

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 826

Introduced by Blood, 3.

Read first time January 03, 2024

Committee:

- 1 A BILL FOR AN ACT relating to the Game Law; to amend sections 37-411 and
- 2 37-421, Reissue Revised Statutes of Nebraska, and section 37-438,
- 3 Revised Statutes Cumulative Supplement, 2022; to authorize resident
- 4 and nonresident veterans and active duty military personnel to
- 5 acquire certain combination permits and stamps and state park entry
- 6 permits; to harmonize provisions; and to repeal the original
- 7 sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-411, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-411 (1) Unless issued a permit as required in the Game Law, it
4 shall be unlawful:

5 (a) For any resident of Nebraska who is sixteen years of age or
6 older or any nonresident of Nebraska to engage in fur harvesting or
7 possess any fur-bearing animal or raw fur. Except as provided in section
8 37-421, nonresident ~~Nonresident~~ fur-harvesting permits may be issued only
9 to residents of states which issue similar permits to residents of
10 Nebraska;

11 (b) For any resident of Nebraska who is sixteen years of age or
12 older or any nonresident of Nebraska to hunt or possess any kind of game
13 birds, game animals, or crows;

14 (c) For any person who is sixteen years of age or older to hunt or
15 possess any migratory waterfowl without a federal migratory bird hunting
16 stamp and a Nebraska migratory waterfowl stamp as required under the Game
17 Law and rules and regulations of the commission; or

18 (d) For any person who is sixteen years of age or older to take any
19 kind of fish, bullfrog, snapping turtle, tiger salamander, or mussel from
20 the waters of this state or possess the same except as provided in
21 section 37-402. All nonresident anglers under sixteen years of age shall
22 be accompanied by a person who has a valid fishing permit.

23 (2) It shall be unlawful for a nonresident to hunt or possess any
24 kind of game birds or game animals, to take any kind of fish, mussel,
25 turtle, or amphibian, or to harvest fur with a resident permit illegally
26 obtained.

27 (3) It shall be unlawful for anyone to do or attempt to do any other
28 thing for which a permit is required by the Game Law without first
29 obtaining such permit and paying the fee required.

30 (4) Any nonresident who hunts or has in his or her possession any
31 wild mammal or wild bird shall first have a nonresident hunting permit as

1 required under the Game Law and rules and regulations of the commission.

2 (5) Any nonresident who takes or has in his or her possession any
3 wild turtle, mussel, or amphibian shall first have a nonresident fishing
4 permit as required under the Game Law and rules and regulations of the
5 commission.

6 (6) Except as provided in this section and sections 37-407 and
7 37-418, it shall be unlawful for any nonresident to trap or attempt to
8 trap or to harvest fur or attempt to harvest fur from any wild mammal.

9 (7)(a) Any person violating this section shall be guilty of a Class
10 II misdemeanor and, upon conviction, shall be fined at least fifty
11 dollars for failure to hold the appropriate stamp under subdivision (1)
12 (c) of this section, at least one hundred dollars for failure to hold a
13 fishing permit, at least one hundred fifty dollars for failure to hold a
14 small game, fur-harvesting, paddlefish, or deer permit, at least two
15 hundred fifty dollars for failure to hold an antelope permit, at least
16 five hundred dollars for failure to hold an elk permit, and at least one
17 thousand dollars for failure to hold a mountain sheep permit.

18 (b) If the offense is failure to hold a hunting, fishing, fur-
19 harvesting, deer, turkey, or antelope permit as required, unless issuance
20 of the required permit is restricted so that permits are not available,
21 the court shall require the offender to purchase the required permit and
22 exhibit proof of such purchase to the court.

23 Sec. 2. Section 37-421, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 37-421 (1) The commission may issue an annual combination fishing,
26 fur-harvesting, and hunting permit, habitat stamp, aquatic habitat stamp,
27 and Nebraska migratory waterfowl stamp upon application and payment of a
28 fee of five dollars to:

29 (a) Any individual ~~any Nebraska resident~~ who is a veteran,
30 regardless of residence, ~~who is sixty-four years of age or older,~~ and who
31 was discharged or separated with a characterization of honorable or

1 general (under honorable conditions), and who presents: ~~or (b)~~

2 (i) Such individual's motor vehicle operator's license or state
3 identification card that indicates that the individual is a veteran; or

4 (ii) A copy of such individual's DD Form 214;

5 (b) Any individual who is active duty military, regardless of
6 residence, and who presents:

7 (i) Such individual's military identification card; or

8 (ii) A copy of such individual's DD Form 214; or

9 (c) Any ~~any~~ Nebraska resident who is sixty-nine years of age or
10 older.

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

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

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

22 Sec. 3. Section 37-438, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 37-438 (1) The commission shall devise annual, temporary, ~~and~~
25 disabled veteran, and veteran permits.

26 (2) The annual permit may be purchased by any person and shall be
27 valid through December 31 in the year for which the permit is issued. The
28 fee for the annual permit for a resident motor vehicle shall be not more
29 than thirty-five dollars per permit. The fee for the annual permit for a
30 nonresident motor vehicle shall be two times the fee for a resident motor
31 vehicle or sixty dollars, whichever is greater. The commission shall

1 establish such fees by the adoption and promulgation of rules and
2 regulations.

3 (3) A temporary permit may be purchased by any person and shall be
4 valid until noon of the day following the date of issue. The fee for the
5 temporary permit for a resident motor vehicle shall be not more than
6 seven dollars. The fee for the temporary permit for a nonresident motor
7 vehicle shall be two times the fee for a resident motor vehicle or twelve
8 dollars, whichever is greater. The commission shall establish such fees
9 by the adoption and promulgation of rules and regulations. The commission
10 may issue temporary permits which are either valid for any area or valid
11 for a single area.

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

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

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

20 (B) Is receiving a pension from the United States Department of
21 Veterans Affairs as a result of total and permanent disability, which
22 disability was not incurred in the line of duty in the military service.

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

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

28 (5) A veteran permit may be purchased by any individual who is a
29 veteran or active duty military and shall be valid through December 31 in
30 the year for which the permit is issued. The fee for the veteran permit
31 is five dollars, regardless of residence. To qualify for a veteran

1 permit, the individual shall:

2 (a) For any veteran who was discharged or separated with a
3 characterization of honorable or general (under honorable conditions),
4 present:

5 (i) Such individual's motor vehicle operator's license or state
6 identification card that indicates that the individual is a veteran; or

7 (ii) A copy of such individual's DD Form 214; or

8 (b) For any individual who is active duty military, present:

9 (i) Such individual's military identification card; or

10 (ii) A copy of such individual's DD Form 214.

11 (6) (5) The commission may offer permits or combinations of permits
12 at temporarily reduced rates for specific events or during specified
13 timeframes.

14 Sec. 4. Original sections 37-411 and 37-421, Reissue Revised
15 Statutes of Nebraska, and section 37-438, Revised Statutes Cumulative
16 Supplement, 2022, are repealed.