

AMENDMENTS TO LB 41

Introduced by Coash

1           1. Insert the following new sections:

2           Sec. 28. Section 37-615, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           37-615 It shall be unlawful for any person to take any  
5 species of wildlife protected by the Game Law while his or her  
6 permits are revoked. It shall be unlawful for any person to apply  
7 for or purchase a permit to hunt, fish, or harvest fur in Nebraska  
8 while his or her permits are revoked and while the privilege to  
9 purchase such permits is suspended. Any person who violates this  
10 section shall be guilty of a Class III misdemeanor and in addition  
11 shall be suspended from hunting, fishing, and fur harvesting or  
12 purchasing permits to hunt, fish, and harvest fur for a period of  
13 not less than two nor more than five years as the court directs.  
14 The court shall consider the number and severity of the violations  
15 of the Game Law in determining the length of the suspension.

16           ~~Any person whose privilege or permit to hunt, fish, or~~  
17 ~~harvest fur in another state has been suspended or revoked as a~~  
18 ~~result of a conviction shall not be eligible to obtain a permit~~  
19 ~~to hunt, fish, or harvest fur if the conviction would constitute~~  
20 ~~grounds for suspension or revocation under sections 37-614 to~~  
21 ~~37-617 until the period of suspension or revocation in the other~~  
22 ~~state has expired.~~

23           Sec. 29. Section 37-618, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           37-618 ~~Any~~ (1) Except as otherwise provided in subsection  
3 (3) of this section, any person whose privilege or permit to  
4 hunt, fish, or harvest fur has been suspended or revoked in any  
5 jurisdiction within the United States or Canada shall be prohibited  
6 from obtaining a permit for such activity in this state during the  
7 period of suspension or revocation in the prosecuting jurisdiction  
8 if the offense for which the privilege or permit is suspended  
9 or revoked is an offense under the Game Law or would constitute  
10 grounds for suspension or revocation under sections 37-614 to  
11 37-617.

12           (2) If such person has previously obtained a permit  
13 under the Game Law for such activity, the permit shall become  
14 invalid and shall be suspended for the same period as determined in  
15 the prosecuting jurisdiction. The person shall immediately return  
16 the permit to the commission. No person shall possess a permit  
17 which has been suspended or revoked under this section except as  
18 otherwise provided in subsection (3) of this section.

19           (3) The commission may adopt and promulgate rules and  
20 regulations to create a process to (a) review the suspension or  
21 revocation of a privilege or permit to hunt, fish, or harvest fur  
22 imposed by any jurisdiction other than Nebraska to determine if the  
23 offense for which the privilege or permit is suspended or revoked  
24 is an offense under the Game Law or would constitute grounds for  
25 suspension or revocation under sections 37-614 to 37-617 and (b)  
26 provide for a hearing, if necessary, to confirm the suspension or  
27 revocation in Nebraska or reinstate the privilege or affirm the

1 eligibility of the person to purchase a permit in Nebraska. The  
2 process may include an application for the review and a procedure  
3 for screening applications to determine if the hearing before the  
4 commission is necessary or appropriate.

5           (4) Any person who violates the provisions of this  
6 section shall be guilty of a Class I misdemeanor.

7           2. Renumber the remaining sections and correct the  
8 repealer accordingly.