

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 478

Introduced by Rogert, 16.

Read first time January 20, 2009

Committee: General Affairs

A BILL

1 FOR AN ACT relating to alcoholic liquor; to amend sections 37-301
2 and 53-186, Reissue Revised Statutes of Nebraska; to
3 provide for sale and consumption of alcoholic liquor
4 on property owned or operated by the Game and Parks
5 Commission; to harmonize provisions; and to repeal the
6 original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-301, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 37-301 Except as otherwise provided in sections 37-302 to
4 37-313, 37-315, 37-317, 37-330, 37-425, ~~and 37-608,~~ and 53-186, the
5 commission shall have sole charge of state parks, game and fish,
6 recreation grounds, and all things pertaining thereto. All funds
7 rendered available by law, including funds already collected for
8 such purposes, may be used by the commission in administering and
9 developing such resources.

10 Sec. 2. Section 53-186, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 53-186 (1) Except as provided in ~~subsection (2)~~
13 subsections (2) and (3) of this section, it shall be unlawful
14 for any person to consume alcoholic liquor upon property owned or
15 controlled by the state or any governmental subdivision thereof
16 unless authorized by the governing bodies having jurisdiction over
17 such property.

18 (2) The commission may issue licenses for the sale of
19 alcoholic liquor at retail (a) on lands owned by public power
20 districts, public power and irrigation districts, the Game and
21 Parks Commission, the Bureau of Reclamation, or the Corps of Army
22 Engineers or (b) for locations within or on structures on land
23 owned by the state, cities, or villages or on lands controlled
24 by airport authorities. The issuance of a license under this
25 subsection shall be subject to the consent of the local governing

1 body having jurisdiction over the site for which the license is
2 requested as provided in the Nebraska Liquor Control Act.

3 (3) Nothing in this section or the Nebraska Liquor
4 Control Act shall be construed to prohibit consumption of alcoholic
5 liquor on lands owned or operated by the Game and Parks Commission.

6 Sec. 3. Original sections 37-301 and 53-186, Reissue
7 Revised Statutes of Nebraska, are repealed.