

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 745**

FINAL READING

Introduced by McCollister, 20; Johnson, 23; Kolowski, 31.

Read first time January 06, 2016

Committee: Natural Resources

1 A BILL FOR AN ACT relating to game and parks; to amend section 37-406,  
2 Reissue Revised Statutes of Nebraska, and sections 37-327, 37-405,  
3 37-407, 37-415, 37-420, 37-421, 37-421.01, 37-426, 37-438, 37-447,  
4 37-449, 37-450, 37-451, 37-457, 37-484, 37-490, 37-497, and  
5 37-4,111, Revised Statutes Cumulative Supplement, 2014; to change  
6 the limit for increasing fees by the Game and Parks Commission; to  
7 change provisions relating to permits, permit applications, and game  
8 breeding and controlled shooting areas; to change license, permit,  
9 stamp, and application fees as prescribed; and to repeal the  
10 original sections.  
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-327, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3 37-327 (1) The commission shall establish fees for licenses,  
4 permits, stamps, bands, registrations, and certificates issued under the  
5 Game Law and the State Boat Act as provided in the Game Law and State  
6 Boat Act. The commission shall not increase any fee more than six percent  
7 per year, except that if a fee has not been increased by such percentage  
8 in the immediately preceding two years year, the difference between a six  
9 percent increase and the actual percentage increase in such preceding two  
10 years year may be added to the percentage increase in the following year.  
11 Such fees shall be collected and disposed of as provided in the Game Law  
12 and State Boat Act. The commission shall, as provided in the Game Law and  
13 State Boat Act, establish issuance fees to be retained by authorized  
14 agents issuing such licenses, permits, stamps, bands, registrations, and  
15 certificates. The commission shall establish such fees by the adoption  
16 and promulgation of rules and regulations.

17 (2) Prior to establishing any fee, the commission shall, at least  
18 thirty days prior to the hearing required in section 84-907, make the  
19 following information available for public review:

20 (a) The commission's policy on the minimum cash balance to be  
21 maintained in the fund in which the revenue from the fee being  
22 established is deposited and the justification in support of such policy;

23 (b) Monthly estimates of cash fund revenue, expenditures, and ending  
24 balances for the current fiscal year and the following two fiscal years  
25 for the fund in which the revenue from the fee being established is  
26 deposited. Estimates shall be prepared for both the current fee schedule  
27 and the proposed fee schedule; and

28 (c) A statement of the reasons for establishing the fee at the  
29 proposed level.

30 (3) The commission may adopt and promulgate rules and regulations to  
31 establish fees for expired licenses, permits, stamps, bands,

1 registrations, and certificates issued under the Game Law and the State  
2 Boat Act. The commission shall collect the fees and remit them to the  
3 State Treasurer for credit to the State Game Fund.

4 Sec. 2. Section 37-405, Revised Statutes Cumulative Supplement,  
5 2014, is amended to read:

6 37-405 (1) The commission shall provide for the issuance of permits  
7 to hunt, fish, or harvest fur. Application for such permits shall be made  
8 to the commission or its agents and shall contain such information as may  
9 be prescribed by the commission. All applications for permits to ~~harvest~~  
10 ~~fur~~ shall include the applicant's last four digits of his or her social  
11 security number. A permit shall authorize the person to whom it is issued  
12 to hunt, fish, or harvest fur-bearing animals as provided by the Game Law  
13 during the period for which the permit is issued.

14 (2) If the holder of a hunting permit is a hunter of migratory game  
15 birds, he or she shall be required to declare himself or herself as such  
16 and provide information regarding his or her migratory game bird hunting  
17 activity to the commission. Documentation of such a declaration shall be  
18 made on the hunting permit or a separate document which shall become a  
19 part of the permit. Costs to the commission of implementing such  
20 declaration and documentation and for participation in a federal program  
21 designed to obtain survey information on migratory bird hunting activity  
22 shall be funded from the State Game Fund. For purposes of this  
23 subsection, migratory bird has the definition found in 50 C.F.R. part 10,  
24 subpart B, section 10.12, and migratory game bird has the definition  
25 found in 50 C.F.R. part 20, subpart B, section 20.11(a).

26 (3)(a) All permits shall expire at midnight on December 31 in the  
27 year for which the permit is issued, except as otherwise provided in  
28 subdivision (b) of this subsection and sections 37-415, 37-420, and  
29 37-421.

30 (b) The commission may issue multiple-year permits to hunt, fish, or  
31 harvest fur. The permits shall expire at midnight on December 31 in the

1 last year for which the permit is valid.

2 (c) A multiple-year permit issued to a resident of Nebraska shall  
3 not be made invalid by reason of the holder subsequently residing outside  
4 of Nebraska.

5 (4) A person who is hunting, fur harvesting, or fishing shall  
6 present evidence of having a permit immediately upon demand to any  
7 officer or person whose duty it is to enforce the Game Law. Any person  
8 hunting, fishing, or fur harvesting in this state without such evidence  
9 shall be deemed to be without such permit.

10 (5) The commission shall adopt and promulgate rules and regulations  
11 necessary to carry out this section.

