

LEGISLATIVE BILL 765

Approved by the Governor March 1, 1974

Introduced by Syas, 13

AN ACT to amend section 37-501, Revised Statutes Supplement, 1972, relating to game and fish; to clarify a prohibition respecting shotguns; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 37-501, Revised Statutes Supplement, 1972, be amended to read as follows:

37-501. It shall be unlawful (1) to shoot from any public highway at any bird or animal protected by this act; (2) except as provided in section 37-226, to hunt, shoot, or take or attempt to hunt, shoot, or take any bird or animal with the aid of an artificial light attached to or used from a motor vehicle; Provided, that nothing in this subdivision shall prohibit the hunting on foot of raccoon with the aid of a handlight, or the hunting, shooting, or taking of nonprotected species of wildlife in the protection of property by landowners or operators or their regular employees on land under their control on foot or from a motor vehicle with the aid of artificial light; (3) to hunt, kill or attempt to hunt or kill any protected species from any boat or watercraft while being propelled by sails or electric, gas or steam power or from an aeroplane or hydroplane; (4) to use any rifle, pistol, revolver, swivel gun, or shotgun larger than ten gauge, in hunting any game birds, or to trap, snare, net or attempt to trap, snare or net any game bird or birds; Provided, that game birds obtained from the holder of a game farm permit or otherwise legally obtained which have been transported and are tagged in accordance with commission regulations and which are being used for dog training purposes, may be reclaimed through the use of recall boxes or recall pens by the holder of a written permit issued by the commission, subject to regulations established by the commission. Such person owning or controlling any device used for reclaiming purposes shall, prior to the operation thereof, pay an annual fee of ten dollars to the commission for each such device under his ownership or control. The commission is hereby authorized to promulgate rules and regulations for the possession, use and licensing of such reclaim devices; (5) to take or needlessly destroy the nests or eggs of any game bird or birds; (6) to hunt, kill or attempt to hunt or kill any game bird or birds by attracting them to the place where

hunted by the distribution of grain or other feed, commonly called baiting; (7) except as provided in section 37-214.03, to hunt, kill, take or attempt to hunt, kill or take any game bird or birds from a vehicle of any kind; (8) to hunt, kill, take, trap or attempt to hunt, kill, take or trap any game birds with nets, traps or clubs, except as specified in subsection subdivision (4) of this section; (9) to hunt, drive, or stir up game birds or game animals with or from any aircraft, or boat propelled by sail or power; or (10) to have or carry, except as permitted by law, any shotgun having shells in either the chamber, receiver, or magazine in or on any vehicle on any public highway, ~~7-unless-such-shotgun--is unloaded.~~

Sec. 2. That original section 37-501, Revised Statutes Supplement, 1972, is repealed.