

E AND R AMENDMENTS TO LB 1049

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 37-101, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 37-101 (1) The Game and Parks Commission shall consist
6 of eight members, one from each of the eight districts provided
7 for by section 37-102, and shall be appointed by the Governor
8 with the consent of a majority of all members of the Legislature.
9 Members of the commission shall be legal residents and citizens of
10 Nebraska and shall be well informed on wildlife conservation and
11 restoration. ~~Until January 1, 2006, at least two members of the~~
12 ~~commission shall be actually engaged in agricultural pursuits and~~
13 ~~shall reside on a farm or ranch. On and after January 1, 2006, at~~
14 At least three members of the commission shall be actually engaged
15 in agricultural pursuits, and at least two of such members shall
16 reside on a farm or ranch. Not more than four of the members of
17 the commission shall be affiliated with the same political party.
18 The political party affiliation of each prospective member shall
19 be determined as of the statewide general election prior to his or
20 her appointment. When a member ceases to meet the qualifications
21 for his or her initial appointment, the office shall be immediately
22 vacated.

23 (2) When the term of any member of the commission

1 expires, a successor shall be appointed as provided in subsection
2 (1) of this section ~~for a term of five years~~ from the same
3 district as the member whose term has expired. Members appointed
4 prior to January 1, 2009, shall be appointed for five-year terms.
5 Members appointed on or after January 1, 2009, shall be appointed
6 for four-year terms. Beginning with appointments made for terms
7 beginning after January 1, 2008, in districts which contain more
8 than one county, the Governor shall not appoint a person from
9 the same county as his or her predecessor unless the Governor is
10 reappointing the same person. Each member shall serve until the
11 appointment and qualification of his or her successor. In case of a
12 vacancy occurring prior to the expiration of the term of a member,
13 the appointment shall be made only for the remainder of the term.
14 An appointment made for the remainder of the term shall not be
15 considered a full term.

16 (3) All members of the commission shall be citizens and
17 bona fide residents of the district from which they are appointed.
18 When a member ceases to be a bona fide resident of the district,
19 from which he or she was appointed, the office shall be immediately
20 vacated.

21 (4) If the Legislature is not in session when members
22 of the commission are appointed by the Governor, they shall take
23 office and act as recess appointees until the Legislature next
24 thereafter convenes.

25 (5) Members may be removed by the Governor for
26 inefficiency, neglect of duty, or misconduct in office, but only
27 after delivering to the member a copy of the charges and affording

1 an opportunity of being publicly heard in person or by counsel in
2 his or her own defense, upon not less than ten days' notice. Such
3 hearing shall be held before the Governor. ~~(6)~~ If such member is
4 removed, the Governor shall file in the office of the Secretary of
5 State a complete statement of all charges made against such member
6 and his or her findings thereon, together with a complete record
7 of the proceedings. Ne

8 (6) Until January 1, 2009, no person who has served
9 a full five-year term shall be eligible for reappointment as a
10 member of the commission until at least five years have elapsed
11 between any previous term which he or she might have served and the
12 effective date of his or her new appointment. No person who has
13 served two full terms after January 1, 2009, shall be eligible for
14 reappointment as a member of the commission.

15 Sec. 2. Original section 37-101, Reissue Revised Statutes
16 of Nebraska, is repealed.