

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 867

Introduced by Bostelman, 23.

Read first time January 03, 2024

Committee: Natural Resources

1 A BILL FOR AN ACT relating to the Game Law; to amend section 37-201,
2 Revised Statutes Cumulative Supplement, 2022; to define terms; to
3 provide for a voluntary hunting and fishing guide and outfitter
4 database; to provide powers and duties for the Game and Parks
5 Commission; to provide for a fee; to provide for applicability; to
6 harmonize provisions; and to repeal the original section.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-201, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section
4 2 of this act and the State Park System Construction Alternatives Act
5 shall be known and may be cited as the Game Law.

6 Sec. 2. (1) For purposes of this section:

7 (a) Guide means a person who advertises or otherwise holds himself
8 or herself out to the public for hire as a guide for hunting or fishing,
9 or both, to provide services to any person for the purpose of hunting or
10 fishing for any animal; and

11 (b) Outfitter means a person who advertises or otherwise holds
12 himself or herself out to the public for hire to assist any person in the
13 taking of animals by providing facilities, equipment, accommodations, or
14 other services for use in hunting or fishing for any animal. Outfitter
15 does not mean any self-guided excursion or group hunt.

16 (2) The commission may establish and maintain on its website a
17 voluntary hunting and fishing guide and outfitter database. The
18 commission may establish a registration fee for guides and outfitters
19 applying for placement on the database. Such fee shall be in a reasonable
20 amount the commission deems necessary to cover the costs of administering
21 the database.

22 (3) A person may apply to the commission for placement as a guide or
23 an outfitter on the database for a period of three years. An applicant
24 for placement on the database as a guide or an outfitter may be included
25 in the database if such applicant:

26 (a) Has never been convicted of any felony, has never been cited for
27 trespassing, has not violated any state or federal game law within the
28 three years prior to application, and has never violated the Interstate
29 Wildlife Violator Compact;

30 (b) Has completed a commission-sponsored hunter education program or
31 a similar program approved by the commission. This subdivision does not

1 apply to fishing guides or fishing outfitters;

2 (c) Provides proof of adequate liability insurance or similar bond
3 security;

4 (d) Is a registered business in the State of Nebraska; and

5 (e) Agrees to comply with any other requirements established under
6 the Game Law and pursuant to the rules and regulations of the commission.

7 (4) The commission may remove a guide or an outfitter from the
8 database for any violation of the Game Law or the rules and regulations
9 of the commission or for any failure by such guide or outfitter to
10 maintain the requirements set forth in subsection (3) of this section.
11 The commission shall not be liable for any such failure by a guide or
12 outfitter.

13 (5) The commission may adopt and promulgate rules and regulations to
14 carry out this section. This section does not apply to licensees of
15 licensed game breeding and controlled shooting areas.

16 Sec. 3. Original section 37-201, Revised Statutes Cumulative
17 Supplement, 2022, is repealed.