

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1084

Introduced by Christensen, 44.

Read first time January 18, 2012

Committee:

A BILL

1 FOR AN ACT relating to the Board of Educational Lands and Funds; to
2 amend sections 72-204 and 72-232, Reissue Revised
3 Statutes of Nebraska; to require that all land owned and
4 leased by the board be open to the public for hunting,
5 fur harvesting, and fishing as prescribed; to harmonize
6 provisions; to provide an operative date; and to repeal
7 the original sections.

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

1 Section 1. Section 72-204, Reissue Revised Statutes of
2 Nebraska, is amended to read:

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

23 Sec. 2. Section 72-232, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 72-232 (1) The Board of Educational Lands and Funds shall

1 have authority to adopt such rules and regulations as it shall deem
2 necessary in the leasing of school lands and to prescribe such terms
3 and conditions of the lease, not inconsistent with sections 72-205,
4 72-232 to 72-235, 72-240.02 to 72-240.05, and 72-242 and section 3 of
5 this act, as it shall deem necessary to protect the interests of the
6 state.

7 (2) The board shall adopt and enforce a soil conservation
8 program. Failure of the lessee to utilize the land for the purpose
9 for which the land was leased or to observe and carry out soil
10 conservation requirements as provided in the rules and regulations of
11 the board shall be cause for cancellation of the lease.

12 (3) No individual, partnership, limited liability
13 company, or corporation shall be entitled to hold under lease a total
14 of more than six hundred forty acres of state educational lands,
15 whether acquired by direct lease or by assignment. Such limitation
16 shall not apply when the land to be leased is bounded entirely on one
17 side thereof by lands owned or operated by such applicant or
18 assignee.

19 Sec. 3. (1) Beginning October 1, 2012, and subject to the
20 Game Law, the Board of Educational Lands and Funds shall require that
21 all land owned by the board be open to the public for hunting, fur
22 harvesting, and fishing.

23 (2) Beginning October 1, 2012, and subject to the Game
24 Law, as old leases expire and new leases are entered into, the board
25 shall require that all land owned and leased by the board be open to

1 the public for hunting, fur harvesting, and fishing. The requirement
2 that such land be open to the public for hunting, fur harvesting, and
3 fishing shall be included as a part of the lease.

4 (3) The board may adopt and promulgate rules and
5 regulations to administer this section with respect to public safety
6 and land use.

7 Sec. 4. This act becomes operative on October 1, 2012.

8 Sec. 5. Original sections 72-204 and 72-232, Reissue
9 Revised Statutes of Nebraska, are repealed.