

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 562

Introduced by Brandt, 32.

Read first time January 22, 2025

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to game and parks; to amend section 37-440,
- 2 Reissue Revised Statutes of Nebraska, and sections 37-438, 37-451,
- 3 37-455, and 37-1214, Revised Statutes Cumulative Supplement, 2024;
- 4 to change fees; to change provisions relating to the issuing of
- 5 certain permits; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 37-438, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 37-438 (1) The commission shall devise annual, temporary, disabled
4 veteran, and active-duty military permits.

5 (2) The annual permit may be purchased by any person and shall be
6 valid through December 31 in the year for which the permit is issued. The
7 fee for the annual permit for a resident motor vehicle shall be not more
8 than fifty ~~thirty-five~~ dollars per permit. The fee for the annual permit
9 for a nonresident motor vehicle shall be two times the fee for a resident
10 motor vehicle ~~or sixty dollars, whichever is greater~~. The commission
11 shall establish such fees by the adoption and promulgation of rules and
12 regulations.

13 (3) A temporary permit may be purchased by any person and shall be
14 valid until noon of the day following the date of issue. The fee for the
15 temporary permit for a resident motor vehicle shall be not more than ten
16 ~~seven~~ dollars. The fee for the temporary permit for a nonresident motor
17 vehicle shall be two times the fee for a resident motor vehicle ~~or twelve~~
18 ~~dollars, whichever is greater~~. The commission shall establish such fees
19 by the adoption and promulgation of rules and regulations. The commission
20 may issue temporary permits which are either valid for any area or valid
21 for a single area.

22 (4)(a) A veteran who is a resident of Nebraska shall, upon
23 application and without payment of any fee, be issued one disabled
24 veteran permit for a resident motor vehicle if the veteran:

25 (i) Was discharged or separated with a characterization of honorable
26 or general (under honorable conditions); and

27 (ii)(A) Is rated by the United States Department of Veterans Affairs
28 as fifty percent or more disabled as a result of service in the armed
29 forces of the United States; or

30 (B) Is receiving a pension from the United States Department of
31 Veterans Affairs as a result of total and permanent disability, which

1 disability was not incurred in the line of duty in the military service.

2 (b) All disabled veteran permits issued pursuant to this subsection
3 shall be perpetual and shall become void only upon termination of
4 eligibility as provided in this subsection.

5 (5) An active-duty military permit may be purchased by any
6 individual who is active-duty military and shall be valid through
7 December 31 in the year for which the permit is issued. The fee for the
8 active-duty military permit is five dollars, regardless of residency. To
9 qualify for an active-duty military permit, the individual shall present:

10 (a) Such individual's military identification card; and

11 (b) Proof that such individual is stationed at a military base
12 located in Nebraska for active-duty military service.

13 (6) The commission may offer permits or combinations of permits at
14 temporarily reduced rates for specific events or during specified
15 timeframes.

16 (7) The commission may adopt and promulgate rules and regulations to
17 carry out this section.

18 **Sec. 2.** Section 37-440, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 37-440 (1) The commission shall prescribe the type and design of
21 permits and the method for displaying permits on the driver's side of the
22 windshield of motor vehicles. ~~The commission may provide for the
23 electronic issuance of permits and may enter into contracts to procure
24 necessary services and supplies for the electronic issuance of permits.~~

25 (2) The permits may be procured from the central and district
26 offices of the commission, at areas of the Nebraska state park system
27 where commission offices are maintained, from self-service vending
28 stations at designated park areas, from designated commission employees,
29 through Internet sales from the commission's website, from appropriate
30 offices of county government, and from various private persons, firms, or
31 corporations designated by the commission as permit agents. The

1 commission and county offices or private persons, firms, or corporations
2 designated by the commission as permit agents shall be entitled to
3 collect and retain an issuing fee pursuant to section 37-406 ~~a fee of not~~
4 ~~more than one dollar, as established by the commission pursuant to~~
5 ~~section 37-327, for each permit as reimbursement for the clerical work of~~
6 ~~issuing the permits and remitting therefor. The commission shall be~~
7 ~~entitled to collect and retain a fee of one dollar for each permit sold~~
8 ~~through its website as reimbursement for the clerical work and postage~~
9 ~~associated with issuing the permit.~~

10 **Sec. 3.** Section 37-451, Revised Statutes Cumulative Supplement,
11 2024, is amended to read:

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

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

29 (3) No more than two ~~one~~ additional permits ~~permit~~ may be authorized
30 and issued pursuant to an auction open to residents and nonresidents. The
31 number of such permits shall not exceed the number of those awarded

1 pursuant to subsection (2) of this section. The auction shall be
2 conducted according to rules and regulations prescribed by the
3 commission. Any money derived from the sale of permits by auction shall
4 be used only for perpetuation and management of mountain sheep, elk, and
5 deer.