12 Sec. 3. Section 37-406, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 37-406 (1) Licenses, permits, and stamps required under the Game Law  
15 shall be issued by the commission and may be procured from the secretary  
16 of the commission. The commission may provide for the electronic issuance  
17 of any license, permit, or stamp required under the Game Law and may  
18 enter into contracts to procure necessary services and supplies for the  
19 electronic issuance of licenses, permits, and stamps. Except for permits  
20 issued under sections 37-462 and 37-463, the commission may provide for  
21 the issuance of any license, permit, or stamp required under the Game Law  
22 in the form of a number which identifies the holder in the records of the  
23 commission. The commission may designate itself and other persons, firms,  
24 and corporations as agents to issue licenses, permits, and stamps and  
25 collect the prescribed fees. The commission and any person, firm, or  
26 corporation authorized by the commission to issue licenses, permits, and  
27 stamps shall be entitled to collect and retain an additional fee of ~~not~~  
28 ~~less than fifty cents and~~ not more than three ~~two~~ dollars, for each  
29 license, permit, or stamp issued as reimbursement for the clerical work  
30 of issuing the license, permit, or stamp and collecting and remitting the  
31 fees.

1           (2) The commission shall adopt and promulgate rules and regulations  
2 regarding electronic issuance of licenses, permits, and stamps, including  
3 electronic issuance devices, deposits by agents, and remittance of fees.  
4 The commission may provide for the electronic issuance of a license,  
5 permit, or stamp by acknowledging the purchase of such license, permit,  
6 or stamp without requiring a physical license, permit, or stamp or  
7 facsimile of such.

8           (3) It shall be unlawful for any person to duplicate any  
9 electronically issued license, permit, or stamp. Any person violating  
10 this subsection shall be guilty of a Class III misdemeanor and shall be  
11 fined at least seventy-five dollars, and any license, permit, or stamp  
12 involved in such violation shall be confiscated by the court.

13           Sec. 4. Section 37-407, Revised Statutes Cumulative Supplement,  
14 2014, is amended to read:

15           37-407 (1) The commission may offer multiple-year permits or  
16 combinations of permits at reduced rates and may establish fees pursuant  
17 to section 37-327 to be paid to the state for resident and nonresident  
18 annual hunting permits, annual fishing permits, three-day fishing  
19 permits, one-day fishing permits, combination hunting and fishing  
20 permits, fur-harvesting permits, and nonresident two-day hunting permits  
21 issued for periods of two consecutive days, as provided in this section.

22           (2) The fee for a multiple-year permit shall be established by the  
23 commission pursuant to section 37-327 and shall not be more than the  
24 number of years the permit will be valid times the fee required for an  
25 annual permit as provided in subsection (3) or (4) of this section.  
26 Payment for a multiple-year permit shall be made in a lump sum at the  
27 time of application. A replacement multiple-year permit may be issued  
28 under section 37-409 if the original is lost or destroyed.

29           (3) Resident fees shall be (a) not more than eighteen ~~thirteen~~  
30 dollars for an annual hunting permit, (b) not more than twenty-four  
31 ~~seventeen~~ dollars and ~~fifty cents~~ for an annual fishing permit, (c) not

1 more than fifteen ~~eleven~~ dollars and ~~fifty cents~~ for a three-day fishing  
2 permit, (d) not more than nine ~~eight~~ dollars for a one-day fishing  
3 permit, (e) not more than thirty-nine ~~twenty-nine~~ dollars for an annual  
4 fishing and hunting permit, and (f) not more than twenty dollars for an  
5 annual fur harvesting permit.

6 (4) Nonresident fees shall be (a) not more than two hundred sixty  
7 dollars for a period of time specified by the commission for fur  
8 harvesting one thousand or less fur-bearing animals and not more than  
9 seventeen dollars and fifty cents additional for each one hundred or part  
10 of one hundred fur-bearing animals harvested, (b)(i) for persons sixteen  
11 years of age and older, not more than one hundred six ~~eighty~~ dollars for  
12 an annual hunting permit and (ii) for persons under sixteen years of age,  
13 not less than the fee required pursuant to subdivision (3)(a) of this  
14 section for an annual hunting permit, (c) not more than seventy-three  
15 ~~fifty-five~~ dollars for a two-day hunting permit plus the cost of a  
16 habitat stamp, (d) not more than twelve ~~nine~~ dollars for a one-day  
17 fishing permit, (e) not more than twenty-two ~~sixteen~~ dollars and ~~fifty~~  
18 ~~cents~~ for a three-day fishing permit, (f) not more than sixty-six ~~forty-~~  
19 ~~nine~~ dollars and ~~fifty cents~~ for an annual fishing permit, and (g)(i) for  
20 persons sixteen years of age and older, not more than one hundred fifty-  
21 nine ~~fifty~~ dollars for an annual fishing and hunting permit and (ii) for  
22 persons under sixteen years of age, not less than the fee required  
23 pursuant to subdivision (3)(e) of this section for an annual fishing and  
24 hunting permit.

25 Sec. 5. Section 37-415, Revised Statutes Cumulative Supplement,  
26 2014, is amended to read:

27 37-415 (1) The commission may issue to any Nebraska resident a  
28 lifetime fur-harvesting, fishing, hunting, or combination hunting and  
29 fishing permit upon application and payment of the appropriate fee. The  
30 fee for a resident lifetime fur-harvesting permit shall be not more than  
31 two hundred ninety-nine dollars, the fee for a resident lifetime hunting

1 permit shall be not more than three hundred ninety-six ~~two hundred~~  
2 ~~ninety-nine~~ dollars, the fee for a resident lifetime fishing permit shall  
3 be not more than four hundred fifty-seven ~~three hundred forty-five~~  
4 dollars plus the cost of a lifetime aquatic habitat stamp, and the fee  
5 for a resident lifetime combination hunting and fishing permit shall be  
6 not more than seven hundred ninety-two ~~five hundred ninety-eight~~ dollars  
7 plus the cost of a lifetime aquatic habitat stamp, as such fees are  
8 established by the commission pursuant to section 37-327. Payment of the  
9 fee shall be made in a lump sum at the time of application.

