

LEGISLATIVE BILL 613

Approved by the Governor March 30, 1978

Introduced by Constitutional Revision and Recreation Committee, Koch, 12, Chmn.; Barnett, 26; Fitzgerald, 14; Labedz, 5; E. Dvorak, 8; Reutzler, 15; Carsten, 2

AN ACT to amend sections 81-814.01, 81-815.22, 81-815.23, and 81-815.32, Reissue Revised Statutes of Nebraska, 1943, relating to the Game and Parks Commission; to change the designation of state special use areas to state wildlife management areas; and to repeal the original sections.

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

Section 1. That section 81-814.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-814.01. (1) The Game and Parks Commission may establish change cash funds for use at any of the following locations:

- (a) Manned state parks;
- (b) Manned state recreation areas;
- (c) Manned state historical parks;
- (d) Manned state wayside areas;
- (e) Manned state special-use wildlife management areas; and
- (f) Administrative offices of the Game and Parks Commission.

(2) Money for the change cash funds shall be taken from the State Game Fund or the State Park Fund.

(3) The amount of each change cash fund shall be determined by the commission based upon need at each location. At no location shall the sum of money to be used as a change cash fund exceed four hundred dollars.

(4) Personnel at each location where a change cash fund has been established shall make a monthly accounting of such fund to the Game and Parks Commission. The commission shall make a monthly accounting of all

change cash funds to the State Treasurer.

Sec. 2. That section 81-815.22, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-815.22. As used in sections 81-815.21 to 81-815.35, unless the context otherwise requires:

(1) Commission shall mean the Game and Parks Commission;

(2) State parks shall mean parks of substantial area with the primary value of significant statewide scenic, scientific or historic interest, having a complete development potential and, where possible, a representative portion which can be retained in a natural or relatively undisturbed state;

(3) State recreation areas shall mean areas with a primary value for day use, but with secondary overnight-use facilities or potential, which have reasonable expansion capability, and are located in accordance with sound park management principles;

(4) State historical parks shall mean only sites which, in the opinion of competent, recognized authorities, are of notable historical significance to the State of Nebraska, of a size adequate to develop the full interpretative potential of the site, and which may be equipped with limited day-use facilities when such facilities do not detract from nor interfere with the primary purposes and values thereof;

(5) State wayside areas shall be areas appropriate in size and located at strategic intervals adjacent to main traveled highways to provide safe rest and picnic stops for travelers, which sites shall be selected for scenic or historical interest when possible, equipped with safe approach and departure lanes, and be developed in a manner and with such facilities as are appropriate to their purpose; and

(6) State special-use wildlife management areas shall be those areas which are primarily of public hunting, fishing, or other wildlife values, and which cannot logically be classified in one of the categories listed in subdivisions (2), (3), (4), or (5) of this section, when so designated by the commission to be maintained from fish and game funds.

Sec. 3. That section 81-815.23, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

81-815.23. The state park system hereby established shall consist of existing and acquired areas determined and designated by the commission as properly falling in one of the following classes: State parks, state recreation areas, state historical parks, and state wayside areas. State ~~special--use~~ wildlife management areas shall also be administered by the commission, but not as a part of the state park system nor with park funds.

The commission shall be charged with the responsibility for the establishment and conduct of the state park system and all things pertaining thereto. The state park system shall be administered through a Division of State Parks hereby established within the commission to be headed by a division chief who has been selected for this purpose and who has an appropriate background in this field. The division chief shall be appointed by the commission and shall receive such salary as the commission shall determine.

Sec. 4. That section 81-815.32, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-815.32. The commission may establish and collect reasonable fees for the use of operated facilities of a personal-service nature in state ~~special use~~ wildlife management areas, and may in its sole discretion, grant concessions in such areas for the provision of appropriate services to the public, may grant permits for certain land or other resource utilization commensurate with the purposes of sections 81-815.21 to 81-815.35, and may prescribe and collect appropriate fees or rentals therefor. The proceeds of all such fees, rentals, and other revenues from operated facilities, concessions, or permits shall be deposited in the State Game Fund.

Sec. 5. That original sections 81-814.01, 81-815.22, 81-815.23, and 81-815.32, Reissue Revised Statutes of Nebraska, 1943, are repealed.