

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 287

FINAL READING

Introduced by Quick, 35.

Read first time January 15, 2019

Committee: Natural Resources

1 A BILL FOR AN ACT relating to game and parks; to amend sections 37-317,
2 37-407, 37-409, 37-415, 37-426, 37-438, 37-447, 37-449, 37-450,
3 37-4,111, 37-527, 37-1215, and 37-1219, Reissue Revised Statutes of
4 Nebraska, and sections 37-201, 37-202, and 37-1214, Revised Statutes
5 Supplement, 2019; to define terms; to provide and change powers of
6 the Game and Parks Commission relating to dissemination of
7 promotional materials, reduced-rate permits and stamps, and
8 replacement permit fees; to change provisions relating to lifetime,
9 multiple-year, and annual permits, stamps, and fees; to change
10 annual and temporary motor vehicle permit fee provisions; to provide
11 for resident and nonresident fees for preference points or bonus
12 points in lieu of applying for certain permits or entering certain
13 random drawings; to provide for rules and regulations relating to
14 hunter orange; to change motorboat registration fees as prescribed;
15 to change and eliminate provisions relating to fees for the Aquatic
16 Invasive Species Program; to harmonize provisions; and to repeal the
17 original sections.

18 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-201, Revised Statutes Supplement, 2019, is
2 amended to read:

3 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and sections
4 3 and 4 of this act and the State Park System Construction Alternatives
5 Act shall be known and may be cited as the Game Law.

6 Sec. 2. Section 37-202, Revised Statutes Supplement, 2019, is
7 amended to read:

8 37-202 For purposes of the Game Law, unless the context otherwise
9 requires, the definitions found in sections 37-203 to 37-247.01 and
10 sections 3 and 4 of this act are used.

11 Sec. 3. Bonus point means a point or points accrued by an applicant
12 for preference in a random permit drawing in which the number of points
13 determines the number of entries in the permit drawing.

14 Sec. 4. Preference point means a point or points accrued by an
15 applicant for preference in a structured random permit drawing in which
16 the draw is structured by the number of preference points and the
17 applicants with the most points are drawn first.

18 Sec. 5. Section 37-317, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 37-317 The commission may disseminate information and promotional
21 materials regarding ~~on~~ the state park system and the wildlife resources
22 of the state in order ~~so as~~ to inform the public of the outdoor
23 recreation opportunities to be found in Nebraska.

24 Sec. 6. Section 37-407, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 37-407 (1) The commission may offer multiple-year permits or
27 combinations of permits at reduced rates and may establish fees pursuant
28 to section 37-327 to be paid to the state for resident and nonresident
29 annual hunting permits, annual fishing permits, three-day fishing
30 permits, one-day fishing permits, combination hunting and fishing
31 permits, fur-harvesting permits, and nonresident two-day hunting permits

1 issued for periods of two consecutive days, as provided in this section.

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

9 (3) Resident fees shall be (a) not more than eighteen dollars for an
10 annual hunting permit, (b) not more than twenty-four dollars for an
11 annual fishing permit, (c) not more than fifteen dollars for a three-day
12 fishing permit, (d) not more than nine dollars for a one-day fishing
13 permit, (e) not more than thirty-nine dollars for an annual fishing and
14 hunting permit, and (f) not more than twenty dollars for an annual fur-
15 harvesting permit.

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

1 pursuant to subdivision (3)(e) of this section for an annual fishing and
2 hunting permit.

3 (5) The commission may offer permits or combinations of permits at
4 temporarily reduced rates for specific events or during specified
5 timeframes.

6 Sec. 7. Section 37-409, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 37-409 The commission may issue a replacement permit for hunting,
9 fishing, both hunting and fishing, or fur harvesting or for such other
10 permits as may be issued by the commission to any person who has lost his
11 or her original permit upon receipt from such person of satisfactory
12 proof of purchase and an affidavit of loss of such original permit. The
13 commission shall prescribe the procedures for applying for a replacement
14 permit and may authorize electronic issuance. The commission may also
15 designate agents to issue replacement permits pursuant to section 37-406.
16 A fee of ~~not less than one dollar and fifty cents~~ and not more than five
17 dollars, as established by the commission, shall be charged for the
18 issuance of each replacement permit, except that no such fee shall be
19 charged for replacement of any permits exempt from the payment of fees,
20 lifetime permits, or permits issued under section 37-421 or 37-421.01.