10 (2) A resident lifetime permit shall not be made invalid by reason  
11 of the holder subsequently residing outside the state.

12 (3) The commission may issue to any nonresident a lifetime fishing,  
13 hunting, or combination hunting and fishing permit upon application and  
14 payment of the appropriate fee. The fee for a nonresident lifetime  
15 hunting permit shall be not more than one thousand five hundred sixty-two  
16 ~~twelve hundred fifty~~ dollars, the fee for a nonresident lifetime fishing  
17 permit shall be not more than one thousand one hundred twenty-five ~~eight~~  
18 ~~hundred fifty~~ dollars plus the cost of a lifetime aquatic habitat stamp,  
19 and the fee for a nonresident lifetime combination hunting and fishing  
20 permit shall be not more than two thousand three hundred forty-two ~~two~~  
21 ~~thousand~~ dollars plus the cost of a lifetime aquatic habitat stamp, as  
22 such fees are established by the commission pursuant to section 37-327.  
23 Payment of the fee shall be made in a lump sum at the time of  
24 application.

25 (4) A replacement resident or nonresident lifetime permit may be  
26 issued if the original has been lost or destroyed. The fee for a  
27 replacement shall be ~~not less than one dollar and fifty cents~~ and not  
28 more than five dollars, as established by the commission.

29 (5) The commission may adopt and promulgate rules and regulations to  
30 carry out this section and sections 37-416 and 37-417. Such rules and  
31 regulations may include, but need not be limited to, establishing fees

1 which vary based on the age of the applicant.

2 Sec. 6. Section 37-420, Revised Statutes Cumulative Supplement,  
3 2014, is amended to read:

4 37-420 (1) Any veteran who is a legal resident of the State of  
5 Nebraska shall, upon application and without payment of any fee, be  
6 issued a combination fishing, fur harvesting, and hunting permit, habitat  
7 stamp, aquatic habitat stamp, and Nebraska migratory waterfowl stamp if  
8 the veteran:

9 (a) Was discharged or separated with a characterization of honorable  
10 or general (under honorable conditions); and

11 (b)(i) Is rated by the United States Department of Veterans Affairs  
12 as fifty percent or more disabled as a result of service in the armed  
13 forces of the United States; or

14 (ii) Is receiving a pension from the department as a result of total  
15 and permanent disability, which disability was not incurred in the line  
16 of duty in the military service.

17 (2) If disabled persons are unable by reason of physical infirmities  
18 to hunt and fish in the normal manner, the commission may issue special  
19 permits without cost to those persons to hunt and fish from a vehicle,  
20 but such permits shall not authorize any person to shoot from any public  
21 highway.

22 (3) All permits issued without the payment of any fees pursuant to  
23 this section shall be perpetual and become void only upon termination of  
24 eligibility as provided in this section.

25 (4) The commission may adopt and promulgate rules and regulations  
26 necessary to carry out this section.

27 (5) Permits issued under subdivision (3) of this section as it  
28 existed prior to January 1, 2006, shall not expire as provided in section  
29 37-421.

30 Sec. 7. Section 37-421, Revised Statutes Cumulative Supplement,  
31 2014, is amended to read:



1           37-421 (1) The commission may issue an annual combination fishing,  
2 fur harvesting, and hunting permit, habitat stamp, aquatic habitat stamp,  
3 and Nebraska migratory waterfowl stamp upon application and payment of a  
4 fee of five dollars to (a) any Nebraska resident who is a veteran, who is  
5 sixty-four years of age or older, and who was discharged or separated  
6 with a characterization of honorable or general (under honorable  
7 conditions) or (b) any Nebraska resident who is sixty-nine years of age  
8 or older.

9           (2) A permit issued as provided in this section shall expire as  
10 provided in subdivision (3)(a) of section 37-405. Permits issued under  
11 this section as it existed before January 1, 2006, shall not expire as  
12 provided in section 37-405.

13           (3) If disabled persons are unable by reason of physical infirmities  
14 to hunt and fish in the normal manner, the commission may issue special  
15 permits without cost to those persons to hunt and fish from a vehicle,  
16 but such permits shall not authorize any person to shoot from any public  
17 highway.

18           (4) The commission may adopt and promulgate rules and regulations  
19 necessary to carry out this section.

20           Sec. 8. Section 37-421.01, Revised Statutes Cumulative Supplement,  
21 2014, is amended to read:

22           37-421.01 (1) Notwithstanding any provision of section 37-407 to the  
23 contrary, a Nebraska resident who is deployed out of state with a branch  
24 of the United States military or has been so deployed within the last  
25 twelve months at the time of application shall be entitled to receive an  
26 annual combination fishing, fur harvesting, and hunting permit, habitat  
27 stamp, aquatic habitat stamp, and Nebraska migratory waterfowl stamp on a  
28 one-time basis upon returning to the state if the resident:

29           (a) Submits an application to the commission with a fee of five  
30 dollars; and

31           (b) Provides to the commission evidence of the resident's deployment

1 out of state.

