

## LEGISLATIVE BILL 168

Approved by the Governor February 10, 1989

Introduced by Schmit, 23

AN ACT relating to game and fish reserves and sanctuaries; to amend section 37-410, Reissue Revised Statutes of Nebraska, 1943; to eliminate a provision authorizing the shooting of certain animals on reserves or sanctuaries; and to repeal the original section.

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

Section 1. That section 37-410, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

37-410. Anyone who takes or attempts to take any fish from waters closed by the commission, as herein provided, who kills or takes or attempts to kill or take any game upon any reserve or sanctuary, who goes thereon with a gun or dog, who permits a dog to run thereon, who otherwise intentionally disturbs game or birds thereon and causes them to depart from such reserve or sanctuary, who goes upon any wild fowl sanctuary to fish or for any other purpose during the open season on wild fowl, or who violates any provision of sections 37-401 to 37-411 or any rule or regulation of the Game and Parks Commission relating to game reserves or sanctuaries adopted and promulgated by authority of law, shall be guilty of a Class III misdemeanor. ~~Nothing~~ ~~7~~ ~~PROVIDED~~, ~~nothing~~ herein shall (1) render unlawful the keeping at farm homes, located on the reserves or sanctuaries provided for in this act, such dogs as ordinarily are kept on farms, (2) or render unlawful the possession of firearms by residents on such reserves or sanctuaries where when such firearms are not used to disturb or molest wild fowl or game thereon, or prevent such residents from shooting ~~erows~~, ~~hawks~~, ~~wolves~~ or other carnivorous predatory animals thereon, (3) ~~7~~ ~~PROVIDED FURTHER~~, ~~nothing~~ herein shall prevent members, officers, or employees of the commission from going upon sanctuaries at any time to enforce this act, obtain evidence to enforce it, or otherwise to protect game and fish thereon, or (4) ~~7~~ ~~AND PROVIDED FURTHER~~, ~~nothing~~ herein contained shall make it unlawful to retrieve game birds lawfully killed, from said such reserve or sanctuary.

Sec. 2. That original section 37-410, Reissue Revised Statutes of Nebraska, 1943, is repealed.