21 Sec. 8. Section 37-415, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 37-415 (1) The commission may issue to any Nebraska resident a
24 lifetime fur-harvesting, fishing, hunting, or combination hunting and
25 fishing permit upon application and payment of the appropriate fee. The
26 fee for a resident lifetime fur-harvesting permit shall be not more than
27 two hundred ninety-nine dollars, the fee for a resident lifetime hunting
28 permit shall be not more than three hundred ninety-six dollars, the fee
29 for a resident lifetime fishing permit shall be not more than four
30 hundred fifty-seven dollars plus the cost of a lifetime aquatic habitat
31 stamp, and the fee for a resident lifetime combination hunting and

1 fishing permit shall be not more than seven hundred ninety-two dollars
2 plus the cost of a lifetime aquatic habitat stamp, as such fees are
3 established by the commission pursuant to section 37-327. Payment of the
4 fee shall be made in a lump sum at the time of application.

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

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

19 (4) A replacement resident or nonresident lifetime permit may be
20 issued if the original has been lost or destroyed for no additional fee.
21 This subsection applies only to a paper permit and not a commemorative
22 brass plate permit. ~~The fee for a replacement shall be not more than five~~
23 ~~dollars, as established by the commission.~~

24 (5) The commission may adopt and promulgate rules and regulations to
25 carry out this section and sections 37-416 and 37-417. Such rules and
26 regulations may include, but need not be limited to, establishing fees
27 which vary based on the age of the applicant.

28 Sec. 9. Section 37-426, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 37-426 (1) Except as provided in subsection (4) of this section:

31 (a) No resident of Nebraska sixteen years of age or older and no

1 nonresident of Nebraska regardless of age shall hunt, harvest, or possess
2 any game bird, upland game bird, game animal, or fur-bearing animal
3 unless, at the time of such hunting, harvesting, or possessing, such
4 person has an unexpired habitat stamp as prescribed by the rules and
5 regulations of the commission prior to the time of hunting, harvesting,
6 or possessing such bird or animal;

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

14 (c) No resident of Nebraska sixteen years of age or older and no
15 nonresident of Nebraska regardless of age shall hunt, harvest, or possess
16 any migratory waterfowl unless, at the time of such hunting, harvesting,
17 or possessing, such person has an unexpired Nebraska migratory waterfowl
18 stamp as prescribed by the rules and regulations of the commission prior
19 to the time of hunting, harvesting, or possessing such migratory
20 waterfowl.

21 (2) The commission may issue a lifetime habitat stamp, lifetime
22 Nebraska migratory waterfowl stamp, or lifetime aquatic habitat stamp
23 upon application and payment of the appropriate fee. The fee for a
24 lifetime stamp shall be not more than twenty times the fee required in
25 subsection (5) of this section for an annual habitat stamp, annual
26 Nebraska migratory waterfowl stamp, or annual aquatic habitat stamp.
27 Payment of such fee shall be made in a lump sum at the time of
28 application. A replacement lifetime stamp may be issued if the original
29 is lost or destroyed at no additional fee. This subsection applies only
30 to a paper permit and not a commemorative brass plate permit.

31 (3) The commission may issue a multiple-year habitat stamp,

1 multiple-year Nebraska migratory waterfowl stamp, or multiple-year
2 aquatic habitat stamp upon application and payment of the appropriate
3 fee. The fee for such multiple-year stamps shall be established by the
4 commission pursuant to section 37-327 and shall not be more than the
5 number of years the stamp is valid times the fee required in subsection
6 (5) of this section for an annual habitat stamp, annual Nebraska
7 migratory waterfowl stamp, or annual aquatic habitat stamp. Payment of
8 such fee shall be made in a lump sum at the time of application. A
9 replacement multiple-year stamp may be issued if the original is lost or
10 destroyed at no additional fee.

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

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

28 ~~(c) The commission may issue a lifetime aquatic habitat stamp upon~~
29 ~~application and payment of the appropriate fee. The fee for a lifetime~~
30 ~~aquatic habitat stamp shall be twenty times the fee required in~~
31 ~~subdivision (5)(c) of this section for an annual aquatic habitat stamp.~~

1 ~~Payment of such fee shall be made in a lump sum at the time of~~
2 ~~application. A replacement lifetime aquatic habitat stamp may be issued~~
3 ~~if the original is lost or destroyed. The fee for a replacement shall be~~
4 ~~not more than five dollars, as established by the commission.~~

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

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

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

31 (4) Habitat stamps are not required for holders of limited permits

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

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

17 (b) An annual habitat stamp shall be issued upon the payment of a
18 fee of not more than twenty-five dollars per stamp. A multiple-year
19 habitat stamp shall be issued in conjunction with a multiple-year hunting
20 permit or a multiple-year combination hunting and fishing permit at a fee
21 of not more than twenty-five dollars times the number of years the
22 multiple-year permit is valid.