2 (2)(a) Notwithstanding any provision of section 37-447, 37-449,  
3 37-450, 37-451, or 37-457 to the contrary, a Nebraska resident who  
4 purchased a big game permit and who was deployed out of state with a  
5 branch of the United States military for the entire season of the hunt  
6 and who was unable to use the permit shall be entitled to receive a  
7 discounted permit on a one-time basis upon returning to the state if the  
8 resident provides to the commission evidence of deployment.  
9 Alternatively, the member of the military may request a refund of the  
10 amount paid for a big game permit and the commission shall pay such  
11 amount.

12 (b) For purposes of this subsection, big game means antelope, deer,  
13 elk, mountain sheep, and wild turkeys.

14 (c) The commission shall establish a fee of five dollars for the  
15 discounted permits authorized in this subsection.

16 (3) The commission may authorize electronic issuance of the  
17 discounted permits authorized under this section.

18 (4) The commission may adopt and promulgate rules and regulations  
19 that set forth the procedures for applying for, and the issuance of, the  
20 discounted permits authorized in this section, including what constitutes  
21 evidence of deployment to qualify for the permits.

22 Sec. 9. Section 37-426, Revised Statutes Cumulative Supplement,  
23 2014, is amended to read:

24 37-426 (1) Except as provided in subsection (4) of this section:

25 (a) No resident of Nebraska sixteen years of age or older and no  
26 nonresident of Nebraska regardless of age shall hunt, harvest, or possess  
27 any game bird, upland game bird, game animal, or fur-bearing animal  
28 unless, at the time of such hunting, harvesting, or possessing, such  
29 person has an unexpired habitat stamp as prescribed by the rules and  
30 regulations of the commission prior to the time of hunting, harvesting,  
31 or possessing such bird or animal;

1 (b) No resident or nonresident of Nebraska shall take or possess any  
2 aquatic organism requiring a Nebraska fishing permit, including any fish,  
3 bullfrog, snapping turtle, tiger salamander, or mussel, unless, at the  
4 time of such taking or possessing, such person has an unexpired aquatic  
5 habitat stamp as prescribed by the rules and regulations of the  
6 commission prior to the time of taking or possessing a fish, bullfrog,  
7 snapping turtle, tiger salamander, or mussel; and

8 (c) No resident of Nebraska sixteen years of age or older and no  
9 nonresident of Nebraska regardless of age shall hunt, harvest, or possess  
10 any migratory waterfowl unless, at the time of such hunting, harvesting,  
11 or possessing, such person has an unexpired Nebraska migratory waterfowl  
12 stamp as prescribed by the rules and regulations of the commission prior  
13 to the time of hunting, harvesting, or possessing such migratory  
14 waterfowl.

15 (2)(a) The commission may issue a lifetime habitat stamp upon  
16 application and payment of the appropriate fee. The fee for a lifetime  
17 habitat stamp shall be twenty times the fee required in subsection (5) of  
18 this section for an annual habitat stamp. Payment of such fee shall be  
19 made in a lump sum at the time of application. A replacement lifetime  
20 habitat stamp may be issued if the original is lost or destroyed. The fee  
21 for a replacement shall be not more than five dollars, as established by  
22 the commission.

23 (b) The commission may issue a lifetime Nebraska migratory waterfowl  
24 stamp upon application and payment of the appropriate fee. The fee for a  
25 lifetime Nebraska migratory waterfowl stamp shall be twenty times the fee  
26 required in subsection (5) of this section for an annual Nebraska  
27 migratory waterfowl stamp. Payment of such fee shall be made in a lump  
28 sum at the time of application. A replacement Nebraska lifetime migratory  
29 waterfowl stamp may be issued if the original is lost or destroyed. The  
30 fee for a replacement shall be not more than five dollars, as established  
31 by the commission.

1 (c) The commission may issue a lifetime aquatic habitat stamp upon  
2 application and payment of the appropriate fee. The fee for a lifetime  
3 aquatic habitat stamp shall be twenty times the fee required in  
4 subdivision (5)(c) of this section for an annual aquatic habitat stamp  
5 ~~not more than two hundred dollars as established by the commission~~  
6 ~~pursuant to section 37-327~~. Payment of such fee shall be made in a lump  
7 sum at the time of application. A replacement lifetime aquatic habitat  
8 stamp may be issued if the original is lost or destroyed. The fee for a  
9 replacement shall be not more than five dollars, as established by the  
10 commission.

11 (3)(a) The commission may issue a multiple-year habitat stamp upon  
12 application and payment of the appropriate fee. The fee for a multiple-  
13 year habitat stamp shall be established by the commission pursuant to  
14 section 37-327 and shall not be more than the number of years the stamp  
15 is valid times the fee required in subsection (5) of this section for an  
16 annual habitat stamp. Payment of such fee shall be made in a lump sum at  
17 the time of application. A replacement multiple-year habitat stamp may be  
18 issued if the original is lost or destroyed.

19 (b) The commission may issue a multiple-year Nebraska migratory  
20 waterfowl stamp upon application and payment of the appropriate fee. The  
21 fee for a multiple-year Nebraska migratory waterfowl stamp shall be  
22 established by the commission pursuant to section 37-327 and shall not be  
23 more than the number of years the stamp is valid times the fee required  
24 in subsection (5) of this section for an annual Nebraska migratory  
25 waterfowl stamp. Payment of such fee shall be made in a lump sum at the  
26 time of application. A replacement Nebraska multiple-year migratory  
27 waterfowl stamp may be issued if the original is lost or destroyed.

