

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1262

Introduced by Murman, 38; Brandt, 32; Gragert, 40; Lowe, 37; McCollister,
20; McDonnell, 5.

Read first time January 20, 2022

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to recreation areas; to adopt the Recreation
- 2 Area Assistance Act; and to state intent regarding appropriation of
- 3 federal funds.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the Recreation Area Assistance Act.

3 Sec. 2. The Legislature finds and declares that:

4 (1) The COVID-19 pandemic has negatively impacted areas of this
5 state that depend upon the revenue generated from water-related
6 recreational activities; and

7 (2) It is in the public interest to assist these areas of the state
8 through the projects described in the Recreation Area Assistance Act.

9 Sec. 3. For purposes of the Recreation Area Assistance Act:

10 (1) Commission means the Game and Parks Commission; and

11 (2) Recreation area means a lake or reservoir in this state
12 measuring at least three thousand but no more than twenty thousand
13 surface acres in size and the area surrounding the lake or reservoir that
14 is used for accessing the lake or reservoir and for related recreational
15 activities.

16 Sec. 4. (1) The purpose of the Recreation Area Assistance Act is to
17 administer and carry out the following projects at recreation areas in
18 this state:

19 (a) Provide new or refurbished boating docks;

20 (b) Improve access roads and related infrastructure for the
21 recreation area;

22 (c) Improve Internet access and telecommunications service for the
23 recreation area;

24 (d) Promote the use of the recreation area and related tourism
25 attractions, including, but not limited to, splash pads, dog parks, and
26 dog runs;

27 (e) Create recreational trails;

28 (f) Promote fishing and create fish cleaning stations;

29 (g) Create tourist attractions;

30 (h) Create kayak landings; and

31 (i) Create and improve camping and recreational vehicle sites.

1 (2) The commission is granted all power necessary to carry out the
2 purposes of the Recreation Area Assistance Act, including, but not
3 limited to, the power to:

4 (a) Enter into contracts, including, but not limited to, contracts
5 relating to the provision of construction services, management services,
6 legal services, auditor services, and other consulting services or advice
7 as the commission may require in the performance of its duties; and

8 (b) Enter into public-private partnerships to carry out the purposes
9 of the act.

10 Sec. 5. (1) There is hereby created the Recreation Area Assistance
11 Fund to be administered by the commission.

12 (2) The State Treasurer shall credit to the fund such money as is
13 (a) transferred to the fund by the Legislature and (b) donated as gifts,
14 bequests, or other contributions to such fund from public or private
15 entities.

16 (3) The money in the fund shall not be subject to any fiscal-year
17 limitation or lapse provision of unexpended balance at the end of any
18 fiscal year or biennium. Transfers may be made from the fund to the
19 General Fund at the direction of the Legislature.

20 (4) Any money in the Recreation Area Assistance Fund available for
21 investment shall be invested by the state investment officer pursuant to
22 the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act.

24 (5) It is the intent of the Legislature to appropriate eight million
25 dollars from Federal Funds for fiscal year 2022-23 to the commission to
26 carry out the Recreation Area Assistance Act. The Federal Funds to be
27 appropriated are from funds allocated to the State of Nebraska from the
28 federal Coronavirus State Fiscal Recovery Fund pursuant to the federal
29 American Rescue Plan Act of 2021, Public Law 117-2, Subtitle M, Sec.
30 9901.

31 Sec. 6. The commission may adopt and promulgate rules and

1 regulations to carry out the Recreation Area Assistance Act.