23 (c) An aquatic habitat stamp shall be issued in conjunction with
24 each fishing permit for a fee of not more than fifteen dollars per stamp
25 for annual fishing permits, three-day fishing permits, or combination
26 hunting and fishing permits, a fee of not more than fifteen dollars times
27 the number of years the multiple-year fishing permit or a multiple-year
28 combination hunting and fishing permit is valid, and a fee of not more
29 than twenty times the fee required for an annual aquatic habitat stamp
30 for lifetime fishing or combination hunting and fishing permits. The fee
31 established under section 37-407 for a one-day fishing permit shall

1 include an aquatic habitat stamp. One dollar from the sale of each one-
2 day fishing permit shall be remitted to the State Treasurer for credit to
3 the Nebraska Aquatic Habitat Fund.

4 (d) An annual Nebraska migratory waterfowl stamp shall be issued
5 upon the payment of a fee of ~~not less than ten dollars~~ and not more than
6 sixteen dollars per stamp. A multiple-year Nebraska migratory waterfowl
7 stamp may only be issued in conjunction with a multiple-year hunting
8 permit or a multiple-year combination hunting and fishing permit at a fee
9 of not more than the annual fee times the number of years the multiple-
10 year permit is valid.

11 (e) The commission shall establish the fees pursuant to section
12 37-327.

13 (6) The commission may offer stamps or combinations of stamps at
14 temporarily reduced rates for specific events or during specified
15 timeframes in conjunction with other permit sales.

16 Sec. 10. Section 37-438, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 37-438 (1) The commission shall devise permits in two forms: Annual
19 and temporary.

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

28 (3) A temporary permit may be purchased by any person and shall be
29 valid until noon of the day following the date of issue. The fee for the
30 temporary permit for a resident motor vehicle shall be ~~not less than six~~
31 ~~dollars~~ and not more than seven dollars. The fee for the temporary permit

1 for a nonresident motor vehicle shall ~~not be less than the fee for a~~
2 ~~resident motor vehicle and~~ not more than ten ~~eight~~ dollars. The
3 commission shall establish such fees by the adoption and promulgation of
4 rules and regulations. The commission may issue temporary permits which
5 are either valid for any area or valid for a single area.

6 (4) The commission may offer permits or combinations of permits at
7 temporarily reduced rates for specific events or during specified
8 timeframes.

9 Sec. 11. Section 37-447, Reissue Revised Statutes of Nebraska, is
10 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 temporarily reduced
16 rates for specific events or during specified timeframes. The commission
17 may specify by rule and regulation the information to be required on
18 applications for such permits. Rules and regulations for the hunting,
19 transportation, and possession of deer may include, but not be limited
20 to, rules and regulations as to the type, caliber, and other
21 specifications of firearms and ammunition used and specifications for
22 bows and arrows used. Such rules and regulations may further specify and
23 limit the method of hunting deer and may provide for dividing the state
24 into management units or areas, and the commission may enact different
25 deer hunting regulations for the different management units pertaining to
26 sex, species, and age of the deer hunted.

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

1 and regulations, determine eligibility to obtain such permits. In
2 establishing eligibility, the commission may give preference to persons
3 who did not receive a permit or a specified type of permit during the
4 previous year or years.

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

10 (4)(a) The commission may, pursuant to section 37-327, establish and
11 charge a nonrefundable application fee of not more than seven dollars for
12 deer permits in those management units awarded on the basis of a random
13 drawing. The commission shall, pursuant to section 37-327, establish and
14 charge a fee of not more than thirty-nine dollars for residents and not
15 more than two hundred eighty-four dollars for nonresidents for each
16 permit issued under this section except as otherwise provided in
17 subdivision (b) of this subsection and subsection (6) of this section.
18 The commission may, pursuant to section 37-327, establish and charge a
19 fee of not more than twenty-four dollars for residents and not more than
20 seventy-two dollars for nonresidents for the issuance of a preference
21 point, in addition to any application fee, in lieu of entering the draw
22 for a deer permit during the application period for the random drawing.

23 (b) The fee for a statewide buck-only permit limited to white-tailed
24 deer shall be no more than two and one-half times the amount of a regular
25 deer permit. The fee for a statewide buck-only deer permit that allows
26 harvest of mule deer shall be no more than five times the amount of a
27 regular deer permit.

