

LEGAL NOTICE

In accordance with Neb. Rev. Stat. 84-907, public hearings conducted by the Nebraska Game and Parks Commission, will be held on August 28, 2020 at the Peter Kiewit Lodge at ET Mahoney State Park 28500 West Park Highway Ashland, NE prior to consideration and/or enactment of the following:

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301, 37-314, 37-316, 37-418, 37-540, 37-542, 37-548 through 37-549, and 37-801 through 37-811, a public hearing will be held at 9:15 AM to consider amendments to Chapter 4, Wildlife Regulations, Section 004, Threatened and Endangered Species; regarding the addition of the "McCown's Longspur" and the "Timber Rattlesnake" to the Threatened List; the deletion of the "River Otter" from the Threatened List; and the provision for the lawful take of timber rattlesnakes if it is done for the immediate protection of the health of humans, livestock or pets.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-327, 37-405, 37-406, 37-407, 37-409, 37-413, 37-415, 37-416, 37-420, 37-421, 37-421.01, 37-426, 37-427, 37-429, 37-431, 37-438, 37-440, 37-447, 37-449, 37-450, 37-451, 37-455, 37-455.01, 37-457, 37-458, 37-462, 37-465, 37-473, 37-478, 37-479, 37-483, 37-484, 37-491, 37-497, 37-4,104, 37-4,105, 37-4,106, 37-4,108, 37-4,111, 37-1212, 37-1214, 37-1217, 37-1227, a public hearing will be held at 9:30 AM to consider amendments to Chapter 1, Administration Regulations, Section 006 Rules relating to establishing fees for licenses and permits and deployed military permits; regarding increasing the fees of several nonresident hunting and fishing type permits, application and issue fees as well as aquatic invasive species habitat stamp.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301 through 37-316, 37-353, 37-401, 37-403 through 37-406, 37-411, 37-412, 37-413, 37-414, 37-418, 37-426 through 37-429, 37-447 through 37-453, 37-497, 37-498, 37-455 through 37-461, 37-463, 37-464, 37-477 through 37-479, 37-482.01, 37-497, 37-498 37-501 through 37-503, 37-508, 37-509, 37-512, 37-514, 37-520, 37-525, 37-527, 37-529, 37-532, 37-534, 37-537, 37-540, 37-547, 37-560, 37-563, 37-701, 37-708, 37-802 through 37-811, a public hearing will be held at 9:45 AM to consider amendments to Chapter 4, Section 001 General Regulations Governing Wildlife Species; relating to the addition of language that allows the Director to implement the use of telephone and internet check stations instead of physical check stations in the interest of public health for the November firearm deer season, the October firearm or muzzleloader antelope season, or any elk season.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301, 37-304, 37-305, 37-308, 37-314, 37-315, 37-344, 37-411, 37-426, 37-4,104, 37-4,107, 37-4,109, 37-4,111, 37-501 through 37-504, 37-508 and 37-543 through 37-545, a public hearing will be held at 10:00 AM to consider amendments to Chapter 2, Fisheries Regulations, Section 006 Sport Fishing Regulations regarding the addition of Rock Creek Lake State Recreation Area in Dundy County, Avocet Wildlife Management in Grant County, Wilbur Reservoir in Saline County, Big Elk (WP 7) and West Papillion 6 (WP6) in Sarpy County to the list of fishing areas that prohibit the use of live bait fish.

Pursuant to the provisions of Neb. Rev. Stat. §§ 37-301, 37-303, 37-314, 37-308, 37-308.01, 37-317, 37-404, 37-426, 37-427, 37-451, 37-452, 37-505, a public hearing will be held at 10:15 AM to consider amendments to Commission Order C14 Mountain Sheep; regarding authorization of Mountain Sheep hunting permits for the 2021 season.

Copies of the proposed regulations and the Fiscal Impact Statement shall be available for public inspection at the Game and Parks Commission office and the Office of the Secretary of State.

Copies of the proposed Commission Order changes shall be available for public inspection at the Game and Parks Commission website at www.outdoornebraska.gov.

