

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 745

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 and permit applications; to
8 change license, permit, stamp, and application fees as prescribed;
9 and to repeal the original sections.
10 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.