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Chapter 5

NEBRASKA ADMINISTRATIVE CODE

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Title 163 - NEBRASKA GAME And PARKS COMMISSION

Chapter 5 - State Park Regulations

010 Regulation's governing public hunting at Fort Atkinson, Ash Hollow and Rock Creek Station State Historical Parks.

Under the authority of, and in compliance with Sections 37-301 through 37-314, and 37-344, the following regulations are prescribed by the Game and Parks Commission of the State of Nebraska, and are effective following enactment by the Game and Parks Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

010.01 Hunting may be permitted on Fort Atkinson, Ash Hollow and Rock Creek Station State Historical Parks in accord with established hunting seasons and permit requirements and shall be subject to the following terms and conditions:

010.01A Commission staff will prepare an annual recommendation for Commission review and approval. The recommendation will designate which game species may be hunted, open hunting periods, the areas at each park open for hunting and any other special area restrictions or limitations.

010.01B No person shall hunt within the confines of these State Parks without first obtaining permission to hunt therein. Any person desiring to hunt within the confines of these State Parks must first register to hunt in person at the park headquarters and obtain written evidence of such registration. Such written evidence of registration shall be prima facia evidence of permission to hunt within the confines of this these state historical parks mentioned in Section 010.01 above. Any person hunting within the confines of this these state historical parks shall show their his certificate of registration to any law enforcement officer or Game and Parks Commission employee upon demand. Any person hunting within the confines of this these state historical parks who does not possess on his their person or who fails to show upon demand his written permission to hunt therein shall be deemed to not have permission to hunt within the confines of this these state historical parks.

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010.01C By enactment of these regulations, it is the intent of the Game and Parks Commission to provide for the optimum recreational use of ~~this~~ ~~these~~ historical parks by the using public. Public hunting at ~~this~~ ~~these~~ state historical parks is, therefore, recognized as a sound and proper use of ~~this~~ ~~these~~ state historical parks, when such hunting is compatible with public safety, fire and property protection, and sound management of the wildlife species found within the confines of ~~this~~ ~~these~~ state historical parks. Because the circumstances involving public safety, fire and property protection, and sound wildlife management may change from day to day within the confines of ~~this~~ ~~these~~ state historical parks, the Game and Parks Commission herewith delegates to the Division of State Parks authority to limit the number of registrants, or refuse registrations to hunt, or may limit such registrations to specific game species or to any portion of these State Parks as the primary considerations of public safety, fire and property protection, and sound wildlife management dictate. Registrations shall be accepted on the basis of a public drawing if there are more registrants than area permits available and remaining permits will be issued on an impartial first-come, first-served basis. This delegation to control public hunting at ~~this~~ ~~these~~ state historical parks shall also include authority to provide flexible safety zones around buildings or other portions of ~~this~~ ~~these~~ state historical parks, in which safety zones no permission shall be granted for public hunting.

010.01D To further provide for public safety, fire and property protection and sound wildlife management, authority is herewith delegated by the Game and Parks Commission to the Division of State Parks to divide ~~this~~ ~~these~~ state historical parks into reasonable areas to which one or more hunters may be assigned. Such assigned hunters shall have permission to hunt only their assigned area, and shall not be deemed to have permission to hunt ~~this~~ ~~these~~ state historical parks outside of their assigned areas. Such area assignments shall be indicated in the aforementioned written evidence of registration.

010.01E Be it further provided that in the performance of hunting at ~~this~~ ~~these~~ state historical parks, individual registrations may be granted by the park authority for a valid period of one or more days.