

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB362

Hearing Date: Thursday February 07, 2013
Committee On: Natural Resources
Introducer: Avery
One Liner: Change state park entry permit provisions and provide for a motor vehicle registration fee

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Brasch, Carlson, Haar, Johnson, Kolowski, Schilz, Smith
Nay:	1	Senator Dubas
Absent:		
Present Not Voting:		

Proponents:

Senator Bill Avery
Roger Kuhn
Erwin Friesen
John Kingsbury
Marjorie Kennedy
Jim Craig
Joanie Stone
Jeff Parker
Jarel Vinduska
Kevin Markt
John Mueller
Robert Fricke
Duane Hovorka
Travis Haggard

Representing:

Introducer
Nebraska Game and Parks Commission
Lewis and Clark Center
Better Ponca Foundation, Inc.
Self
Angry Low Adventures
Family Campers and RVers
Mahoney Grille
Self
Self
Self
Self
Nebraska Wildlife Federation
Keith County Area Development

Opponents:

Curtis Smith

Representing:

Nebraska Chapter, Associated General Contractors

Neutral:

Representing:

Summary of purpose and/or changes:

LB 362 would eliminate the permit that Nebraska residents are now required to purchase for entry into state parks and would place a \$7 registration fee on certain motor vehicles to replace the revenue from the permit fees. The bill would provide open access to state parks for all Nebraska residents, and would provide a revenue stream to be used for repairs, updates and maintenance of state park facilities. Non-residents would still be required to purchase park entry permits.

Explanation of amendments:

The Committee amendment, AM 455, clarifies the vehicles that would be exempt from the motor vehicle registration fee

and makes technical adjustments to allow the Department of Motor Vehicles to administer their duties under the bill. The bill, as amended, would do the following:

Section 1 amends 37-434, the Game and Parks statute requiring that permit fees be set for entry into state parks, by making the provision applicable only to vehicles not registered in Nebraska or exempt under current statute. Also states that a registration fee will be imposed on Nebraska residents via the Motor Vehicle Registration Act.

Section 2 amends 37-436, which lists the motor vehicles exempt from the permit requirement, by clarifying that only motor vehicles not registered in Nebraska are required to get entry permits.

Section 3 amends 37-438, which provides for the annual and temporary permit fees, by eliminating the Nebraska resident fee language, making it clear that there is only one fee for annual permits and one fee for temporary permits, with no reference to residency.

Section 4 amends 37-441, which authorizes the commission to designate permit areas, by adding that the commission may designate permit areas only for non-resident and non-exempt vehicles.

Section 5 amends 37-442, which requires the commission to post signs at the permit areas, by clarifying that the signs are to state that motor vehicles not registered in Nebraska and not exempt are to display a permit.

Section 6 amends 37-443, which makes it unlawful to not display a permit, by clarifying that it is unlawful for motor vehicles not registered in Nebraska and not exempt to fail to display a permit.

Sections 7 and 8 amend 37-446, which directs permit fees to the State Park Cash Revolving Fund, and 60-301, which cites the Motor Vehicle Registration Act, by adding reference to the new language.

Section 9 amends 60-3,156, which lists the fees collectable in addition to the motor vehicle registration fees authorized under the Motor Vehicle Registration Act, by adding a fee of \$7 for each certificate issued for motor vehicles, unless otherwise exempted, that is to be credited to the State Park Cash Revolving Fund. However, for calendar year 2014, 2 percent of the fee is to be credited to the Department of Motor Vehicles Cash Fund.

Section 10 creates new language that exempts the following motor vehicles from the registration fee:

- * those with handicapped or disabled plates (60-3,113)
- * those with Pearl Harbor plates (60-3,122)
- * those with Gold Star plates (60-3,122.01 and 60-3,122.02)
- * those with Prisoner of War plates (60-3,123)
- * those with Disabled Veteran plates (60-3,124)
- * those with Purple Heart plates (60-3,125)
- * those with historical antique and vintage plates (60-3,130)
- * school buses 60-3,144
- * local trucks, farm trucks, and trucks exceeding 5 tons (60-3,145, 60-3,146, 60-3,147 3(d)(e)(f))
- * soil and water conservation vehicles (60-3,149)
- * well-boring/well-servicing equipment (60-3,155)
- * government vehicles (60-3,160)
- * those exempt from motor vehicle taxes: disabled or blind veterans, owned by Indians as defined by federal law, U.S. Armed Forces members from other states if serving in official capacity, owned by the state and its governmental subdivisions, owned by tax-exempt societies or organizations (60-3,185)
- * ambulances/hearses if the owner files an application for exemption with the county treasurer (60-152)
- * taxicabs, if the owner files an application for exemption with the county treasurer (60-3,154)

Section 11 amends 60-1513, which creates the Motor Vehicles Cash Fund, by requiring the Department of Motor Vehicles to use money credited to the fund through this bill to be used for point-of-collection activities associated with

implementing the bill's provisions.

Section 12 provides an operative date of January 1, 2014.

Section 13 repeals the original sections.

Tom Carlson, Chairperson