

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SPECIAL SESSION

LEGISLATIVE BILL 66

Introduced by Wayne, 13.

Read first time July 29, 2024

Committee: Natural Resources

1 A BILL FOR AN ACT relating to law; to amend sections 37-302 and 37-336,
2 Reissue Revised Statutes of Nebraska; section 81-12,213, Revised
3 Statutes Cumulative Supplement, 2022; and Laws 2023, LB814, section
4 157; to change provisions relating to fish hatcheries, wildlife
5 management, the Nebraska Rural Projects Act, and appropriations to
6 the Game and Parks Commission; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-302, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-302 (1) The commission shall adopt and carry into effect plans
4 to replenish and stock the state with game and, whenever it is in the
5 best interest of the public to do so, to stock the streams, lakes, and
6 ponds, whether public or private, of this state with fish.

7 (2) The commission shall ~~It may plan and order the construction of~~
8 ~~such~~ extensions and additions to existing fish hatcheries and ~~such~~ new
9 fish hatcheries that are plants as may be necessary to supply fully
10 supply the state with game and fish. The total costs of such planning and
11 construction shall not exceed ten million dollars for fiscal year 2024-25
12 ~~and cause the plans to be executed after ascertaining the cost thereof.~~

13 Sec. 2. Section 37-336, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 37-336 (1) State wildlife management areas shall be administered by
16 the commission but not as a part of the state park system nor with park
17 funds.

18 (2) The commission may establish and collect reasonable fees for the
19 use of operated facilities of a personal-service nature in state wildlife
20 management areas, may in its sole discretion grant concessions in such
21 areas for the provision of appropriate services to the public, may grant
22 permits for certain land or other resource utilization commensurate with
23 the purposes of this section, and may prescribe and collect appropriate
24 fees or rentals therefor. The proceeds of all such fees, rentals, and
25 other revenue from operated facilities, concessions, or permits shall be
26 deposited in the State Game Fund.

27 (3) The commission shall plan and conduct wildlife management
28 research that is aimed at increasing tourism in the state. The total
29 costs of such research shall not exceed five million dollars for fiscal
30 year 2024-25.

31 (4) {3} Any person violating subsection (1) or (2) of this section

1 or the regulations governing the public use or administration of a state
2 wildlife management area shall be guilty of a Class III misdemeanor.

3 (5) ~~(4)~~ For purposes of this section, state wildlife management
4 areas means those areas which are primarily of public hunting, fishing,
5 or other wildlife values, and which cannot logically be classified in one
6 of the categories listed in subdivision (1), (2), or (3) of section
7 37-338, when so designated by the commission to be maintained from fish
8 and game funds.

9 Sec. 3. Section 81-12,213, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-12,213 (1) The right to receive matching funds under the Nebraska
12 Rural Projects Act:

13 (a) Shall be subject to the limitations on matching funds provided
14 in subsections (3) and (4) of this section and any other limitations
15 provided in the act;

16 (b) Shall be subject to funds being appropriated by the Legislature;
17 and

18 (c) Shall not be transferable.

19 (2) No less than fifty million dollars of matching funds shall be
20 paid in total under the Nebraska Rural Projects Act.

21 (3) No more than thirty million dollars of matching funds shall be
22 paid for any one project out of the initial fifty million dollars
23 appropriated pursuant to subsection (7) of this section. If more than
24 fifty million dollars are appropriated under the act, no one project
25 shall receive more than sixty percent of the amount appropriated in
26 excess of fifty million dollars.

27 (4) An applicant shall not receive more matching funds than the
28 amount of matching funds approved under the applicant's agreement.

29 (5)(a) ~~(5)~~ For any year in which more than one applicant qualifies
30 for matching funds and there is not enough money available for
31 disbursement of matching funds to each such applicant, the amount of

1 matching funds paid to each such applicant shall be prorated according to
2 the applicant's percentage of the total amount owed to all such
3 applicants. ~~, the applicant with the earlier date of application shall~~
4 ~~receive the full amount of matching funds to which he or she is entitled~~
5 ~~before any matching funds may be paid to the applicant with the later~~
6 ~~date of application.~~

7 (b) If an applicant cannot be paid in full in any given year, then
8 the remaining matching funds that are still owed to such applicant shall
9 be paid in later years until all such matching funds owed to the
10 applicant are fully paid ~~fully funded~~, subject to the limitations
11 provided in this section.

12 (6) It is the intent of the Legislature that all matching funds owed
13 to applicants under agreements signed pursuant to the Nebraska Rural
14 Projects Act shall be paid by the state in full if the applicant has met
15 all requirements for such funds.

16 (7) It is further the intent of the Legislature to appropriate
17 twenty-five million dollars for fiscal year 2021-22 and twenty-five
18 million dollars for fiscal year 2022-23 to the Department of Economic
19 Development for purposes of carrying out the Nebraska Rural Projects Act.

20 Sec. 4. Laws 2023, LB814, section 157, is amended to read:

21 Sec. 157. AGENCY NO. 33 – GAME AND PARKS COMMISSION

22 Program No. 967 - State Park Improvements

	FY2023-24	FY2024-25	FUTURE
23 CASH FUND	14,000,000	14,000,000	-0-
24 PROGRAM TOTAL	14,000,000	14,000,000	-0-

26 The Game and Parks Commission is hereby authorized to complete
27 projects at Fort Robinson State Park, including ~~the restoration of Carter~~
28 ~~P. Johnson Lake,~~ interior upgrades to existing lodging units,
29 reconstruction of the "Bakery" building, enhancements to the post
30 playhouse, construction of an additional building honoring Buffalo
31 Soldiers, and construction of an additional officer's quarters for

1 overnight lodging. There is included in the appropriation to this program
2 \$10,000,000 Cash Funds for FY2023-24 for such purpose, of which up to
3 \$2,000,000 shall be used for the purpose of honoring Buffalo Soldiers.
4 There is included in the appropriation to this program \$10,000,000 Cash
5 Funds for FY2024-25 for such purpose, of which \$2,000,000 shall be used
6 for construction of an additional building honoring Buffalo Soldiers.

7 The Game and Parks Commission is hereby authorized to renovate the
8 lodge at Eugene T. Mahoney State Park. There is included in the
9 appropriation to this program \$4,000,000 Cash Funds for FY2023-24 and
10 \$4,000,000 Cash Funds for FY2024-25 for such purpose.

11 Sec. 5. Original sections 37-302 and 37-336, Reissue Revised
12 Statutes of Nebraska; section 81-12,213, Revised Statutes Cumulative
13 Supplement, 2022; and Laws 2023, LB814, section 157, are repealed.