All interested persons may attend and testify orally at the public hearing, but are strongly encouraged to submit written testimony prior to the public hearing in order to protect public health and assist in compliance with restrictions on public gatherings. Interested persons or organizations may submit written comments prior to the hearing, which will be entered into the hearing record if they: 1) include a request to be included as part of the hearing record; 2) include the name and address of the person or organization submitting the comments; and 3) are received by 1:00 p.m. CT, August 26, 2020 by Sheri Henderson at the Lincoln office, 2200 North 33rd Street, Lincoln, NE 68503-0370.

James Douglas, Director

NOTICE OF RULEMAKING
COMMENT PERIOD

NOTICE is hereby given that the Nebraska Game and Parks Commission is accepting written comments on working drafts of proposed amendments, Title 163, Nebraska Administrative Code Chapter 1, entitled REGULATIONS, Administration, Section 006 –Rules relating to establishing fees for licenses and permits and deployed military permits, regarding the increasing of nonresident hunting, fishing, combination hunt/fish, turkey, antelope and deer permit fees as well as the antelope application fee and nonresident Aquatic Invasive Species stamp and issue fee.

All interested persons are invited to obtain draft copies of the proposed regulations from and submit their written comments to Sheri Henderson, Division of Administration, Nebraska Game and Parks Commission, 2200 N. 33rd, P.O. Box 30370, Lincoln NE 68503, or FAX 402/471-4992. The comment period will close on **August 26, 2020** at 1 p.m. Central Time.

If auxiliary aids or reasonable accommodations are needed to review the drafts or participate in this process, please call the above-named person at (402) 471-5539 or, for persons with hearing impairments, (402) TDD or Nebraska Relay System, (800) 833-7352 TDD by no later than **August 21, 2020**.

DRAFT FISCAL IMPACT STATEMENT

Agency: Nebraska Game and Parks Commission	
Title: 163	Prepared by: Patrick Cole
Chapter: 1	Date prepared: July 23, 2020
Subject: Section <u>006</u> , Rules relating to establishing fees for licenses and permits and deployed military permits	Telephone: 402/471-5523

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	()	(X)	()
Increased Costs	()	()	(X)
Decreased Costs	()	()	()
Increased Revenue	(X)	()	()
Decreased Revenue	()	()	()
Indeterminable	()	()	()

Provide an Estimated Cost & Description of Impact:

Amend Chapter 1, Administration Regulations, Section 006, Rules relating to establishing fees for licenses and permits and deployed military permits, for the purpose of increasing nonresident permit and Aquatic Invasive Species (AIS) stamp fees as outlined in the following chart.

These new fees will help offset the \$1.2 million lost revenue from Nonresident Spring Turkey hunters affected by COVID19 restrictions.

The amount of revenue will be dependent upon actual permit sales but based on 2019 sales, nearly \$1.2 million additional dollars are anticipated. Limits on available quota also have an impact and they are yet to be determined. The effective date for the change would be for 2021 permit sales.

Monies received will be deposited into the Game Cash Fund.

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: ~~August 18, 2016~~ May 1, 2018

Title 163 - Nebraska Game and Parks Commission

Chapter 1 - Administration Regulations

006 Rules relating to establishing fees for licenses and permits and deployed military permits

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with Neb. Rev. Stat. §§ 37-327, 37-405, 37-406, 37-407, 37-409, 37-413, 37-415, 37-416, 37-420, 37-421, 37-421.01, 37-426, 37-427, 37-429, 37-431, 37-438, 37-440, 37-447, 37-449, 37-450, 37-451, 37-455, 37-455.01, 37-457, 37-458, 37-462, 37-465, 37-473, 37-478, 37-479, 37-483, 37-484, 37-491, 37-497, 37-4,104, 37-4,105, 37-4,106, 37-4,108, 37-4,111, 37-1212, 37-1214, 37-1217, 37-1227. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 202 through 247 of the Game Law, are used. These regulations are effective with the 2018 2021 permit year until further change.