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

31 (b) In management units specified by the commission, the commission

1 may issue nonresident permits after resident preference has been provided
2 by allocating at least eighty-five percent of the available permits to
3 residents. The commission may require a predetermined application period
4 for permit applications in specified management units. Such permits shall
5 be issued after a reasonable period for making application, as
6 established by the commission, has expired. When more valid applications
7 are received for a designated management unit than there are permits
8 available, such permits shall be allocated on the basis of a random
9 drawing. All valid applications received during the predetermined
10 application period shall be considered equally in any such random drawing
11 without regard to time of receipt of such applications by the commission.

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

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

19 Sec. 12. Section 37-449, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 37-449 (1) The commission may issue permits for hunting antelope and
22 may adopt and promulgate separate and, when necessary, different rules
23 and regulations therefor within the limitations prescribed in sections
24 37-447 and 37-452 for hunting deer. The commission may offer ~~multiple-~~
25 year permits or combinations of permits at reduced rates for specific
26 events or during specified timeframes.

27 (2) The commission may, pursuant to section 37-327, establish and
28 charge a nonrefundable application fee of not more than seven dollars for
29 antelope permits in those management units awarded on the basis of a
30 random drawing. The commission shall, pursuant to section 37-327,
31 establish and charge a fee of not more than thirty-nine dollars for

1 residents and not more than one hundred ninety-eight dollars for
2 nonresidents for each permit issued under this section except as provided
3 in subsection (4) of this section. The commission may, pursuant to
4 section 37-327, establish and charge a fee of not more than twenty-four
5 dollars for residents and not more than seventy-two dollars for
6 nonresidents for the issuance of a preference point, in addition to any
7 application fee, in lieu of entering the draw for an antelope permit
8 during the application period for the random drawing.

9 (3) The provisions for the distribution of deer permits and the
10 authority of the commission to determine eligibility of applicants for
11 permits as described in sections 37-447 and 37-452 shall also apply to
12 the distribution of antelope permits.

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

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

21 Sec. 13. Section 37-450, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 37-450 (1) The commission may issue permits for hunting elk and may
24 adopt and promulgate separate and, when necessary, different rules and
25 regulations therefor within the limitations prescribed in sections 37-447
26 and 37-452 for hunting deer.

27 (2) The commission shall, pursuant to section 37-327, establish and
28 charge (a) a nonrefundable application fee of not more than twelve
29 dollars for a resident elk permit and not to exceed three times such
30 amount for a nonresident elk permit and (b) a fee of not more than one
31 hundred ninety-eight dollars for each resident elk permit issued and

1 three times such amount for each nonresident elk permit issued. The
2 commission may, pursuant to section 37-327, establish and charge a fee of
3 not more than twenty-four dollars for residents and not more than
4 seventy-two dollars for nonresidents for the issuance of a preference
5 point or a bonus point, in addition to any application fee, in lieu of
6 entering the draw for an elk permit during the application period for the
7 random drawing.

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

14 (4) The provisions for the distribution of deer permits and the
15 authority of the commission to determine eligibility of applicants for
16 permits as described in sections 37-447 and 37-452 shall also apply to
17 the distribution of elk permits.

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

22 Sec. 14. Section 37-4,111, Reissue Revised Statutes of Nebraska, is
23 amended to read:

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

1 establish and charge a fee of not more than twenty-four dollars for
2 residents and not more than seventy-two dollars for nonresidents for the
3 issuance of a preference point, in addition to any application fee, in
4 lieu of applying for a paddlefish permit during the application period.

5 All fees collected under this section shall be remitted to the State
6 Treasurer for credit to the State Game Fund.

7 Sec. 15. Section 37-527, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 37-527 (1) For purposes of this section, hunter orange means a
10 daylight fluorescent orange color with a dominant wave length between
11 five hundred ninety-five and six hundred five nanometers, an excitation
12 purity of not less than eighty-five percent, and a luminance factor of
13 not less than forty percent.

14 (2) Any person hunting deer, antelope, wild turkey, elk, or mountain
15 sheep during an authorized firearm season in this state shall display on
16 his or her head, chest, and back a total of not less than four hundred
17 square inches of hunter orange material except as exempted by rules and
18 regulations of the commission.

19 (3) Any person who violates this section shall be guilty of a Class
20 V misdemeanor.