6 (4) If the commission determines to limit the number of permits
7 issued for any or all management units, the commission shall by rule and
8 regulation determine eligibility requirements for the permits.

9 (5) A person may obtain only one mountain sheep permit in his or her
10 lifetime, except that an auction permit issued in accordance with
11 subsection (3) of this section to harvest a mountain sheep shall not
12 count against such total.

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

17 **Sec. 4.** Section 37-455, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 37-455 (1) The commission may issue a limited permit for deer,
20 antelope, wild turkey, or elk to a person who is a qualifying landowner
21 or leaseholder or a member of such person's immediate family as described
22 in this section. The commission may issue nonresident landowner limited
23 permits after preference has been given for the issuance of resident
24 permits as provided in rules and regulations adopted and promulgated by
25 the commission. Except as provided in subsection (4) of this section, a
26 permit shall be valid during the predetermined period established by the
27 commission pursuant to sections 37-447 to 37-450, 37-452, 37-456, or
28 37-457. Upon receipt of an application in proper form as prescribed by
29 the rules and regulations of the commission, the commission may issue (a)
30 a limited deer, antelope, or wild turkey permit valid for hunting on all
31 of the land which is owned or leased by the qualifying landowner or

1 leaseholder if such lands are identified in the application or (b) a
2 limited elk permit valid for hunting on the entire elk management unit of
3 which the land of the qualifying landowner or leaseholder included in the
4 application is a part.

5 (2)(a) The commission shall adopt and promulgate rules and
6 regulations prescribing procedures and forms and create requirements for
7 documentation by an applicant or permittee to determine whether the
8 applicant or permittee is a Nebraska resident and is a qualifying
9 landowner or leaseholder of the described property or is a member of the
10 immediate family of such qualifying landowner or leaseholder. The
11 commission may adopt and promulgate rules and regulations that create
12 requirements for documentation to designate one qualifying landowner
13 among partners of a partnership or officers or shareholders of a
14 corporation that owns or leases eighty acres or more of farm or ranch
15 land for agricultural purposes and among beneficiaries of a trust that
16 owns or leases eighty acres or more of farm or ranch land for
17 agricultural purposes. Only a person who is a qualifying landowner or
18 leaseholder or a member of such person's immediate family may apply for a
19 limited permit. An applicant may apply for no more than one permit per
20 species per year except as otherwise provided in subsection (4) of this
21 section and the rules and regulations of the commission. For purposes of
22 this section, member of a person's immediate family means and is limited
23 to the spouse of such person, any child or stepchild of such person or of
24 the spouse of such person, any spouse of any such child or stepchild, any
25 grandchild or stepgrandchild of such person or of the spouse of such
26 person, any spouse of such grandchild or stepgrandchild, any sibling of
27 such person sharing ownership in the property, and any spouse of any such
28 sibling.

29 (b) The conditions applicable to permits issued pursuant to sections
30 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever is appropriate,
31 shall apply to limited permits issued pursuant to this section, except

1 that the commission may pass commission orders for species harvest
2 allocation pertaining to the sex and age of the species harvested which
3 are different for a limited permit than for other hunting permits. For
4 purposes of this section, white-tailed deer and mule deer shall be
5 treated as one species.

6 (3)(a) To qualify for a limited permit to hunt deer or antelope, the
7 applicant shall be a Nebraska resident who (i) owns or leases eighty
8 acres or more of farm or ranch land for agricultural purposes or a member
9 of such person's immediate family or (ii) is the partner, officer,
10 shareholder, or beneficiary designated as the qualifying landowner by a
11 partnership, corporation, or trust as provided in the rules and
12 regulations under subdivision (2)(a) of this section or a member of the
13 immediate family of the partner, officer, shareholder, or beneficiary.
14 The number of limited permits issued annually per species for each farm
15 or ranch shall not exceed the total acreage of the farm or ranch divided
16 by eighty. The fee for a limited permit to hunt deer or antelope shall be
17 one-half the fee for the regular permit for such species.