006.01 The following fees are hereby established.

<u>Permit Name</u>	<u>Fees</u>
Hunting Permit:	
Resident	\$15.00
<u>Nonresident</u>	\$94.00 <u>\$106.00</u>
Nonresident Youth (<16 years old)	\$15.00
<u>Nonresident unlimited 2-day</u>	\$64.00 <u>\$73.00</u>
Fishing Permit:	
*Resident Fish	\$20.00
<u>*Nonresident Fish</u>	\$58.00 <u>\$66.00</u>
Resident 1-day	\$7.00
<u>Nonresident 1-day</u>	\$10.00 <u>\$11.50</u>
*Resident 3-Day	\$13.00
*Nonresident 3-Day	\$19.00
Resident Disabled Fishing Permit	\$5.00
Nonrefundable Paddlefish Application	\$7.00
Resident Paddlefish Permit	\$23.00
<u>Nonresident Paddlefish Permit</u>	\$47.00 <u>\$55.00</u>
*Requires concurrent purchase of Aquatic Habitat Stamp	

Title 163
Chapter 1

Combination Hunting & Fishing Permits:	
*Resident Combination Hunt & Fish	\$34.00
*Nonresident Combination Hunt & Fish	\$141.00
	\$159.00
Resident Deployed Military Hunt & Fish & Furharvest & All State Stamps	\$5.00
Resident Combination Hunt & Fish & Furharvest & All State Stamps (Veteran >=64 years old)	\$5.00
Resident Combination Hunt & Fish & Furharvest & All State Stamps (>=69 years old)	\$5.00
*Requires concurrent purchase of Aquatic Habitat Stamp	
Duplicate Permits:	
Resident Combination Hunt & Fish & Furharvest(Veteran >=64 years old), Resident Combination Hunt & Fish & Furharvest (>=69 years old), Deployed Military Permits and Resident Disabled Veteran Fish/Hunt/Furharvest Lifetime	\$1.50
All other hunting, fishing and fur harvesting permits (paper only for Lifetime Permits)	\$5.00
Stamps:	
Aquatic Habitat Stamp	\$15.00
Habitat Stamp	\$25.00
Nebraska Migratory Waterfowl Stamp	\$10.00
Lifetime Permits and Stamps:	
Resident Hunt (0-15 years old)	\$257.00
Resident Hunt (16-45 years old)	\$352.00
Resident Hunt (>= 46 years old)	\$257.00
*Resident Fish (0-15 years old)	\$313.00
*Resident Fish (16-45 years old)	\$407.00
*Resident Fish (>=46 years old)	\$313.00
*Resident Fish/Hunt (0-15 years old)	\$556.00
*Resident Fish/Hunt (16-45 years old)	\$705.00
*Resident Fish/Hunt (>=46 years old)	\$556.00
Resident Fur Harvest (0-15 years old)	\$218.00
Resident Fur Harvest (16-45 years old)	\$299.00
Resident Fur Harvest (>= 46 years old)	\$218.00
Nonresident Hunt (0-16 years old)	\$870.00
Nonresident Hunt (>= 17 years old)	\$1392.00
*Nonresident Fish (0-16 years old)	\$626.00
*Nonresident Fish (>= 17 years old)	\$1003.00
*Nonresident Fish/Hunt (0-16 years old)	\$1357.00
*Nonresident Fish/Hunt (>= 17 years old)	\$2088.00
Habitat Stamp	\$500.00
Nebraska Migratory Waterfowl Stamp	\$200.00
Aquatic Habitat Stamp	\$300.00

Title 163
Chapter 1

Resident Disabled Veteran Fish/Hunt/Furharvest	Fee Exempt
*Requires concurrent purchase of Aquatic Habitat Stamp	
Multi-year Permits and Stamps:	
Resident 3-year Hunt ¹	\$42.00
Resident 5-year Hunt ²	\$61.00
Resident 3-year Fish ³	\$56.00
Resident 5-year Fish ⁴	\$82.00
Resident 3-year Fish/Hunt ^{1,3}	\$93.00
Resident 5-year Fish/Hunt ^{2,4}	\$141.00
Nonresident 3-year Hunt ¹	\$254.00 \$290.00
Nonresident 5-year Hunt ²	\$377.00 \$437.00
Nonresident 3-year Fish ³	\$158.00 \$182.00
Nonresident 5-year Fish ⁴	\$236.00 \$276.00
Nonresident 3-year Fish/Hunt ^{1,3}	\$382.00 \$436.00
Nonresident 5-year Fish/Hunt ^{2,4}	\$566.00 \$656.00
3-Year Habitat Stamp ¹	\$63.50
5-Year Habitat Stamp ²	\$94.00
3-Year Aquatic Habitat Stamp ³	\$31.50
5-Year Aquatic Habitat Stamp ⁴	\$47.00
3-year Nebraska Migratory Waterfowl Stamp ⁵	\$15.00
5-year Nebraska Migratory Waterfowl Stamp ⁶	\$23.00
¹ 3-year Hunt or Fish/Hunt must be purchased in conjunction with 3-year Habitat Stamp	
² 5-year Hunt or Fish/Hunt must be purchased in conjunction with 5-year Habitat Stamp	
³ 3-year Fish or Fish/Hunt must be purchased in conjunction with 3-year Aquatic Habitat Stamp	
⁴ 5-year Fish or Fish/Hunt must be purchased in conjunction with 5-year Aquatic Habitat Stamp	
⁵ 3-year Nebraska Migratory Waterfowl Stamp can only be purchased with 3-year Hunt or Fish/Hunt	
⁶ 5-year Nebraska Migratory Waterfowl Stamp can only be purchased with 5-year Hunt or Fish/Hunt	
Permit Agent Fees:	

