

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1247

Introduced by Hansen, 16.

Read first time January 16, 2024

Committee: Natural Resources

1 A BILL FOR AN ACT relating to the Board of Educational Lands and Funds;
2 to amend section 72-204, Reissue Revised Statutes of Nebraska, and
3 sections 37-201 and 72-232, Revised Statutes Cumulative Supplement,
4 2022; to require that certain school land owned or leased by the
5 board be open to the public for hunting as prescribed; to provide
6 powers and duties to the Game and Parks Commission relating to the
7 use of such school land for hunting; to require the Board of
8 Educational Lands and Funds and the Game and Parks Commission to
9 enter into an agreement relating to such school land use and the
10 proceeds from the purchase of access stamps; to harmonize
11 provisions; and to repeal the original sections.
12 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) The commission shall make available on the Nebraska
7 Game and Parks website a map of the school lands owned or leased by the
8 Board of Educational Lands and Funds that are available for walk-in-
9 access hunting pursuant to section 5 of this act.

10 (2)(a) Except as provided in subdivision (b) of this subsection, any
11 person desiring to hunt on school land owned or leased by the Board of
12 Educational Lands and Funds and available for hunting in accordance with
13 this section and section 5 of this act shall obtain an access stamp. Such
14 person shall apply to the commission and pay a fee established by the
15 commission for the access stamp of not less than twenty-five dollars and
16 not more than fifty dollars for Nebraska residents and not less than
17 fifty dollars and not more than one hundred dollars for nonresidents.

18 (b) Hunters with written permission to hunt on such school land from
19 a tenant who is leasing such school land shall not be required to obtain
20 an access stamp.

21 (3) The commission shall enter into an agreement with the Board of
22 Educational Lands and Funds to share the proceeds of such access stamps.

23 (4) Any officer authorized to enforce the Game Law may, at any time,
24 enter the school lands owned or leased by the Board of Educational Lands
25 and Funds that is available for walk-in-access hunting pursuant to this
26 section and section 5 of this act for the purpose of enforcing the Game
27 Law.

28 (5) The commission may adopt and promulgate rules and regulations to
29 carry out this section.

30 Sec. 3. Section 72-204, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 72-204 The Board of Educational Lands and Funds shall cause school
2 land to be classified for rental purposes (1) at least once each five
3 years, (2) each time that the land is leased or that an assignment of a
4 lease is made, and (3) when the board deems it to be in the best interest
5 of the state. The leasing of the land shall be regulated by sections
6 72-232 to 72-239 and section 5 of this act. When a lease is offered for
7 sale, the new rental shall be made public. When the board has ordered the
8 reclassification of any of the school lands in any county, it shall
9 prescribe the method and promulgate rules governing the classification of
10 educational lands. It shall have a classification of all the educational
11 lands in the county prepared by a competent person, who shall make a
12 detailed field examination of each forty-acre tract of educational lands
13 for the purpose of obtaining information as to the type and rating of the
14 soil, its adaptability, the topographical character of the land, and the
15 location and number of acres of each type. His or her report of such
16 field examination shall be prepared in the form of a detailed map with
17 complete explanations and shall be filed with the board. The board may
18 employ private appraisal firms to aid it in determining the value of
19 educational lands.

20 Sec. 4. Section 72-232, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 72-232 The Board of Educational Lands and Funds shall have authority
23 to adopt such rules and regulations as it shall deem necessary in the
24 leasing of school lands and to prescribe such terms and conditions of the
25 lease, not inconsistent with sections 72-205, 72-232 to 72-235, 72-240.02
26 to 72-240.05, and 72-242 and section 5 of this act, as it shall deem
27 necessary to protect the interests of the state. The board shall adopt
28 and enforce a soil conservation program. Failure of the lessee to utilize
29 the land for the purpose for which the land was leased or to observe and
30 carry out soil conservation requirements as provided in the rules and
31 regulations of the board shall be cause for cancellation of the lease.

1 Sec. 5. (1) Beginning October 1, 2024, and subject to the Game Law,
2 as old leases expire and new leases are entered into, the Board of
3 Educational Lands and Funds shall require that school land with a public
4 road access point that is owned or leased by the board, be made available
5 for hunting in accordance with section 2 of this act if it is not used
6 for (a) wind or solar energy or (b) recreation. The use of such school
7 land for hunting shall be walk-in access only.

8 (2) The board shall provide information to the Game and Parks
9 Commission relating to the location of any such land available for walk-
10 in-access hunting and provide updates as necessary for purposes of
11 assisting the commission with providing a map to the public and enforcing
12 the Game Law in accordance with section 2 of this act.

13 (3) The board may adopt and promulgate rules and regulations to
14 carry out this section with respect to public safety and land use.

15 Sec. 6. Original section 72-204, Reissue Revised Statutes of
16 Nebraska, and sections 37-201 and 72-232, Revised Statutes Cumulative
17 Supplement, 2022, are repealed.