18 (b) A nonresident of Nebraska who owns three hundred twenty acres or
19 more of farm or ranch land in the State of Nebraska for agricultural
20 purposes or a member of such person's immediate family may apply for a
21 limited deer or antelope permit. The number of limited permits issued
22 annually per species for each farm or ranch shall not exceed the total
23 acreage of the farm or ranch divided by three hundred twenty. The fee for
24 such a permit to hunt deer or antelope shall be one-half the fee for a
25 nonresident permit to hunt such species.

26 (c) The commission may adopt and promulgate rules and regulations
27 providing for the issuance of an additional limited deer permit to a
28 qualified individual for the taking of a deer without antlers at a fee
29 equal to or less than the fee for the original limited permit.

30 (4)(a) In addition to any limited permit to hunt deer issued to a
31 qualifying landowner under subsection (3) of this section, the commission

1 shall issue up to eight limited permits to hunt deer during the three
2 days of Saturday through Monday immediately preceding the opening day of
3 firearm deer hunting season to any qualifying landowner meeting the
4 requirements of subdivision (b) of this subsection and designated members
5 of his or her immediate family. The fee for each permit issued under this
6 subsection shall be five dollars. Permits shall be issued subject to the
7 following:

8 (i) No more than eight permits may be issued per qualifying
9 landowner to the landowner or designated members of his or her immediate
10 family, except that no more than one permit shall be issued per person
11 for the qualifying landowner or any designated member of his or her
12 immediate family;

13 (ii) Of the eight permits that may be issued, no more than six
14 permits may be issued to persons who are younger than nineteen years of
15 age and no more than two permits may be issued to persons who are
16 nineteen years of age or older; and

17 (iii) For a Nebraska resident landowner, the number of permits
18 issued shall not exceed the total acreage of the farm or ranch divided by
19 eighty, and for a nonresident landowner, the number of permits issued
20 shall not exceed the total acreage of the farm or ranch divided by three
21 hundred twenty.

22 (b) For purposes of this subsection, the qualifying criteria for a
23 Nebraska resident described in subdivisions (3)(a)(i) and (ii) of this
24 section and the ownership criteria for a nonresident of Nebraska
25 described in subdivision (3)(b) of this section apply.

26 (c) The commission may adopt and promulgate rules and regulations to
27 carry out this subsection.

28 (5)(a) To qualify for a limited permit to hunt wild turkey, the
29 applicant shall be a Nebraska resident who (i) owns or leases eighty
30 acres or more of farm or ranch land for agricultural purposes or a member
31 of such person's immediate family or (ii) is the partner, officer,

1 shareholder, or beneficiary designated as the qualifying landowner by a
2 partnership, corporation, or trust as provided in the rules and
3 regulations under subdivision (2)(a) of this section or a member of the
4 immediate family of the partner, officer, shareholder, or beneficiary.
5 The number of limited permits issued annually per season for each farm or
6 ranch shall not exceed the total acreage of the farm or ranch divided by
7 eighty. An applicant may apply for no more than one limited permit per
8 season. The fee for a limited permit to hunt wild turkey shall be one-
9 half the fee for the regular permit to hunt wild turkey.

10 (b) A nonresident of Nebraska who owns three hundred twenty acres or
11 more of farm or ranch land in the State of Nebraska for agricultural
12 purposes or a member of such person's immediate family may apply for a
13 limited permit to hunt wild turkey. Only one limited wild turkey permit
14 per three hundred twenty acres may be issued annually for each wild
15 turkey season under this subdivision. The fee for such a permit to hunt
16 shall be one-half the fee for a nonresident permit to hunt wild turkey.

