

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 336

Introduced by Hughes, 44.

Read first time January 13, 2021

Committee: Natural Resources

1 A BILL FOR AN ACT relating to game and parks; to amend sections 37-435,
2 37-437, 37-439, and 37-446, Reissue Revised Statutes of Nebraska,
3 and section 37-438, Revised Statutes Cumulative Supplement, 2020; to
4 define and redefine terms; to provide for regular and limited annual
5 and temporary park entry permits as prescribed; to change and
6 provide fees; to provide for designation and disbursement of certain
7 fees under the State Park Cash Revolving Fund; to harmonize
8 provisions; and to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-435, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-435 For purposes of sections 37-434 to 37-446, unless the context
4 otherwise requires:

5 (1) Limited permit means a permit granting access to all permit
6 areas except Lake McConaughy State Recreation Area and Lake Ogallala
7 State Recreation Area;

8 (2) ~~(1)~~ Motor vehicle means any self-propelled vehicle of a type
9 required to be registered and licensed for operation on the highways of
10 the state;

11 (3) Nonresident motor vehicle means a motor vehicle registered or
12 licensed in another state;

13 (4) Permit areas means those areas, or portions of areas, of the
14 Nebraska state park system which are defined in subdivisions (1), (2),
15 and (3) of section 37-338 and which are designated as provided in
16 sections 37-339 and 37-340;

17 (5) Permit means any motor vehicle entry permit issued under section
18 37-438 or 37-439;

19 (6) Regular permit means a permit granting access to all permit
20 areas; and

21 (7) Resident motor vehicle means a motor vehicle registered and
22 licensed in this state.

23 ~~(2) Permit areas means those areas, or portions of areas, of the~~
24 ~~Nebraska state park system which are defined in subdivisions (1), (2),~~
25 ~~and (3) of section 37-338 and which are designated as provided in~~
26 ~~sections 37-339 and 37-340; and~~

27 ~~(3) Permit means motor vehicle entry permit.~~

28 Sec. 2. Section 37-437, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 37-437 A permit shall entitle the vehicle for which it is issued
31 access to any permit area authorized under such permit and no other right

1 or privilege shall be conveyed. A permit shall not entitle the holder, or
2 any occupant of the vehicle, to any service, facility, or activity for
3 which a separate fee is imposed.

4 Sec. 3. Section 37-438, Revised Statutes Cumulative Supplement,
5 2020, is amended to read:

6 37-438 (1) The commission shall devise annual, temporary, and
7 disabled veteran permits. Annual and temporary permits shall include
8 regular permits and limited permits issued for a nonresident motor
9 vehicle.

10 (2) The annual permit may be purchased by any person and shall be
11 valid through December 31 in the year for which the permit is issued. The
12 fee for the annual permit for a resident motor vehicle shall be not more
13 than thirty-five dollars per permit. The fee for the annual limited
14 permit for a nonresident motor vehicle shall not be less than the fee for
15 a resident motor vehicle and not more than sixty-five dollars. The fee
16 for the annual regular permit for a nonresident motor vehicle shall be
17 eighty dollars. Except for the annual regular permit fee for a
18 nonresident motor vehicle, the ~~The~~ commission shall establish such other
19 fees by the adoption and promulgation of rules and regulations. Except
20 for an annual limited permit, the commission may issue annual permits
21 which are valid for any area or combination of areas or valid for a
22 single area.

23 (3) A temporary permit may be purchased by any person and shall be
24 valid until noon of the day following the date of issue. The fee for the
25 temporary permit for a resident motor vehicle shall be not more than
26 seven dollars. The fee for the temporary limited permit for a nonresident
27 motor vehicle shall be not more than twelve dollars. The fee for the
28 temporary regular permit for a nonresident motor vehicle shall be fifteen
29 dollars. Except for the temporary regular permit fee for a nonresident
30 motor vehicle, the ~~The~~ commission shall establish such other fees by the
31 adoption and promulgation of rules and regulations. Except for a

1 ~~temporary limited permit, the~~ The commission may issue temporary permits
2 which are either valid for any area or combination of areas or valid for
3 a single area.

4 (4)(a) A veteran who is a resident of Nebraska shall, upon
5 application and without payment of any fee, be issued one disabled
6 veteran permit for a resident motor vehicle if the veteran:

7 (i) Was discharged or separated with a characterization of honorable
8 or general (under honorable conditions); and

9 (ii)(A) Is rated by the United States Department of Veterans Affairs
10 as fifty percent or more disabled as a result of service in the armed
11 forces of the United States; or

12 (B) Is receiving a pension from the United States Department of
13 Veterans Affairs as a result of total and permanent disability, which
14 disability was not incurred in the line of duty in the military service.

15 (b) All disabled veteran permits issued pursuant to this subsection
16 shall be perpetual and shall become void only upon termination of
17 eligibility as provided in this subsection.

18 (c) The commission may adopt and promulgate rules and regulations
19 necessary to carry out this subsection.

20 (5) The commission may offer permits or combinations of permits at
21 temporarily reduced rates for specific events or during specified
22 timeframes.

23 Sec. 4. Section 37-439, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 37-439 (1) In addition to the permits authorized in section 37-438,
26 the commission shall design a duplicate annual permit which may be
27 purchased for one-half the fee ~~for~~ of an annual permit prescribed in such
28 section.

29 (2) The registered owner of two or more motor vehicles may purchase
30 one duplicate annual permit for each annual permit purchased. The
31 duplicate annual permit shall be used for the purchaser's vehicles. A

1 duplicate annual permit may be purchased at any time during the year upon
2 proof of purchase of an annual permit and in compliance with rules and
3 regulations of the commission. A permitholder who sells his or her
4 vehicle may purchase a duplicate annual permit upon surrendering the
5 original permit or a substantial portion of the permit.

6 Sec. 5. Section 37-446, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 37-446 (1) The permit fees charged under sections 37-438 and 37-439
9 shall be credited to the State Park Cash Revolving Fund and, except as
10 specifically provided in subsection (2) of this section, shall be
11 disbursed for the administration, improvement, operation, and maintenance
12 of those areas, or portion of areas, of the state park system which are
13 designated as permit areas.

14 (2) Not less than ninety-five percent of the difference between (a)
15 the amount of the fee charged for an annual limited permit for a
16 nonresident motor vehicle and the amount of the fee charged for an annual
17 regular permit for a nonresident motor vehicle and (b) the amount of the
18 fee charged for a temporary limited permit for a nonresident motor
19 vehicle and the amount of the fee charged for a temporary regular permit
20 for a nonresident motor vehicle shall be designated for use to help
21 defray operational, maintenance, and improvement costs at Lake McConaughy
22 State Recreation Area and Lake Ogallala State Recreation Area.

23 Sec. 6. Original sections 37-435, 37-437, 37-439, and 37-446,
24 Reissue Revised Statutes of Nebraska, and section 37-438, Revised
25 Statutes Cumulative Supplement, 2020, are repealed.