

## LEGISLATIVE BILL 610

Approved by the Governor May 16, 1983

Introduced by Speaker, Nichol, 48, for the Governor

AN ACT to amend sections 81-815.21 to 81-815.23, Reissue Revised Statutes of Nebraska, 1943, and section 81-814.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 163, Eighty-eighth Legislature, First Session, 1983, relating to the Game and Parks Commission; to change the use of a change cash fund; to transfer control of state wayside areas to the Department of Roads; to define a term; to harmonize provisions; 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, as amended by section 1, Legislative Bill 163, Eighty-eighth Legislature, First Session, 1983, 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) Staffed state parks;
- (b) Staffed state recreation areas;
- (c) Staffed state historical parks;
- ~~(d) Manned state wayside areas;~~
- ~~(e) (d) Staffed state wildlife management~~

areas; and ~~(f) (e) 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 one thousand 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 81-815.21, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-815.21. The intent and purpose of sections 81-815.21 to 81-815.35 is to provide for the development and administration of a balanced state park system and to provide nonurban park areas for the inspiration, recreation, and enjoyment primarily of resident populations, and to provide wayside parks as picnic areas or rest stops for the traveling public.

Sec. 3. 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; and

(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) (5) State 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), or (4) ; or (5) of this section, when so designated by the commission to be

maintained from fish and game funds.

Sec. 4. 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, and state historical parks, 7 and state wayside areas. State 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. 5. (1) On January 1, 1984, the Game and Parks Commission shall transfer to the Department of Roads all areas that are classified as state wayside areas, together with any equipment, facilities, and supplies predominantly used for the operation and maintenance of such wayside areas. Between January 1, 1983, and December 31, 1983, the Game and Parks Commission may reclassify areas as state wayside areas or state recreation areas pursuant to section 81-815.24 and with the concurrence of the Director-State Engineer.

(2) On or before January 1, 1984, the Game and Parks Commission shall file a report with the Governor and with the Clerk of the Legislature identifying the lands, equipment, facilities, and supplies that are being transferred pursuant to subsection (1) of this section. Copies of such report shall be available to the members of the Legislature upon request.

Sec. 6. 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, including overnight camping.

Sec. 7. The Department of Roads shall establish, operate, and maintain state wayside areas. Pursuant to Chapter 84, article 9, the department shall adopt and promulgate rules and regulations necessary to

govern the use of state wayside areas and may establish fees for services, including overnight camping.

The department may contract with public or private entities for the operation and maintenance of state wayside areas.

If the department determines that an area is no longer suited or needed as a state wayside area, the department may close such area or any part thereof and declare such area or facilities as surplus. The department shall offer to convey the surplus land or facilities to all local political subdivisions in the vicinity and if such offers are rejected, the department may sell such lands and facilities.

Sec. 8. That original sections 81-815.21 to 81-815.23, Reissue Revised Statutes of Nebraska, 1943, and section 81-814.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 163, Eighty-eighth Legislature, First Session, 1983, are repealed.