

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 127**

FINAL READING

Introduced by Hughes, 44.

Read first time January 10, 2019

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to hunting; to amend section 37-455, Reissue
- 2 Revised Statutes of Nebraska; to redefine immediate family for
- 3 purposes of limited permits; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-455, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 37-455 (1) The commission may issue a limited permit for deer,  
4 antelope, wild turkey, or elk to a person who is a qualifying landowner  
5 or leaseholder or a member of such person's ~~and his or her~~ immediate  
6 family as described in this section. The commission may issue nonresident  
7 landowner limited permits after preference has been given for the  
8 issuance of resident permits as provided in rules and regulations adopted  
9 and promulgated by the commission. A permit shall be valid during the  
10 predetermined period established by the commission pursuant to sections  
11 37-447 to 37-450, 37-452, 37-456, or 37-457. Upon receipt of an  
12 application in proper form as prescribed by the rules and regulations of  
13 the commission, the commission may issue (a) a limited deer, antelope, or  
14 wild turkey permit valid for hunting on all of the land which is owned or  
15 leased by the qualifying landowner or leaseholder if such lands are  
16 identified in the application or (b) a limited elk permit valid for  
17 hunting on the entire elk management unit of which the land of the  
18 qualifying landowner or leaseholder included in the application is a  
19 part.

20 (2)(a) The commission shall adopt and promulgate rules and  
21 regulations prescribing procedures and forms and create requirements for  
22 documentation by an applicant or permittee to determine whether the  
23 applicant or permittee is a Nebraska resident and is a qualifying  
24 landowner or leaseholder of the described property or is a member of the  
25 immediate family of such qualifying landowner or leaseholder. The  
26 commission may adopt and promulgate rules and regulations that create  
27 requirements for documentation to designate one qualifying landowner  
28 among partners of a partnership or officers or shareholders of a  
29 corporation that owns or leases eighty acres or more of farm or ranch  
30 land for agricultural purposes and among beneficiaries of a trust that  
31 owns or leases eighty acres or more of farm or ranch land for

1 agricultural purposes. Only a person who is a qualifying landowner or  
2 leaseholder or a member of ~~and~~ such person's immediate family may apply  
3 for a limited permit. An applicant may apply for no more than one permit  
4 per species per year except as otherwise provided in the rules and  
5 regulations of the commission. For purposes of this section, member of a  
6 person's immediate family means and is limited to the spouse of such  
7 person, any child or stepchild of such person or of the spouse of such  
8 person, any spouse of any such child or stepchild, any sibling of such  
9 person sharing ownership in the property, and any spouse of any such  
10 sibling ~~a husband and wife and their children or siblings sharing~~  
11 ~~ownership in the property.~~

12 (b) The conditions applicable to permits issued pursuant to sections  
13 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever is appropriate,  
14 shall apply to limited permits issued pursuant to this section, except  
15 that the commission may pass commission orders for species harvest  
16 allocation pertaining to the sex and age of the species harvested which  
17 are different for a limited permit than for other hunting permits. For  
18 purposes of this section, white-tailed deer and mule deer shall be  
19 treated as one species.

20 (3)(a) To qualify for a limited permit to hunt deer or antelope, the  
21 applicant shall be a Nebraska resident who (i) owns or leases eighty  
22 acres or more of farm or ranch land for agricultural purposes or a member  
23 of such person's immediate family or (ii) is the partner, officer,  
24 shareholder, or beneficiary designated as the qualifying landowner by a  
25 partnership, corporation, or trust as provided in the rules and  
26 regulations under subdivision (2)(a) of this section or a member of the  
27 immediate family of the partner, officer, shareholder, or beneficiary.  
28 The number of limited permits issued annually per species for each farm  
29 or ranch shall not exceed the total acreage of the farm or ranch divided  
30 by eighty. The fee for a limited permit to hunt deer or antelope shall be  
31 one-half the fee for the regular permit for such species.

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

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

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

26 (b) A nonresident of Nebraska who owns three hundred twenty acres or  
27 more of farm or ranch land in the State of Nebraska for agricultural  
28 purposes or a member of such person's immediate family may apply for a  
29 limited permit to hunt wild turkey. Only one limited wild turkey permit  
30 per three hundred twenty acres may be issued annually for each wild  
31 turkey season under this subdivision. The fee for such a permit to hunt

1 shall be one-half the fee for a nonresident permit to hunt wild turkey.

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

26 Sec. 2. Original section 37-455, Reissue Revised Statutes of  
27 Nebraska, is repealed.