

AMENDMENTS TO LB 305

(Amendments to Final Reading copy)

1 1. Insert the following new sections:

2 "Sec. 2. Section 37-324, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 37-324. (1) The funds derived from the sale of permits
5 and publications as provided in the Game Law, any unexpended
6 balance now on hand from the sale of hunting, fur-harvesting, and
7 fishing permits, and all money required by the Game Law to be paid
8 into the State Game Fund are hereby appropriated to the use of the
9 commission (a) for the propagation, importation, protection,
10 preservation, and distribution of game and fish and necessary
11 equipment therefor and all things pertaining thereto, (b) for the
12 creation of cash funds under section 37-326, (c) for the
13 administration and enforcement of the State Boat Act, (d) for
14 boating safety educational programs, (e) for the construction and
15 maintenance of boating and docking facilities, navigation aids, and
16 access to boating areas and such other uses which will promote the
17 safety and convenience of the boating public in Nebraska, and (f)
18 ~~(e)~~ for publishing costs for publications relating to topics listed
19 in subdivisions (a) ~~through (d)~~ and (b) of this subsection and
20 other topics of general interest to the state as approved by the
21 commission. An amount equal to two dollars from each annual
22 resident fishing permit and two dollars from each combination
23 hunting and fishing permit sold in this state shall be used by the

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1 commission for the administration, construction, operation, and
2 maintenance of fish hatcheries and for the distribution of fish.

3 (2) Expenditures for publications on topics of general
4 interest to the state shall not exceed the income derived from
5 single-copy and subscription sales of commission publications and
6 advertising revenue from such publications.

7 Sec. 20. Section 37-1214, Revised Statutes Supplement,
8 2002, is amended to read:

9 37-1214. (1) Except as otherwise provided in section
10 37-1211, the owner of each motorboat shall register such vessel or
11 renew the registration every three years as provided in section
12 37-1226. The owner of such vessel shall file an initial
13 application for a certificate of number pursuant to section 37-1216
14 with ~~the county treasurer of the county in which the applicant~~
15 ~~resides or, in the case of a nonresident, with any a county~~
16 treasurer on forms approved and provided by the commission. The
17 application shall be signed by the owner of the vessel, shall
18 contain the year manufactured, and shall be accompanied by a fee
19 for the three-year period of not less than fifteen dollars and not
20 more than twenty dollars for Class 1 boats, not less than thirty
21 dollars and not more than forty dollars for Class 2 boats, not less
22 than forty-five dollars and not more than sixty dollars for Class 3
23 boats, and not less than seventy-five dollars and not more than one
24 hundred dollars for Class 4 boats, as established by the commission
25 pursuant to section 37-327.

26 (2) If a county board consolidates services under the
27 office of a designated county official other than the county

1 treasurer pursuant to section 23-186, the powers and duties of the
2 county treasurer relating to registration under sections 37-1214 to
3 37-1227 shall be performed by the designated county official.

4 Sec. 21. Section 37-1241.04, Revised Statutes
5 Supplement, 2002, is amended to read:

6 37-1241.04. (1) A person shall operate a personal
7 watercraft on the waters of this state in a reasonable and prudent
8 manner. A maneuver which unreasonably or unnecessarily endangers
9 life, limb, or property is prohibited and includes weaving through
10 congested vessel traffic, ~~or~~ jumping the wake produced by another
11 vessel at a distance of less than ~~thirty~~ fifty yards, or jumping
12 the wake produced by a motorboat or personal watercraft that is
13 towing a person or persons.

14 (2) A person shall not operate a personal watercraft on
15 the waters of this state unless he or she is facing forward on the
16 watercraft.

17 Sec. 22. Section 37-1241.06, Revised Statutes
18 Supplement, 2002, is amended to read:

19 37-1241.06. (1) (a) No person under fourteen years of age
20 shall operate a motorboat or personal watercraft on the waters of
21 this state.

22 (b) No person under sixteen years of age shall operate a
23 motorboat or personal watercraft on the waters of this state with
24 an individual in tow behind the motorboat or personal watercraft.

25 (2) Effective May 1, 2000, and until January 1, 2004, a
26 person under sixteen years of age shall not operate a motorboat or
27 personal watercraft on the waters of this state unless he or she

1 has successfully completed a boating safety course approved by the
2 commission and has been issued a valid boating safety certificate.

3 (3) Effective January 1, 2004, a person under eighteen
4 years of age shall not operate a motorboat or personal watercraft
5 on the waters of this state unless he or she has successfully
6 completed a boating safety course approved by the commission and
7 has been issued a valid boating certificate.

