

E AND R AMENDMENTS TO LB 126

Introduced by Slama, 1, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Section 37-455, Revised Statutes Supplement, 2019, is  
4 amended to read:

5           37-455 (1) The commission may issue a limited permit for deer,  
6 antelope, wild turkey, or elk to a person who is a qualifying landowner  
7 or leaseholder or a member of such person's immediate family as described  
8 in this section. The commission may issue nonresident landowner limited  
9 permits after preference has been given for the issuance of resident  
10 permits as provided in rules and regulations adopted and promulgated by  
11 the commission. Except as provided in subsection (4) of this section, a A  
12 permit shall be valid during the predetermined period established by the  
13 commission pursuant to sections 37-447 to 37-450, 37-452, 37-456, or  
14 37-457. Upon receipt of an application in proper form as prescribed by  
15 the rules and regulations of the commission, the commission may issue (a)  
16 a limited deer, antelope, or wild turkey permit valid for hunting on all  
17 of the land which is owned or leased by the qualifying landowner or  
18 leaseholder if such lands are identified in the application or (b) a  
19 limited elk permit valid for hunting on the entire elk management unit of  
20 which the land of the qualifying landowner or leaseholder included in the  
21 application is a part.

22           (2)(a) The commission shall adopt and promulgate rules and  
23 regulations prescribing procedures and forms and create requirements for  
24 documentation by an applicant or permittee to determine whether the  
25 applicant or permittee is a Nebraska resident and is a qualifying  
26 landowner or leaseholder of the described property or is a member of the  
27 immediate family of such qualifying landowner or leaseholder. The

1 commission may adopt and promulgate rules and regulations that create  
2 requirements for documentation to designate one qualifying landowner  
3 among partners of a partnership or officers or shareholders of a  
4 corporation that owns or leases eighty acres or more of farm or ranch  
5 land for agricultural purposes and among beneficiaries of a trust that  
6 owns or leases eighty acres or more of farm or ranch land for  
7 agricultural purposes. Only a person who is a qualifying landowner or  
8 leaseholder or a member of such person's immediate family may apply for a  
9 limited permit. An applicant may apply for no more than one permit per  
10 species per year except as otherwise provided in subsection (4) of this  
11 section and the rules and regulations of the commission. For purposes of  
12 this section, member of a person's immediate family means and is limited  
13 to the spouse of such person, any child or stepchild of such person or of  
14 the spouse of such person, any spouse of any such child or stepchild, any  
15 sibling of such person sharing ownership in the property, and any spouse  
16 of any such sibling.

17 (b) The conditions applicable to permits issued pursuant to sections  
18 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever is appropriate,  
19 shall apply to limited permits issued pursuant to this section, except  
20 that the commission may pass commission orders for species harvest  
21 allocation pertaining to the sex and age of the species harvested which  
22 are different for a limited permit than for other hunting permits. For  
23 purposes of this section, white-tailed deer and mule deer shall be  
24 treated as one species.

25 (3)(a) To qualify for a limited permit to hunt deer or antelope, the  
26 applicant shall be a Nebraska resident who (i) owns or leases eighty  
27 acres or more of farm or ranch land for agricultural purposes or a member  
28 of such person's immediate family or (ii) is the partner, officer,  
29 shareholder, or beneficiary designated as the qualifying landowner by a  
30 partnership, corporation, or trust as provided in the rules and  
31 regulations under subdivision (2)(a) of this section or a member of the

1 immediate family of the partner, officer, shareholder, or beneficiary.  
2 The number of limited permits issued annually per species for each farm  
3 or ranch shall not exceed the total acreage of the farm or ranch divided  
4 by eighty. The fee for a limited permit to hunt deer or antelope shall be  
5 one-half the fee for the regular permit for such species.

6 (b) A nonresident of Nebraska who owns three hundred twenty acres or  
7 more of farm or ranch land in the State of Nebraska for agricultural  
8 purposes or a member of such person's immediate family may apply for a  
9 limited deer or antelope permit. The number of limited permits issued  
10 annually per species for each farm or ranch shall not exceed the total  
11 acreage of the farm or ranch divided by three hundred twenty. The fee for  
12 such a permit to hunt deer or antelope shall be one-half the fee for a  
13 nonresident permit to hunt such species.

14 (c) The commission may adopt and promulgate rules and regulations  
15 providing for the issuance of an additional limited deer permit to a  
16 qualified individual for the taking of a deer without antlers at a fee  
17 equal to or less than the fee for the original limited permit.

