

LEGISLATIVE BILL 379

Approved by the Governor March 2, 1987

Introduced by Rupp, 22; Hefner, 19; Haberman, 44;
Dierks, 40; Abboud, 12

AN ACT relating to game and fur farming; to amend section 37-715, Reissue Revised Statutes of Nebraska, 1943, and section 37-713, Revised Statutes Supplement, 1986; to provide an exception for keeping certain animals in captivity; to provide for permits; and to repeal the original sections.

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

Section 1. That section 37-713, Revised Statutes Supplement, 1986, be amended to read as follows:

37-713. (1) No person shall keep in captivity in this state any wild birds or animals without first having obtained a permit to do so as provided by section 37-714 or 37-715.

(2) For purposes of this section and section 37-714, wild birds or animals shall mean (a) any crows, game animals, fur-bearing animals, game birds, and upland game birds, as defined in section 37-101, (b) any nongame wildlife in need of conservation as determined by the Game and Parks Commission under section 37-433, and (c) any wildlife determined to be an endangered or threatened species under the Endangered Species Act of 1973, 87 Stat. 884, or section 37-434.

(3) Except as provided in subsection (4) of this section, no person shall keep in captivity in this state any wolf, skunk, or any member of the families Felidae and Ursidae. This subsection shall not apply to (a) the species *Felis domesticus*, (b) any municipal, state, or federal zoo, park, refuge, or wildlife area, ~~or~~ (c) any bona fide circus or animal exhibit, or (d) any person who holds a Commercial Game or Fur Farmer Permit issued pursuant to section 37-715 and who raises *Lynx canadensis* or *Lynx rufus* solely for the purpose of producing furs for sale to individuals or businesses or for the purpose of producing breeding stock for sale to persons engaged in fur farming.

(4) Any person legally holding in captivity, on March 1, 1986, any animal subject to the prohibition contained in subsection (3) of this section shall be

allowed to keep the animal for the duration of its life. Such animal shall not be traded, sold, or otherwise disposed of without written permission from the Game and Parks Commission.

(5) The Game and Parks Commission shall adopt and promulgate rules and regulations governing the keeping of wild birds or animals in captivity under this section.

Sec. 2. That section 37-715, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

37-715. A permit, to be known as a Commercial Game or Fur Farmer Permit, may be issued to any citizen of this state authorizing the possession and rearing in captivity, of game birds, game animals, Lynx canadensis, Lynx rufus, or fur bearers which have been, or which shall be, acquired without violation of any provision of law or rule or regulation duly adopted and promulgated by the Game and Parks Commission. The fee for such permit shall be twenty-five dollars per year. The holder of any such permit must shall comply with all provisions of Chapter 37, article 7.

Sec. 3. That original section 37-715, Reissue Revised Statutes of Nebraska, 1943, and section 37-713, Revised Statutes Supplement, 1986, are repealed.