28 (c) The commission may issue a multiple-year aquatic habitat stamp  
29 upon application and payment of the appropriate fee. The fee for a  
30 multiple-year aquatic habitat stamp shall be established by the  
31 commission pursuant to section 37-327 and shall not be more than the

1 number of years the stamp is valid times the fee required in subsection  
2 (5) of this section for an annual aquatic habitat stamp. Payment of such  
3 fee shall be made in a lump sum at the time of application. A replacement  
4 multiple-year aquatic habitat stamp may be issued if the original is lost  
5 or destroyed.

6 (4) Habitat stamps are not required for holders of limited permits  
7 issued under section 37-455. Aquatic habitat stamps are not required (a)  
8 when a fishing permit is not required, (b) for holders of permits  
9 pursuant to section 37-424, or (c) for holders of lifetime fishing  
10 permits or lifetime combination hunting and fishing permits purchased  
11 prior to January 1, 2006. Nebraska migratory waterfowl stamps are not  
12 required for hunting, harvesting, or possessing any species other than  
13 ducks, geese, or brant. For purposes of this section, a showing of proof  
14 of the electronic issuance of a stamp by the commission shall fulfill the  
15 requirements of this section.

16 (5)(a) Any person to whom a stamp has been issued shall, immediately  
17 upon request, exhibit evidence of issuance of the stamp to any officer.  
18 Any person hunting, fishing, harvesting, or possessing any game bird,  
19 upland game bird, game animal, or fur-bearing animal or any aquatic  
20 organism requiring a fishing permit in this state without evidence of  
21 issuance of the appropriate stamp shall be deemed to be without such  
22 stamp.

23 (b) An annual habitat stamp shall be issued upon the payment of a  
24 fee of twenty-five ~~twenty~~ dollars per stamp. A multiple-year habitat  
25 stamp shall be issued in conjunction with a multiple-year hunting permit  
26 or a multiple-year combination hunting and fishing permit at a fee of not  
27 more than twenty-five ~~twenty~~ dollars times the number of years the  
28 multiple-year permit is valid.

29 (c) An aquatic habitat stamp shall be issued in conjunction with  
30 each fishing permit for a fee of fifteen ~~ten~~ dollars per stamp for annual  
31 fishing permits, three-day fishing permits, or combination hunting and

1 fishing permits, a fee of not more than fifteen ~~ten~~ dollars times the  
2 number of years the multiple-year fishing permit or a multiple-year  
3 combination hunting and fishing permit is valid, and a fee of not more  
4 than twenty times the fee required for an annual aquatic habitat stamp  
5 ~~two hundred dollars~~ for lifetime fishing or combination hunting and  
6 fishing permits. The fee established under section 37-407 for a one-day  
7 fishing permit shall include an aquatic habitat stamp. One dollar from  
8 the sale of each one-day fishing permit shall be remitted to the State  
9 Treasurer for credit to the Nebraska Aquatic Habitat Fund.

10 (d) An annual Nebraska migratory waterfowl stamp shall be issued  
11 upon the payment of a fee of not less than ten dollars and not more than  
12 sixteen dollars per stamp. A multiple-year Nebraska migratory waterfowl  
13 stamp may only be issued in conjunction with a multiple-year hunting  
14 permit or a multiple-year combination hunting and fishing permit at a fee  
15 of not more than the annual fee ~~twenty dollars~~ times the number of years  
16 the multiple-year permit is valid.

17 (e) The commission shall establish the fees pursuant to section  
18 37-327.

19 Sec. 10. Section 37-438, Revised Statutes Cumulative Supplement,  
20 2014, is amended to read:

21 37-438 (1) The commission shall devise permits in two forms: Annual  
22 and temporary.

23 (2) The annual permit may be purchased by any person and shall be  
24 valid through December 31 in the year for which the permit is issued. The  
25 fee for the annual permit for a resident motor vehicle shall be not less  
26 than thirty dollars and not more than thirty-five ~~twenty-five~~ dollars per  
27 permit. The fee for the annual permit for a nonresident motor vehicle  
28 shall not be less than the fee for a resident motor vehicle and not more  
29 than forty-five ~~thirty~~ dollars. The commission shall establish such fees  
30 by the adoption and promulgation of rules and regulations.

31 (3) A temporary permit may be purchased by any person and shall be

1 valid until noon of the day following the date of issue. The fee for the  
2 temporary permit for a resident motor vehicle shall be not less than six  
3 dollars and not more than seven ~~five~~ dollars. The fee for the temporary  
4 permit for a nonresident motor vehicle shall not be less than the fee for  
5 a resident motor vehicle and not more than eight ~~six~~ dollars. The  
6 commission shall establish such fees by the adoption and promulgation of  
7 rules and regulations. The commission may issue temporary permits which  
8 are either valid for any area or valid for a single area.