8 (4) No person under fourteen years of age shall operate a
9 personal watercraft on the waters of this state. The commission
10 may charge a fee of no more than ten dollars for a boating safety
11 course required by this section.

12 Sec. 23. Section 37-1241.07, Revised Statutes
13 Supplement, 2002, is amended to read:

14 37-1241.07. Effective May 1, 2000 on the operative date
15 of this section, the owner of a boat livery, or his or her agent or
16 employee, shall not lease, hire, or rent a motorboat or personal
17 watercraft to, or for operation by, any person under sixteen
18 eighteen years of age. unless the person presents his or her
19 certificate issued under section 37-1241.06.

20 Sec. 24. Section 37-1256, Revised Statutes Supplement,
21 2002, is amended to read:

22 37-1256. (1) In the case of collision, accident, or
23 other casualty involving a vessel, the operator thereof, if the
24 collision, accident, or other casualty results in death, a missing
25 person, or injury to a person or damage to property in excess of
26 five hundred dollars, shall file with the commission a full
27 description of the collision, accident, or other casualty,

1 including such information and within such time limit as the
2 commission may by regulation require.

3 (2) The commission or any other law enforcement agency
4 shall notify the Nebraska State Patrol as soon as practicable in
5 any cases of collision, accident, or other casualty involving a
6 vessel, when the collision, accident, or other casualty results in
7 death, a missing person, or life-threatening injury to a person.

8 (3) The Nebraska State Patrol shall collaborate with the
9 commission or any other law enforcement agency in any
10 investigations pursuant to this section.

11 Sec. 25. Section 37-1273, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 37-1273. All fees as provided by the State Boat Act
14 shall be remitted to the ~~state treasury and by the~~ State Treasurer
15 placed in for credit to the State Game Fund to be used primarily
16 for (1) administration and enforcement of the State Boat Act, (2)
17 boating safety educational programs, (3) the construction and
18 maintenance of boating and docking facilities, navigation aids, and
19 access to boating areas and such other uses as will promote the
20 safety and convenience of the boating public in Nebraska, and (4)
21 publishing costs subject to the restrictions and limitations in
22 section 37-324. Secondary uses for the fees shall be for the
23 propagation, importation, protection, preservation, and
24 distribution of game and fish and necessary equipment therefor and
25 all things pertaining thereto. Such fund, when appropriated by the
26 Legislature, shall be used (1) for the propagation, importation,
27 protection, preservation, and distribution of game and fish and

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1 ~~necessary equipment therefor and all things pertaining thereto, (2)~~
2 ~~for administration and enforcement of the State Boat Act, (3) for~~
3 ~~the construction and maintenance of boating and docking facilities,~~
4 ~~navigation aids, and access to boating areas and such other uses as~~
5 ~~will promote the safety and convenience of the boating public in~~
6 ~~Nebraska, and (4) for publishing costs subject to the restrictions~~
7 ~~and limitations in section 37-324.~~

8 Sec. 26. Sections 1, 3 to 19, and 27 of this act become
9 operative three calendar months after the adjournment of this
10 legislative session. Sections 2, 20, 21, 24, 25, and 28 of this
11 act become operative on June 1, 2003. The other sections of this
12 act become operative on their effective date.

13 Sec. 28. Original sections 37-324 and 37-1273, Reissue
14 Revised Statutes of Nebraska, and sections 37-1214, 37-1241.04, and
15 37-1256, Revised Statutes Supplement, 2002, are repealed.

16 Sec. 29. Original sections 37-1241.06 and 37-1241.07,
17 Revised Statutes Supplement, 2002, are repealed.

18 Sec. 30. Since an emergency exists, this act takes
19 effect when passed and approved according to law."

20 2. On page 1, line 1, after "sections" insert "37-324,";
21 in line 2 strike "and 37-496" and insert "37-496, and 37-1273"; in
22 line 5 strike "and 37-495" and insert "37-495, 37-1214, 37-1241.04,
23 37-1241.06, 37-1241.07, and 37-1256"; in line 8 strike "and limited
24 deer permits" and insert "limited deer permits, motorboat
25 registration, the operation of motorboats and personal watercraft,
26 boating accident investigations, and State Boat Act fees"; in line
27 10 strike "and" and insert "to provide operative dates;"; and in

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- 1 line 11 after "sections" insert "; and to declare an emergency".
- 2 3. Renumber the remaining sections and correct internal
- 3 references accordingly.