18 (4)(a) In addition to any limited permit to hunt deer issued to a  
19 qualifying landowner under subsection (3) of this section, the commission  
20 shall issue up to four free firearm deer hunting permits to hunt deer  
21 during the five days of Saturday through Wednesday immediately preceding  
22 the opening day of firearm deer hunting season to any landowner and  
23 designated members of his or her immediate family. No more than four free  
24 permits may be issued per qualified landowner to the landowner or  
25 designated members of his or her immediate family, and for a Nebraska  
26 resident, the number of free permits issued shall not exceed the total  
27 acreage of the farm or ranch divided by eighty, and for a nonresident,  
28 the number of free permits issued shall not exceed the total acreage of  
29 the farm or ranch divided by three hundred twenty. For purposes of this  
30 subsection, the qualifying criteria for a Nebraska resident described in  
31 subdivisions (3)(a)(i) and (ii) of this section and the ownership

1 criteria for a nonresident of Nebraska described in subdivision (3)(b) of  
2 this section apply.

3 (b) The commission may adopt and promulgate rules and regulations to  
4 carry out the purposes of this subsection.

5 ~~(5)(a)~~ ~~(4)(a)~~ To qualify for a limited permit to hunt wild turkey,  
6 the applicant shall be a Nebraska resident who (i) owns or leases eighty  
7 acres or more of farm or ranch land for agricultural purposes or a member  
8 of such person's immediate family or (ii) is the partner, officer,  
9 shareholder, or beneficiary designated as the qualifying landowner by a  
10 partnership, corporation, or trust as provided in the rules and  
11 regulations under subdivision (2)(a) of this section or a member of the  
12 immediate family of the partner, officer, shareholder, or beneficiary.  
13 The number of limited permits issued annually per season for each farm or  
14 ranch shall not exceed the total acreage of the farm or ranch divided by  
15 eighty. An applicant may apply for no more than one limited permit per  
16 season. The fee for a limited permit to hunt wild turkey shall be one-  
17 half the fee for the regular permit to hunt wild turkey.

18 (b) A nonresident of Nebraska who owns three hundred twenty acres or  
19 more of farm or ranch land in the State of Nebraska for agricultural  
20 purposes or a member of such person's immediate family may apply for a  
21 limited permit to hunt wild turkey. Only one limited wild turkey permit  
22 per three hundred twenty acres may be issued annually for each wild  
23 turkey season under this subdivision. The fee for such a permit to hunt  
24 shall be one-half the fee for a nonresident permit to hunt wild turkey.

25 ~~(6)~~ ~~(5)~~ To qualify for a limited permit to hunt elk, (a) the  
26 applicant shall be (i) a Nebraska resident who owns three hundred twenty  
27 acres or more of farm or ranch land for agricultural purposes, (ii) a  
28 Nebraska resident who leases six hundred forty acres or more of farm or  
29 ranch land for agricultural purposes or has a leasehold interest and an  
30 ownership interest in farm or ranch land used for agricultural purposes  
31 which when added together totals at least six hundred forty acres, (iii)

1 a nonresident of Nebraska who owns at least one thousand two hundred  
2 eighty acres of farm or ranch land for agricultural purposes, or (iv) a  
3 member of such owner's or lessee's immediate family and (b) the  
4 qualifying farm or ranch land of the applicant shall be within an area  
5 designated as an elk management zone by the commission in its rules and  
6 regulations. An applicant shall not be issued a limited bull elk permit  
7 more than once every three years, and the commission may give preference  
8 to a person who did not receive a limited elk permit or a specified type  
9 of limited elk permit during the previous years. The fee for a resident  
10 landowner limited permit to hunt elk shall not exceed one-half the fee  
11 for the regular permit to hunt elk. The fee for a nonresident landowner  
12 limited permit to hunt elk shall not exceed three times the cost of a  
13 resident elk permit. The number of applications allowed for limited elk  
14 permits for each farm or ranch shall not exceed the total acreage of the  
15 farm or ranch divided by the minimum acreage requirements established for  
16 the property. No more than one person may qualify for the same described  
17 property.

18 Sec. 2. Original section 37-455, Revised Statutes Supplement, 2019,  
19 is repealed.

20 2. On page 1, strike lines 2 through 4 and insert "Revised Statutes  
21 Supplement, 2019; to provide for special landowner deer hunting permits  
22 as prescribed; and to repeal the original section."