9 Sec. 11. Section 37-447, Revised Statutes Cumulative Supplement,  
10 2014, is amended to read:

11 37-447 (1) The commission may issue permits for the hunting of deer  
12 and adopt and promulgate rules and regulations and pass commission orders  
13 pursuant to section 37-314 to prescribe limitations for the hunting,  
14 transportation, and possession of deer. The commission may offer  
15 multiple-year permits or combinations of permits at reduced rates. The  
16 commission may specify by rule and regulation the information to be  
17 required on applications for such permits. Rules and regulations for the  
18 hunting, transportation, and possession of deer may include, but not be  
19 limited to, rules and regulations as to the type, caliber, and other  
20 specifications of firearms and ammunition used and specifications for  
21 bows and arrows used. Such rules and regulations may further specify and  
22 limit the method of hunting deer and may provide for dividing the state  
23 into management units or areas, and the commission may enact different  
24 deer hunting regulations for the different management units pertaining to  
25 sex, species, and age of the deer hunted.

26 (2) The number of such permits may be limited as provided by the  
27 rules and regulations of the commission, and except as provided in  
28 section 37-454, the permits shall be allocated in an impartial manner.  
29 Whenever the commission deems it advisable to limit the number of permits  
30 issued for any or all management units, the commission shall, by rules  
31 and regulations, determine eligibility to obtain such permits. In

1 establishing eligibility, the commission may give preference to persons  
2 who did not receive a permit or a specified type of permit during the  
3 previous year or years.

4 (3) Such permits may be issued to allow deer hunting in the Nebraska  
5 National Forest and other game reserves and such other areas as the  
6 commission may designate whenever the commission deems that permitting  
7 such hunting will not be detrimental to the proper preservation of  
8 wildlife in Nebraska in such forest, reserves, or areas.

9 (4)(a) The commission may, pursuant to section 37-327, establish and  
10 charge a nonrefundable application fee of not more than seven dollars for  
11 deer permits in those management units awarded on the basis of a random  
12 drawing. The commission shall, pursuant to section 37-327, establish and  
13 charge a fee of not more than thirty-nine ~~twenty-nine~~ dollars for  
14 residents and not more than two hundred eighty-four ~~fourteen~~ dollars for  
15 nonresidents for each permit issued under this section except as  
16 otherwise provided in subdivision (b) of this subsection and subsection  
17 (6) of this section.

18 (b) The fee for a statewide buck-only permit limited to white-tailed  
19 deer shall be no more than two and one-half times the amount of a regular  
20 deer permit. The fee for a statewide buck-only deer permit that allows  
21 harvest of mule deer shall be no more than five times the amount of a  
22 regular deer permit ~~commission may provide different fees for different~~  
23 ~~species.~~

24 (5)(a) The commission may issue nonresident permits after preference  
25 has been given for the issuance of resident permits as provided in rules  
26 and regulations adopted and promulgated by the commission.

27 (b) In management units specified by the commission, the commission  
28 may issue nonresident permits after resident preference has been provided  
29 by allocating at least eighty-five percent of the available permits to  
30 residents. The commission may require a predetermined application period  
31 for permit applications in specified management units. Such permits shall



1 be issued after a reasonable period for making application, as  
2 established by the commission, has expired. When more valid applications  
3 are received for a designated management unit than there are permits  
4 available, such permits shall be allocated on the basis of a random  
5 drawing. All valid applications received during the predetermined  
6 application period shall be considered equally in any such random drawing  
7 without regard to time of receipt of such applications by the commission.

8 (6) The commission shall, pursuant to section 37-327, establish and  
9 charge a fee of not more than twenty-five dollars for residents and not  
10 more than forty-five dollars for nonresidents for a youth deer permit.

11 (7) Any person violating the rules and regulations adopted and  
12 promulgated or commission orders passed pursuant to this section shall be  
13 guilty of a Class II misdemeanor and shall be fined at least one hundred  
14 dollars upon conviction.

15 Sec. 12. Section 37-449, Revised Statutes Cumulative Supplement,  
16 2014, is amended to read:

17 37-449 (1) The commission may issue permits for hunting antelope and  
18 may adopt and promulgate separate and, when necessary, different rules  
19 and regulations therefor within the limitations prescribed in sections  
20 37-447 and 37-452 for hunting deer. The commission may offer multiple-  
21 year permits or combinations of permits at reduced rates.

22 (2) The commission may, pursuant to section 37-327, establish and  
23 charge a nonrefundable application fee of not more than seven dollars.  
24 The commission shall, pursuant to section 37-327, establish and charge a  
25 fee of not more than thirty-nine ~~twenty-nine~~ dollars for residents and  
26 not more than one hundred ninety-eight ~~forty-nine~~ dollars ~~and fifty cents~~  
27 for nonresidents for each permit issued under this section except as  
28 provided in subsection (4) of this section.

29 (3) The provisions for the distribution of deer permits and the  
30 authority of the commission to determine eligibility of applicants for  
31 permits as described in sections 37-447 and 37-452 shall also apply to

1 the distribution of antelope permits.

2 (4) The commission shall, pursuant to section 37-327, establish and  
3 charge a fee of not more than twenty-five dollars for residents and not  
4 more than forty-five dollars for nonresidents for a youth antelope  
5 permit.

6 (5) Any person violating the rules and regulations adopted and  
7 promulgated pursuant to this section shall be guilty of a Class II  
8 misdemeanor and shall be fined at least one hundred dollars upon  
9 conviction.