Title 163
Chapter 1

All hunting, fishing and fur harvest permits except:	
Resident Combination Hunt & Fish & Furharvest (Veteran >=64 years old), Resident Combination Hunt & Fish & Furharvest (>=69 years old), Deployed Military Permits and Resident Disabled Veteran Fish/Hunt/Furharvest Lifetime	
Nebraska Game and Parks Commission	\$3.00
Non Nebraska Game and Parks Commission Issuing Agents	\$3.00
Electronically Issued Park Entry Permit Issue Fee (for each Annual and Duplicate Annual Sold On-Line)	\$1.00
Fur Harvest Permit:	
Resident	\$15.00
Nonresident (up to 1,000 furs)	\$224.00
Additional 100 furs	\$15.00
Fur Buyers Permit:	
Resident	\$112.00
Nonresident	\$560.00
Deer Permit:	
Nonrefundable Application Fee (for Draw Units)	\$7.00
Resident	\$34.00
Resident Youth	\$5.00
Resident Deployed Military (same as previous purchase)	\$5.00
Resident Statewide Buck Only (Whitetail Only)	\$85.00
Resident Statewide Buck Only (Any Deer)	\$170.00
Resident Restricted Statewide Buck Only (Any Deer)	\$125.00
Resident Special Antlerless Only	\$11.00
Nonresident	\$239.00
	\$282.00
Nonresident Youth	\$5.00
Nonresident Statewide Buck Only (Whitetail Only)	\$597.00
	\$704.00
Nonresident Statewide Buck Only (Any Deer)	\$795.00
	\$935.00
Nonresident Restricted Statewide Buck Only (Any Deer)	\$695.00
Nonresident Season Choice Antlerless Only	\$67.00
	\$79.00
Nonresident Special Antlerless Only	\$67.00
	\$79.00
Landowner	\$17.00
Nonresident Landowner	\$119.50
	\$141.00

Title 163
Chapter 1

Antelope:	
Resident	\$34.00
Resident Youth	\$5.00
Resident Deployed Military (same as previous purchase)	\$5.00
Nonresident	\$176.00
	\$198.00
Nonresident Youth	\$5.00
Resident Landowner	\$17.00
Nonresident Landowner	\$88.00
	\$99.00
Application Fee	\$5.50
	\$6.00
Bighorn Sheep Application Fee	\$29.00
Resident Deployed Military Bighorn Sheep Permit	\$5.00
Mountain Lion Application Fee	\$15.00
Elk Permit:	
Application	\$10.00
Resident	\$176.00
Nonresident	\$529.00
Resident Deployed Military (same as previous purchase)	\$5.00
Resident Landowner	\$35.00
Nonresident Landowner	\$529.00
Turkey Permit:	
Resident	\$27.00
Resident Youth	\$5.00
Resident Deployed Military (same as previous purchase)	\$5.00
Nonresident	\$106.00
	\$125.00
Nonresident Youth	\$5.00
Resident Landowner	\$13.50
Nonresident Landowner	\$53.00
	\$62.50
Commission Awarded Lottery Permits:	
Nonrefundable application fee for single species	\$10.00
Nonrefundable application fee for multi species	
ELK, ANTELOPE, DEER and TURKEY:	
Resident single entry	\$25.00
Resident/Nonresident multiple entry	\$10.00

