

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1220

Introduced by Brandt, 32.

Read first time January 21, 2026

Committee: Natural Resources

1 A BILL FOR AN ACT relating to the Game and Parks Commission; to amend
2 section 37-314, Reissue Revised Statutes of Nebraska; to provide a
3 duty to the commission; and to repeal the original section.
4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 37-314, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-314 (1) The commission shall ~~may~~, in accordance with the Game
4 Law, other provisions of law, and lawful rules and regulations, fix,
5 prescribe, and publish rules and regulations regarding the methods or
6 type, kind, and specifications of hunting, fur-harvesting, or fishing
7 gear used in the taking of any game, game fish, nongame fish, game
8 animals, fur-bearing animals, or game birds. Such rules and regulations
9 may be amended, modified, or repealed from time to time and shall be
10 based upon investigation and available but reliable data relative to such
11 limitations and standards.

12 (2) The commission may, in accordance with the Game Law, other
13 provisions of law, and lawful rules and regulations, pass and publish
14 commission orders regarding (a) conservation orders authorized by the
15 United States Fish and Wildlife Service, (b) open seasons and closed
16 seasons, either permanent or temporary, (c) bag limits, including the
17 age, sex, species, or area of the state in which any game, game fish,
18 nongame fish, game animals, fur-bearing animals, or game birds may be
19 taken, or (d) the taking of any particular kinds, species, or sizes of
20 game, game fish, nongame fish, game animals, fur-bearing animals, and
21 game birds in any designated waters or areas of this state. The
22 commission may pass such commission orders after due investigation and
23 having due regard to the distribution, abundance, economic value,
24 breeding habits, migratory habits, and causes of depletion or
25 extermination of the same in such designated waters or areas and having
26 due regard to the volume of the hunting, fur harvesting, and fishing
27 practiced therein and the climatic, seasonal, and other conditions
28 affecting the protection, preservation, and propagation of the same in
29 such waters or areas. The commission orders may be amended, modified, or
30 repealed from time to time. Commission orders shall be based upon
31 investigation and available but reliable data relative to such

1 limitations and standards.

2 (3) The commission shall hold at least one public hearing in
3 accordance with section 37-104 on each proposed commission order or
4 amendment, modification, or repeal of a commission order and shall hold
5 at least one public hearing in accordance with section 37-104, in
6 addition to all other requirements of the Administrative Procedure Act,
7 on each proposed rule and regulation or amendment, modification, or
8 repeal of a rule or regulation. The commission shall give notice of such
9 hearing to the public at least thirty days prior to the hearing by
10 posting it on the commission's website. No commission order shall be
11 valid against any person until fifteen days after such order has been
12 posted on the commission's website. Each rule, regulation, amendment,
13 modification, and repeal shall specify the date when it shall become
14 effective and while it remains in effect shall have the force and effect
15 of law.

16 (4) Regardless of the provisions of this section or of other
17 provisions of the Game Law which empower the commission to set seasons on
18 game birds, fish, or animals or provide the means and method by which
19 such seasons are set or promulgated and regardless of the provisions of
20 the Administrative Procedure Act, the commission may close or reopen any
21 open season previously set on game birds, fish, or animals in all or any
22 specific portion of the state. The commission shall only close or reopen
23 such seasons by majority vote at a valid special meeting called under
24 section 37-104 and other provisions of statutes regarding the holding of
25 public meetings. Any closing or reopening of an open season previously
26 set by the commission shall not be effective for at least twenty-four
27 hours after such action by the commission. The commission shall make
28 every effort to make available to all forms of the news media the
29 information on any opening or closing of any open season on game birds,
30 fish, or animals previously set. The commission may only use this special
31 provision allowing the commission to open or close game bird, fish, or

1 animal seasons previously set in emergency situations in which the
2 continuation of the open season would result in grave danger to human
3 life or property or to bird, fish, or wild animal populations. The
4 commission may also close or reopen any season established by a
5 conservation order under the same provisions pertaining to closing and
6 reopening seasons in this section.

7 (5) Any person violating the rules and regulations adopted and
8 promulgated or commission orders passed pursuant to this section shall be
9 guilty of a Class III misdemeanor and shall be fined at least one hundred
10 dollars upon conviction.

11 **Sec. 2.** Original section 37-314, Reissue Revised Statutes of
12 Nebraska, is repealed.