

LEGISLATIVE BILL 142

Approved by the Governor March 05, 2015

Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-1220 and 37-1273, Reissue Revised Statutes of Nebraska, and sections 37-201, 37-1214, 37-1215, and 37-1219, Revised Statutes Cumulative Supplement, 2014; to create the Aquatic Invasive Species Program; to provide funding; to create a fee and stamp; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 37-201, Revised Statutes Cumulative Supplement, 2014, is amended to read:

37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section 2 of this act shall be known and may be cited as the Game Law.

Sec. 2. The Aquatic Invasive Species Program is created. Funds identified to support the program shall be used for aquatic invasive species activities which may include monitoring and sampling waters of the state for aquatic invasive species, hiring personnel, purchasing equipment to inspect and decontaminate conveyances, providing additional enforcement, education, and research relating to aquatic invasive species, and conducting aquatic invasive species projects as needed.

Sec. 3. Section 37-1214, Revised Statutes Cumulative Supplement, 2014, is amended to read:

37-1214 (1) Except as otherwise provided in section 37-1211, the owner of each motorboat shall register such vessel or renew the registration every three years as provided in section 37-1226. The owner of such vessel shall file an initial application for a certificate of number pursuant to section 37-1216 with a county treasurer on forms approved and provided by the commission. The application shall be signed by the owner of the vessel, shall contain the year manufactured, and shall be accompanied by a registration fee for the three-year period of not less than twenty dollars and not more than twenty-three dollars for Class 1 boats, not less than forty dollars and not more than forty-six dollars for Class 2 boats, not less than sixty dollars and not more than sixty-seven dollars and fifty cents for Class 3 boats, and not less than one hundred dollars and not more than one hundred fifteen dollars for Class 4 boats, as established by the commission pursuant to section 37-327. The owner of the motorboat shall also pay a fee established pursuant to section 37-327 of not less than five dollars and not more than ten dollars for the Aquatic Invasive Species Program at the time of registration or renewal.

(2) The owner of a motorboat not registered in Nebraska shall purchase an aquatic invasive species stamp for the Aquatic Invasive Species Program valid for one calendar year prior to launching into any waters of the state. The cost of such one-year stamp shall be established pursuant to section 37-327 and be not less than ten dollars and not more than fifteen dollars plus an issuance fee pursuant to section 37-406. Such one-year stamp may be purchased electronically or through any vendor authorized by the commission to sell other permits and stamps issued under the Game Law pursuant to section 37-406. The aquatic invasive species stamp shall be permanently affixed on the starboard and rearward side of the vessel. The proceeds from the sale of stamps shall be remitted to the State Game Fund.

Sec. 4. Section 37-1215, Revised Statutes Cumulative Supplement, 2014, is amended to read:

37-1215 In the event an application is made after the beginning of any registration period for registration of any vessel not previously registered by the applicant in this state, the registration license fee on such vessel shall be reduced by one thirty-sixth for each full month of the registration period already expired as of the date such vessel was acquired. The fee for the Aquatic Invasive Species Program shall not be so reduced. The county treasurer shall compute the registration fee on forms and pursuant to rules of the commission.

Sec. 5. Section 37-1219, Revised Statutes Cumulative Supplement, 2014, is amended to read:

37-1219 All registration fees and fees for the Aquatic Invasive Species Program received by the county treasurers shall be remitted on or before the thirtieth day of the following month to the secretary of the commission. All remittances shall be upon a form to be furnished by the commission and a duplicate copy shall be retained by the county treasurer.

Sec. 6. Section 37-1220, Reissue Revised Statutes of Nebraska, is amended to read:

37-1220 The secretary of the commission shall deposit daily with the State Treasurer all registration fees received pursuant to section 37-1219 by him and shall take the receipt of the State Treasurer ~~treasurer~~ therefor. The State Treasurer shall place all of the fees so deposited in the State Game Fund.

Sec. 7. Section 37-1273, Reissue Revised Statutes of Nebraska, is amended to read:

37-1273 All fees as provided by the State Boat Act shall be remitted to the State Treasurer for credit to the State Game Fund to be used primarily for (1) administration and enforcement of the State Boat Act, (2) boating safety educational programs, (3) the construction and maintenance of boating and docking facilities, navigation aids, and access to boating areas and such other uses as will promote the safety and convenience of the boating public in Nebraska, (4) the Aquatic Invasive Species Program, and (5 4) publishing costs subject to the restrictions and limitations in section 37-324. Secondary uses for the fees shall be for the propagation, importation, protection, preservation, and distribution of game and fish and necessary equipment therefor and all things pertaining thereto.

Sec. 8. Original sections 37-1220 and 37-1273, Reissue Revised Statutes of Nebraska, and sections 37-201, 37-1214, 37-1215, and 37-1219, Revised Statutes Cumulative Supplement, 2014, are repealed.

Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.