

LEGISLATIVE BILL 172

Approved by the Governor February 16, 1989

Introduced by Schmit, 23

AN ACT relating to hunting and fishing; to amend section 37-505, Reissue Revised Statutes of Nebraska, 1943; to increase a permit fee; to provide an operative date; and to repeal the original section.

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

Section 1. That section 37-505, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

37-505. It shall be unlawful to buy, sell, or barter (1) any game bird or part thereof, except the feathers or skins from legally taken upland game birds, (2) any antelope, cottontail rabbit, deer, elk, squirrel, or bullfrog, except that deer, antelope, or elk hides from legally taken animals may be sold, or (3) any game fish protected by this act at any time, whether such bird, animal, or fish was killed or taken within or without outside this state. It shall be unlawful for any commercial institution, commission house, restaurant, or cafe keeper to ~~have in its, his, or her possession~~ possess at any time game birds or game animals protected by this act. Game fish lawfully shipped in from ~~without the outside~~ this state, by residents of this state, or game or fish lawfully acquired from a lawful game farm or a person having a fish culture permit may be sold in this state. The burden of proof shall be upon ~~every any~~ such dealer and keeper, buyer, seller, or possessor to show by competent and satisfactory evidence that any game or game fish in his or her possession or sold by him or her was lawfully imported from ~~without the outside~~ this state or was lawfully acquired from a licensed game farm or a person having a fish culture permit. Nonresidents holding a valid nonresident fish dealer's permit may possess, buy, sell, transport, and ship live bait minnows, live fish, all frogs, and crayfish, legally obtained from ~~without outside~~ this state or from a licensed fish hatchery, in accordance with ~~the rules and regulations of~~ adopted and promulgated by the Game and Parks Commission. The fee for a nonresident fish dealer's permit shall be ~~one~~ four hundred dollars.

Sec. 2. This act shall become operative on January 1, 1990.

Sec. 3. That original section 37-505, Reissue Revised Statutes of Nebraska, 1943, is repealed.