Title 163
Chapter 1

ANTELOPE, DEER and TURKEY:	
Resident single entry	\$10.00
Resident/Nonresident multiple entry	\$10.00
Expired Permits and Stamps:	
Expired permit Administratively adjustable not to exceed	\$25.00
Expired stamp Administratively adjustable not to exceed	\$25.00
Miscellaneous Permits:	
Resident Depredation Permit	\$5.00
Hunting Coyotes From Aircraft	\$8.50
Raptors Permit:	
Resident (Age 12 to 17 years old)	\$20.00
Resident (Age 18 years and older)	\$54.00
Resident Captive Propagation	\$271.00
Nonresident Raptor Collecting Permit	\$236.00
Captive Wildlife Permit	\$30.00
Captive Wildlife Auction Permit	\$65.00
Controlled Shooting Area Permit	\$176.00
Nonresident Controlled Shooting Area Hunting Permit	\$15.00
Taxidermist Permit	\$8.50
Bait Vendor Permit:	
Resident	\$37.00
Nonresident	\$230.00
Commercial Seining Vendor Permit:	
Resident (500' Seine, 500' Trammel net, 10 Hoop nets)	\$98.00
Resident (Additional Seine)	\$29.00
Resident (Additional Hoop)	\$3.50
Nonresident (same as Resident)	\$195.50
Nonresident (Additional Seine)	\$60.00
Nonresident (Additional Hoop)	\$7.00
Nonresident Fish Dealer Permit	\$75.00
Aquaculturist Permit	\$75.00
Commercial Put & Take Fishery Permit	\$75.00

Title 163
Chapter 1

Apprentice Hunter Education Exemption Certificate	\$5.00
Boat Registration: (3-year fee)	
Class I	\$23.00
Class II	\$46.00
Class III	\$67.50
Class IV	\$115.00
Boat Dealer Registration	\$46.00
Duplicate Registration	\$5.00
County Issuance Fee on each	\$4.00
Aquatic Invasive Species Fees	
Resident (with 3-year registration)	\$5.00
Nonresident Stamp (annual)	\$13.00
	\$15.00
Nonresident Issue Fee	\$2.00
	\$3.00

006.02 Resident Deployed Military Permits

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with 37-421.01.

006.02A Purpose

A Nebraska resident who was issued a valid big game permit (to include antelope, deer, elk, mountain sheep and wild turkey) and who was deployed out of the state with a branch of the United States military shall, upon returning to the state, be entitled to receive, on a one-time basis, a big game permit for a fee of \$5.00. Eligible residents may elect to receive a refund of big game permit fees in lieu of receiving a \$5.00 permit. Additionally, a Nebraska resident who is or has been deployed out of the state with a branch of the United States military within the last twelve months shall be entitled to receive an annual combination fishing, hunting, and furharvesting permit, habitat stamp, aquatic stamp and Nebraska migratory waterfowl stamp on a one-time basis upon returning to the state for a fee of \$5.00.

006.02B Process:

Big Game Permits: Eligible Nebraska residents, upon application, must provide the Commission, at its Headquarters, district or Omaha offices, the original valid permit (or duplicate) purchased and a copy of their official deployment orders verifying they were deployed out of state for the entire established season for which the valid permit was issued.

Annual Combination Permits: Eligible Nebraska residents, upon application, must provide the Commission, at its Headquarters, district or Omaha offices, a copy of their official deployment orders verifying the resident was deployed out of state within the past twelve months.

006.02B1 Discounted permits will be issued on a one-time basis to eligible residents and must be requested for the first established season following their return to the state. Discounted permit fees cover the permit only, any required stamps must be purchased in addition to the discounted permit.

006.02B2 Annual hunt and fish permits will be issued year-round. In the case of big game permits, applications will not be processed until the first "buy" application period of that permit type; permits will be issued through the end of the affected season.

006.02B3 Refunds for big game permit fees, in lieu of discounted permits, shall be issued by state warrant and require 3-4 weeks for processing. Eligible residents must complete an official request for refund form as provided by the Commission. The refunded amount will not include fees paid for stamps.