10 Sec. 13. Section 37-450, Revised Statutes Cumulative Supplement,  
11 2014, is amended to read:

12 37-450 (1) The commission may issue permits for hunting elk and may  
13 adopt and promulgate separate and, when necessary, different rules and  
14 regulations therefor within the limitations prescribed in sections 37-447  
15 and 37-452 for hunting deer.

16 (2) The commission shall, pursuant to section 37-327, establish and  
17 charge (a) a nonrefundable application fee of not more than twelve ~~eight~~  
18 ~~dollars and fifty cents~~ for a resident elk permit and not to exceed three  
19 times such amount for a nonresident elk permit and (b) a fee of not more  
20 than one hundred ninety-eight ~~forty-nine~~ dollars ~~and fifty cents~~ for each  
21 resident elk permit issued and ~~not to exceed~~ three times such amount for  
22 each nonresident elk permit issued.

23 (3) An applicant shall not be issued a resident elk permit that  
24 allows the harvest of an antlered elk more than once every five years. A  
25 person may only harvest one antlered elk in his or her lifetime except  
26 when harvesting an antlered elk with a limited permit to hunt elk  
27 pursuant to subdivision (1)(b) of section 37-455 or an auction or lottery  
28 permit pursuant to section 37-455.01.

29 (4) The provisions for the distribution of deer permits and the  
30 authority of the commission to determine eligibility of applicants for  
31 permits as described in sections 37-447 and 37-452 shall also apply to

1 the distribution of elk permits.

2 (5) Any person violating the rules and regulations adopted and  
3 promulgated pursuant to this section shall be guilty of a Class III  
4 misdemeanor and shall be fined at least two hundred dollars upon  
5 conviction.

6 Sec. 14. Section 37-451, Revised Statutes Cumulative Supplement,  
7 2014, is amended to read:

8 37-451 (1) The commission may issue permits for hunting mountain  
9 sheep and may adopt and promulgate separate and, when necessary,  
10 different rules and regulations therefor within the limitations  
11 prescribed in subsection (1) of section 37-447 and section 37-452 for  
12 hunting deer. Such rules and regulations shall include provisions  
13 allowing persons who find dead mountain sheep, or any part of a mountain  
14 sheep, to turn over to the commission such mountain sheep or part of a  
15 mountain sheep. The commission may dispose of such mountain sheep or part  
16 of a mountain sheep as it deems reasonable and prudent. Except as  
17 otherwise provided in this section, the permits shall be issued to  
18 residents of Nebraska.

19 (2) The commission shall, pursuant to section 37-327, establish and  
20 charge a nonrefundable application fee of not more than thirty-four  
21 ~~twenty-five~~ dollars for permits issued only to residents. Any number of  
22 resident-only permits, as authorized by the commission, shall be awarded  
23 by random drawing to eligible applicants. No permit fee shall be charged  
24 in addition to the nonrefundable application fee.

25 (3) No more than one additional permit may be authorized and issued  
26 pursuant to an auction open to residents and nonresidents. The auction  
27 shall be conducted according to rules and regulations prescribed by the  
28 commission. Any money derived from the sale of permits by auction shall  
29 be used only for perpetuation and management of mountain sheep, elk, and  
30 deer.

31 (4) If the commission determines to limit the number of permits

1 issued for any or all management units, the commission shall by rule and  
2 regulation determine eligibility requirements for the permits.

3 (5) A person may obtain only one mountain sheep permit in his or her  
4 lifetime.

5 (6) Any person violating the rules and regulations adopted and  
6 promulgated pursuant to this section shall be guilty of a Class III  
7 misdemeanor and shall be fined at least five hundred dollars upon  
8 conviction.

9 Sec. 15. Section 37-457, Revised Statutes Cumulative Supplement,  
10 2014, is amended to read:

11 37-457 (1) The commission may issue permits for hunting wild turkey  
12 and prescribe and establish regulations and limitations for the hunting,  
13 transportation, and possession of wild turkey. The commission may offer  
14 multiple-year permits or combinations of permits at reduced rates. The  
15 number of such permits may be limited as provided by the regulations of  
16 the commission, but the permits shall be disposed of in an impartial  
17 manner. Such permits may be issued to allow wild turkey hunting in the  
18 Nebraska National Forest and other game reserves and such other areas as  
19 the commission may designate whenever the commission deems that  
20 permitting such hunting would not be detrimental to the proper  
21 preservation of wildlife in such forest, reserves, or areas.

22 (2) The commission shall, pursuant to section 37-327, establish and  
23 charge a fee of not more than thirty-one ~~twenty-three~~ dollars for  
24 residents and not more than one hundred twenty-six ~~ninety-five~~ dollars  
25 for nonresidents for each permit issued under this section except as  
26 provided in subsection (5) of this section.

27 (3) The commission may issue nonresident permits after preference  
28 has been given for the issuance of resident permits as provided in rules  
29 and regulations adopted and promulgated by the commission. The commission  
30 may require a predetermined application period for permit applications in  
31 specified management units.

1 (4) The provisions of section 37-447 for the distribution of deer  
2 permits also may apply to the distribution of wild turkey permits. No  
3 permit to hunt wild turkey shall be issued without payment of the fee  
4 required by this section.

5 (5) The commission shall, pursuant to section 37-327, establish and  
6 charge a fee of not more than twenty-five dollars for residents and not  
7 more than forty-five dollars for nonresidents for a youth wild turkey  
8 permit.

