

LEGISLATURE OF NEBRASKA  
NINETY-SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 787**

Introduced by Jones, 43; Bruning, 3; Hudkins, 21; Kremer, 34;  
Schrock, 38; Stuhr, 24

Read first time January 17, 2001

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game Law; to amend section 37-455,  
2 Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to limited permits; and to repeal the  
4 original section.  
5 Be it enacted by the people of the State of Nebraska,

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

3           37-455. (1) The commission may issue limited permits for  
4 deer, antelope, wild turkey, and elk to persons who are qualifying  
5 landowners or leaseholders and their immediate families as  
6 described in this section. Permits shall be valid during the  
7 predetermined period established by the commission pursuant to  
8 sections 37-447 to 37-450, 37-452, 37-456, or 37-457. Upon receipt  
9 of an application in proper form as prescribed by the rules and  
10 regulations of the commission, the commission may issue (a) a  
11 limited deer, antelope, or wild turkey permit valid for hunting on  
12 all of the land which is owned or leased by the qualifying  
13 landowner or leaseholder, if such lands are identified in the  
14 application or (b) a limited elk permit valid for hunting on the  
15 entire elk management unit of which the land of the qualifying  
16 landowner or leaseholder included in the application is a part.

17           (2) The commission shall by rule and regulation prescribe  
18 procedures and forms and create requirements for documentation by  
19 applicants and permittees to determine whether the applicant or  
20 permittee is a Nebraska resident and is a qualifying landowner or  
21 leaseholder of the described property or is a member of the  
22 immediate family and residing in the same household of such  
23 qualifying landowner or leaseholder. Only persons who are  
24 qualifying landowners or leaseholders and such person's immediate  
25 family residing in the same household of such qualifying landowner  
26 or leaseholder may apply for limited permits. For purposes of this  
27 section, immediate family means and is limited to a husband and  
28 wife and their children. The conditions applicable to permits

1 issued pursuant to section 37-447 to 37-450, 37-452, 37-456, or  
2 37-457, whichever is appropriate, shall apply to limited permits  
3 issued pursuant to this section, except that the commission may  
4 adopt and promulgate rules and regulations for species harvest  
5 allocation pertaining to the sex and age of the species harvested  
6 which are different for a limited permit than for other hunting  
7 permits. For purposes of this section, white-tailed deer and mule  
8 deer shall be treated as one species.

9 (3) To qualify for a limited permit to hunt deer or  
10 antelope, the applicant shall be a Nebraska resident who owns or  
11 leases eighty acres or more of farm or ranch land for agricultural  
12 purposes or a member of such person's immediate family residing in  
13 the same household. The number of limited permits issued annually  
14 per species for each farm or ranch shall not exceed the total  
15 acreage of the farm or ranch divided by eighty. An applicant may  
16 apply for no more than one permit per species per year. The fee  
17 for a limited permit to hunt deer or antelope shall be one-half the  
18 fee for the regular permit for such species.

19 (4) To qualify for a limited permit to hunt wild turkey,  
20 the applicant shall be a Nebraska resident who owns or leases  
21 eighty acres or more of farm or ranch land for agricultural  
22 purposes or a member of such person's immediate family residing in  
23 the same household. The number of limited permits issued annually  
24 per season for each farm or ranch shall not exceed the total  
25 acreage of the farm or ranch divided by eighty. An applicant may  
26 apply for no more than one limited permit per season. The fee for  
27 a limited permit to hunt wild turkey shall be one-half the fee for  
28 the regular permit to hunt wild turkey.

1           (5) To qualify for a limited permit to hunt elk, (a) the  
2 applicant shall be (i) a Nebraska resident who owns three hundred  
3 twenty acres or more of farm or ranch land for agricultural  
4 purposes, (ii) a Nebraska resident who leases three hundred twenty  
5 acres or more of farm or ranch land for agricultural purposes and  
6 resides on such property, or (iii) a member of such owner or  
7 lessee's immediate family residing in the same household and (b)  
8 the qualifying farm or ranch land of the applicant must be within  
9 an area designated as an elk management zone by the commission in  
10 its rules and regulations. A limited elk permit issued pursuant to  
11 this section shall not be issued to any applicant more than once  
12 every three years, and the commission may give preference to  
13 persons who did not receive a limited elk permit or specified type  
14 of limited elk permit during the previous years. The fee for a  
15 limited permit to hunt elk shall be one-fifth the fee for the  
16 regular permit to hunt elk. A Nebraska resident who owns or leases  
17 eighty acres or more of farm or ranch land for agricultural  
18 purposes or a member of such person's immediate family residing in  
19 the same household may apply for a limited deer, antelope, wild  
20 turkey, or elk permit. The limited permit is valid during the  
21 predetermined period established by the commission pursuant to any  
22 provision of sections 37-447 to 37-452 and 37-457. To qualify for  
23 a limited elk permit the farm or ranch land of the applicant must  
24 be within an area designated as an elk zone by the commission in  
25 its regulations. Only one limited permit for each species shall be  
26 issued annually for the farm or ranch land described in the  
27 application, except that both a spring and a fall turkey permit may  
28 be issued. Upon receipt of an application in proper form as

1 prescribed by the commission, the commission may issue a limited  
2 permit which shall restrict (a) the limited deer, antelope, or wild  
3 turkey permit to hunting only on the farm or ranch land included in  
4 the application and shall not apply to the land of other persons  
5 and (b) the limited elk permit to hunting on the entire elk  
6 management unit of which the farm or ranch land included in the  
7 application is a part. For purposes of this section, immediate  
8 family means and is limited to husband and wife and their children.  
9 The conditions applicable to permits issued pursuant to section  
10 ~~37-447, 37-448, 37-449, 37-450, 37-452, or 37-457~~, whichever is  
11 appropriate, shall apply to limited permits issued pursuant to this  
12 section, except that the commission may adopt regulations for  
13 species harvest allocation pertaining to the sex and age of the  
14 species harvested which are different for this permit than for  
15 other hunting permits.

16 (2) Except as provided in subsection (3) of this section,  
17 receipt of a limited permit or a permit issued pursuant to section  
18 ~~37-447, 37-448, 37-449, 37-450, 37-452, or 37-457~~ for any one-year  
19 or open season shall not bar receipt of a limited permit in any  
20 subsequent year or for any subsequent open season.

21 (3) A limited elk permit issued pursuant to this section  
22 shall not be issued to any applicant more than once every three  
23 years.

24 (4) The fee for a limited permit to hunt elk shall be  
25 one-fifth the fee for the regular permit to hunt elk. The fee for  
26 a limited permit to hunt deer, antelope, or wild turkey shall be  
27 one-half the fee for the regular permit for these species.

28 (5) The commission may by rule and regulation prescribe

1 forms to be filled out by the applicant for a limited permit as  
2 prescribed in this section to determine whether the applicant is a  
3 Nebraska resident and is the owner or lessee of the described  
4 property or is a member of the family or household of such person.

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