17 ~~(6)(a) (6)~~ To qualify for a limited permit to hunt elk, (a) the
18 applicant shall be (i) a Nebraska resident who owns three hundred twenty
19 acres or more of farm or ranch land for agricultural purposes, or is the
20 partner, officer, shareholder, or beneficiary designated as the
21 qualifying landowner by a partnership, corporation, or trust as provided
22 in the rules and regulations under subdivision (2)(a) of this section,
23 (ii) a Nebraska resident who leases six hundred forty acres or more of
24 farm or ranch land for agricultural purposes or has a combined total of
25 six hundred forty leased and owned acres of ~~or has a leasehold interest~~
26 ~~and an ownership interest in~~ farm or ranch land used for agricultural
27 purposes or is the partner, officer, shareholder, or beneficiary
28 designated as the qualifying landowner by a partnership, corporation, or
29 trust as provided in the rules and regulations under subdivision (2)(a)
30 of this section which when added together totals at least six hundred
31 forty acres, (iii) a nonresident of Nebraska who owns at least one

1 thousand two hundred eighty acres of farm or ranch land for agricultural
2 purposes, or is the partner, officer, shareholder, or beneficiary
3 designated as the qualifying landowner by a partnership, corporation, or
4 trust as provided in the rules and regulations under subdivision (2)(a)
5 of this section, or (iv) a member of such owner's or lessee's immediate
6 family and (b) the qualifying farm or ranch land of the applicant shall
7 be within an area designated as an elk management zone by the commission
8 in its rules and regulations.

9 (b) An applicant shall not be issued a limited bull elk permit more
10 than once every three years, and the commission may give preference to a
11 person who did not receive a limited elk permit or a specified type of
12 limited elk permit during the previous years.

13 (c) The fee for a resident landowner limited permit to hunt elk
14 shall not exceed one-half the fee for the regular permit to hunt elk. The
15 fee for a nonresident landowner limited permit to hunt elk shall not
16 exceed three times the cost of a resident elk permit.

17 (d) The number of applications allowed for limited elk permits for
18 each farm or ranch shall not exceed the total acreage of the farm or
19 ranch divided by the minimum acreage requirements established for the
20 property. No more than one person may qualify for the same described
21 property.

22 **Sec. 5.** Section 37-1214, Revised Statutes Cumulative Supplement,
23 2024, is amended to read:

24 37-1214 (1) Except as otherwise provided in section 37-1211, the
25 owner of each motorboat shall register such vessel or renew the
26 registration every three years as provided in section 37-1226. The owner
27 of such vessel shall file an initial application for a certificate of
28 number pursuant to section 37-1216 with a county treasurer on forms
29 approved and provided by the commission. The application shall be signed
30 by the owner of the vessel, shall contain the year manufactured, and
31 shall be accompanied by a registration fee for the three-year period of

1 twenty-eight dollars for Class 1 boats, fifty-one dollars for Class 2
2 boats, seventy-two dollars and fifty cents for Class 3 boats, and one
3 hundred twenty dollars for Class 4 boats. Of each motorboat registration
4 fee, not more than ten dollars may be used for the Aquatic Invasive
5 Species Program.

6 (2) The owner of a motorboat not registered in Nebraska shall
7 purchase an aquatic invasive species stamp for the Aquatic Invasive
8 Species Program valid for one calendar year prior to launching into any
9 waters of the state. The cost of such one-year stamp shall be established
10 pursuant to section 37-327 and be ~~not less than ten dollars and~~ not more
11 than thirty fifteen dollars plus an issuance fee pursuant to section
12 37-406. Such one-year stamp may be purchased electronically or through
13 any vendor authorized by the commission to sell other permits and stamps
14 issued under the Game Law pursuant to section 37-406. The aquatic
15 invasive species stamp shall be permanently affixed on the starboard and
16 rearward side of the vessel. The proceeds from the sale of stamps shall
17 be remitted to the State Game Fund.

18 (3) This subsection applies beginning on an implementation date
19 designated by the Director of Motor Vehicles in cooperation with the
20 commission. The director shall designate an implementation date on or
21 before January 1, 2021, for motorboat registration. In addition to the
22 information required under subsection (1) of this section, the
23 application for registration shall contain (a)(i) the full legal name as
24 defined in section 60-468.01 of each owner or (ii) the name of each owner
25 as such name appears on the owner's motor vehicle operator's license or
26 state identification card and (b)(i) the motor vehicle operator's license
27 number or state identification card number of each owner, if applicable,
28 and one or more of the identification elements as listed in section
29 60-484 of each owner, if applicable, and (ii) if any owner is a business
30 entity, a nonprofit organization, an estate, a trust, or a church-
31 controlled organization, its tax identification number.

1 **Sec. 6.** Original section 37-440, Reissue Revised Statutes of
2 Nebraska, and sections 37-438, 37-451, 37-455, and 37-1214, Revised
3 Statutes Cumulative Supplement, 2024, are repealed.