

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 388
FINAL READING

Introduced by Aguilar, 35

Read first time January 16, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to economic development; to amend sections
2 81-1201.04, 81-1201.05, and 81-1201.14, Reissue Revised
3 Statutes of Nebraska; to change membership and
4 duties of the Economic Development Commission; to
5 eliminate provisions relating to the Nebraska Industrial
6 Competitiveness Alliance; and to repeal the original
7 sections.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-1201.04, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 81-1201.04 The commission shall consist of nine voting
4 members appointed by the Governor. The chairperson of the
5 commission shall be one of the ~~nine~~ appointed members and shall
6 be chosen by the commission. Each congressional district in
7 Nebraska shall be represented by three members, and the Governor
8 shall solicit nominations for appointments to the commission from
9 recognized economic development groups in Nebraska. The members of
10 the commission shall be representative, to the extent possible, of
11 the various geographic areas of the state and of both the urban and
12 rural population. The director shall serve as an ad hoc nonvoting
13 member of the commission. In appointing the members, the Governor
14 shall seek to create a broad-based commission representative of
15 the Nebraska economy. To achieve this objective the Governor shall
16 ~~consider persons with backgrounds in the following areas; appoint~~
17 individuals from the following private industry sectors:

18 (1) Production agriculture;

19 (2) ~~Manufacturing;~~ At least two individuals from
20 manufacturing, one such individual shall represent a company with
21 no more than seventy-five employees;

22 (3) Transportation and ~~communications;~~ logistics;

23 (4) Travel and tourism; and

24 (5) ~~Insurance;~~ Financial services and insurance;

25 (6) Information technology and communications; and

1 (7) Biotechnology.

2 The commission and department are encouraged to involve
3 other essential groups in the work of the commission, including,
4 but not limited to, the (a) University of Nebraska, (b)
5 Department of Agriculture, (c) State Energy Office, (d) educational
6 institutions, (e) Department of Labor, and (f) Nebraska Investment
7 Finance Authority. No more than five voting members of the
8 commission shall belong to the same political party.

9 The commission shall provide programmatic policy guidance
10 and oversight to the Nebraska Manufacturing Extension Partnership.

11 Sec. 2. Section 81-1201.05, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-1201.05 Members of the commission shall serve for
14 terms of ~~six~~ four years, except that ~~of~~ the members initially
15 appointed one member from each congressional district shall be
16 appointed for a term of two years, one member for a term of four
17 years, and one member for a term of six years. -serving on the
18 effective date of this act may serve for the remainder of their
19 six-year terms. Members shall be limited to two consecutive terms.

20 The director shall serve on the commission for the term of his
21 or her appointment as director. If a vacancy occurs, the Governor
22 shall appoint a representative of the same congressional district,
23 within forty-five working days after the date the vacancy occurs,
24 to finish the unexpired term of the member. The members of the
25 commission shall serve without compensation but may be reimbursed

1 for their actual and necessary expenses as provided in sections
2 81-1174 to 81-1177 for state employees. ~~The Governor shall make the~~
3 ~~initial appointments within sixty days after July 17, 1986.~~

4 Sec. 3. Section 81-1201.14, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-1201.14 The primary responsibility of the Existing
7 Business Assistance Division shall be to provide assistance to
8 instate businesses. Such assistance shall encourage the startup
9 of new businesses and the retention and expansion of existing
10 businesses. Emphasis shall be placed upon meeting the unique needs
11 of small businesses in the state. Activities of the division shall
12 include, but not be limited to, financial packaging, technical
13 assistance, contacts with existing businesses regarding needs,
14 work force development, job training assistance, export technical
15 assistance, and assistance to businesses in accessing new markets
16 and new technologies.

17 The division shall avoid duplication with existing
18 programs already in place which assist small businesses and
19 entrepreneurs, and the department and the division shall deliver
20 their programs through, to the extent possible, the Nebraska
21 Business Development Center, ~~Nebraska FoodStrategy,~~ the University
22 of Nebraska-Lincoln Food Processing Center, the Nebraska Investment
23 Finance Authority, the Small Business Administration of the federal
24 government, ~~the Nebraska Industrial Competitiveness Alliance,~~ and
25 other related organizations.

1 The Nebraska Industrial Competitiveness Alliance is
2 hereby created within the department. The alliance shall be a
3 cooperative partnership of individuals and organizations from
4 business, labor, education, and government which assists Nebraska
5 manufacturers to be more competitive in the world market. The
6 alliance shall be governed by a board appointed by the Governor
7 upon recommendation from the department. The Nebraska Industrial
8 Competitiveness Alliance Board shall consist of twenty-two to
9 twenty-eight members of which the majority shall be individuals
10 from the private sector and at least one-half of whom shall
11 represent small and medium-sized manufacturers. Not more than eight
12 members of the board shall be from state or local government. The
13 board shall establish and approve bylaws to govern its operations
14 and will have the following powers and duties:

15 (1) To advise the Governor and state agencies on policies
16 and activities that will advance the competitiveness of Nebraska's
17 manufacturing sector;

18 (2) To provide programmatic policy, guidance, and
19 oversight to the Nebraska Industrial Competitiveness Service
20 manufacturing extension program and the School-to-Work Program and
21 provide oversight to the Science and Technology Program and any
22 other programs as assigned by the Governor or by the department;

23 (3) To establish a fee for selected services; and

24 (4) To receive and approve the expenditure of funds
25 appropriated by the Legislature or received through federal program

1 ~~grants, gifts, bequests, fees, commissions, and other contributions~~
2 ~~from private sources.~~

3 ~~Members of the Nebraska Industrial Competitiveness~~
4 ~~Alliance Board shall not be liable to the state, to the alliance,~~
5 ~~or to any other person as a result of their activities, whether~~
6 ~~ministerial or discretionary, except for dishonesty, negligence, or~~
7 ~~intentional violation of the law.~~

8 ~~Sec. 4. Original sections 81-1201.04, 81-1201.05, and~~
9 ~~81-1201.14, Reissue Revised Statutes of Nebraska, are repealed.~~