21 (4) This section shall not apply to archery hunters hunting during a
22 non-center-fire firearm season or in a management unit where a current
23 center-fire firearm season is not open. The commission may adopt and
24 promulgate rules and regulations allowing additional exceptions and
25 establishing requirements for the display of hunter orange during other
26 authorized hunting seasons.

27 Sec. 16. Section 37-1214, Revised Statutes Supplement, 2019, is
28 amended to read:

29 37-1214 (1) Except as otherwise provided in section 37-1211, the
30 owner of each motorboat shall register such vessel or renew the
31 registration every three years as provided in section 37-1226. The owner

1 of such vessel shall file an initial application for a certificate of
2 number pursuant to section 37-1216 with a county treasurer on forms
3 approved and provided by the commission. The application shall be signed
4 by the owner of the vessel, shall contain the year manufactured, and
5 shall be accompanied by a registration fee for the three-year period of
6 ~~twenty-eight not less than twenty dollars and not more than twenty-three~~
7 ~~dollars for Class 1 boats, fifty-one not less than forty dollars and not~~
8 ~~more than forty-six dollars for Class 2 boats, seventy-two not less than~~
9 ~~sixty dollars and not more than sixty-seven dollars and fifty cents for~~
10 ~~Class 3 boats, and not less than one hundred dollars and not more than~~
11 ~~one hundred twenty fifteen dollars for Class 4 boats, as established by~~
12 ~~the commission pursuant to section 37-327. Of each motorboat registration~~
13 ~~fee, The owner of the motorboat shall also pay a fee established pursuant~~
14 ~~to section 37-327 of not less than five dollars and not more than ten~~
15 ~~dollars may be used for the Aquatic Invasive Species Program at the time~~
16 ~~of registration or renewal.~~

17 (2) The owner of a motorboat not registered in Nebraska shall
18 purchase an aquatic invasive species stamp for the Aquatic Invasive
19 Species Program valid for one calendar year prior to launching into any
20 waters of the state. The cost of such one-year stamp shall be established
21 pursuant to section 37-327 and be not less than ten dollars and not more
22 than fifteen dollars plus an issuance fee pursuant to section 37-406.
23 Such one-year stamp may be purchased electronically or through any vendor
24 authorized by the commission to sell other permits and stamps issued
25 under the Game Law pursuant to section 37-406. The aquatic invasive
26 species stamp shall be permanently affixed on the starboard and rearward
27 side of the vessel. The proceeds from the sale of stamps shall be
28 remitted to the State Game Fund.

29 (3) This subsection applies beginning on an implementation date
30 designated by the Director of Motor Vehicles in cooperation with the
31 commission. The director shall designate an implementation date on or

1 before January 1, 2021, for motorboat registration. In addition to the
2 information required under subsection (1) of this section, the
3 application for registration shall contain (a)(i) the full legal name as
4 defined in section 60-468.01 of each owner or (ii) the name of each owner
5 as such name appears on the owner's motor vehicle operator's license or
6 state identification card and (b)(i) the motor vehicle operator's license
7 number or state identification card number of each owner, if applicable,
8 and one or more of the identification elements as listed in section
9 60-484 of each owner, if applicable, and (ii) if any owner is a business
10 entity, a nonprofit organization, an estate, a trust, or a church-
11 controlled organization, its tax identification number.

12 Sec. 17. Section 37-1215, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 37-1215 In the event an application is made after the beginning of
15 any registration period for registration of any vessel not previously
16 registered by the applicant in this state, the registration fee on such
17 vessel shall be reduced by one thirty-sixth for each full month of the
18 registration period already expired as of the date such vessel was
19 acquired. ~~The fee for the Aquatic Invasive Species Program shall not be~~
20 ~~so reduced.~~ The county treasurer shall compute the registration fee on
21 forms and pursuant to rules of the commission.

22 Sec. 18. Section 37-1219, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 37-1219 All registration fees and ~~fees for the Aquatic Invasive~~
25 ~~Species Program~~ received by the county treasurers shall be remitted on or
26 before the thirtieth day of the following month to the secretary of the
27 commission. All remittances shall be upon a form to be furnished by the
28 commission and a duplicate copy shall be retained by the county
29 treasurer.

30 Sec. 19. Original sections 37-317, 37-407, 37-409, 37-415, 37-426,
31 37-438, 37-447, 37-449, 37-450, 37-4,111, 37-527, 37-1215, and 37-1219,

- 1 Reissue Revised Statutes of Nebraska, and sections 37-201, 37-202, and
- 2 37-1214, Revised Statutes Supplement, 2019, are repealed.