 92nd Congress, 1971.

Sec. 5. Any person violating the provisions of sections 2 to 4 of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined five dollars.

Sec. 6. Any person who is at least seventy years old shall be exempt from the payment of any fees provided by the laws of the State of Nebraska for the privilege of fishing or hunting in Nebraska, except that such exemption shall not extend to the privilege of commercial fishing or of hunting for deer, antelope, wild turkey, or any other species of fish and game on which the open season is limited to a restricted number of permits, or to special permits for a restricted area or game management unit. If disabled persons are unable by reason of physical infirmities to hunt and fish in the normal manner, the Game and Parks Commission may issue special permits without cost to those persons to hunt and fish from a vehicle, but such permit shall not authorize any person to shoot from any public highway. The Game and Parks Commission is authorized to promulgate rules

and regulations necessary to carry out the provisions of this section.

Sec. 7. That original section 37-214.03, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 8. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.