9 Sec. 16. Section 37-484, Revised Statutes Cumulative Supplement,  
10 2014, is amended to read:

11 37-484 Any person or persons owning, holding, or controlling by  
12 lease or otherwise, which possession must be for a term of five or more  
13 years, any tract or tracts of land having an area of not less than eighty  
14 acres and not more than two thousand five hundred sixty acres who desires  
15 to establish a game breeding and controlled shooting area to propagate,  
16 preserve, and shoot game birds under the regulations as provided in  
17 sections 37-484 to 37-496 shall make application to the commission for a  
18 license as provided by such sections. Such application shall be made  
19 under oath of the applicant or one of its principal officers if the  
20 applicant is an association, club, or corporation and shall be  
21 accompanied by a license fee of not more than one hundred ninety-eight  
22 ~~forty-nine dollars and fifty cents~~, as established by the commission  
23 pursuant to section 37-327. Any controlled shooting area existing on  
24 February 18, 1987, shall continue in operation on the existing acreage  
25 until such controlled shooting area license is not renewed or canceled.  
26 If the applicant is an individual, the application shall include the  
27 applicant's social security number.

28 Sec. 17. Section 37-490, Revised Statutes Cumulative Supplement,  
29 2014, is amended to read:

30 37-490 No person shall hunt any upland game birds and mallard ducks  
31 upon such breeding and controlled shooting area except between September

1 1 and April 15 ~~1~~ of each year, except that turkeys may be hunted  
2 throughout the open season and dog training or dog trial activities may  
3 be permitted as prescribed by rules and regulations of the commission or  
4 commission orders.

5 Sec. 18. Section 37-497, Revised Statutes Cumulative Supplement,  
6 2014, is amended to read:

7 37-497 (1) The commission may take such steps as it deems necessary  
8 to provide for the protection and management of raptors.

9 (2) The commission may issue falconry permits for the taking and  
10 possession of raptors for the purpose of practicing falconry. A falconry  
11 permit may be issued only to a resident of the state who has paid the  
12 fees required in this subsection and has passed a written and oral  
13 examination concerning raptors given by the commission or an authorized  
14 representative of the commission. The commission shall charge a fee for  
15 each permit of not more than twenty-three ~~seventeen~~ dollars for persons  
16 twelve to seventeen years of age and not more than sixty-one ~~forty-six~~  
17 dollars for persons eighteen years of age and older, as established by  
18 the commission pursuant to section 37-327. If the applicant fails to pass  
19 the examination, he or she shall not be entitled to reapply for a  
20 falconry permit for a period of six months after the date of the  
21 examination. A person less than twelve years of age shall not be issued a  
22 falconry permit. A person from twelve to seventeen years of age may be  
23 issued a permit only if he or she is sponsored by an adult who has a  
24 valid falconry permit and appropriate experience. All falconry permits  
25 shall be nontransferable and shall expire three years after the date of  
26 issuance. If the commission is satisfied as to the competency and fitness  
27 of an applicant whose permit has expired, his or her permit may be  
28 renewed without requiring further examination subject to terms and  
29 conditions imposed by the commission. The commission shall adopt and  
30 promulgate rules and regulations outlining species of raptors which may  
31 be taken, captured, or held in possession.

1           (3) The commission may issue captive propagation permits to allow  
2 the captive propagation of raptors. A permit may be issued to a resident  
3 of the state who has paid the fee required in this subsection. The fee  
4 for each permit shall be not more than three hundred five ~~two hundred~~  
5 ~~thirty~~ dollars, as established by the commission pursuant to section  
6 37-327. The permit shall be nontransferable, shall expire three years  
7 after the date of issuance, and may be renewed under terms and conditions  
8 established by the commission. The commission shall authorize the species  
9 and the number of each such species which may be taken, captured,  
10 acquired, or held in possession. The commission shall adopt and  
11 promulgate rules and regulations governing the issuance and conditions of  
12 captive propagation permits.

13           (4) The commission may issue raptor collecting permits to  
14 nonresidents as prescribed by the rules and regulations of the  
15 commission. The fee for a permit shall be not more than two hundred  
16 sixty-five dollars, as established by the commission pursuant to section  
17 37-327. A raptor collecting permit shall be nontransferable. The  
18 commission shall adopt and promulgate rules and regulations governing the  
19 issuance and conditions of raptor collecting permits.

20           Sec. 19. Section 37-4,111, Revised Statutes Cumulative Supplement,  
21 2014, is amended to read:

22           37-4,111 The commission may adopt and promulgate rules and  
23 regulations to provide for the issuance of permits for the taking of  
24 paddlefish. The commission may, pursuant to section 37-327, establish and  
25 charge a fee of not more than thirty-five dollars for residents. The fee  
26 for a nonresident permit to take paddlefish shall be two times the  
27 resident permit fee. In addition, the commission may, pursuant to section  
28 37-327, establish and charge a nonrefundable application fee of not more  
29 than seven dollars. All fees collected under this section shall be  
30 remitted to the State Treasurer for credit to the State Game Fund.

31           Sec. 20. Original section 37-406, Reissue Revised Statutes of

1 Nebraska, and sections 37-327, 37-405, 37-407, 37-415, 37-420, 37-421,  
2 37-421.01, 37-426, 37-438, 37-447, 37-449, 37-450, 37-451, 37-457,  
3 37-484, 37-490, 37-497, and 37-4,111, Revised Statutes Cumulative  
4 Supplement, 2014, are repealed.