

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 418

Introduced by Erdman, 47

Read first time January 16, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend
2 section 37-101, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to membership and terms; to
4 harmonize provisions; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

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

3 37-101 (1) The Game and Parks Commission shall consist
4 of eight members, one from each of the eight districts provided
5 for by section 37-102, and shall be appointed by the Governor
6 with the consent of a majority of all members of the Legislature.
7 Members of the commission shall be legal residents and citizens of
8 Nebraska and shall be well informed on wildlife conservation and
9 restoration. ~~Until January 1, 2006, at least two members of the~~
10 ~~commission shall be actually engaged in agricultural pursuits and~~
11 ~~shall reside on a farm or ranch. On and after January 1, 2006, at~~
12 At least three members of the commission shall be actually engaged
13 in agricultural pursuits, and at least two of such members shall
14 reside on a farm or ranch. Not more than four of the members of the
15 commission shall be affiliated with the same political party.

16 (2) When the term of any member of the commission
17 expires, a successor shall be appointed as provided in subsection
18 (1) of this section ~~for a term of five years from the same~~
19 ~~district as the member whose term has expired. Members appointed~~
20 prior to January 1, 2008, shall be appointed for five-year terms.
21 Members appointed on or after January 1, 2008, shall be appointed
22 for four-year terms. Beginning with appointments made for terms
23 beginning after January 1, 2008, in districts which contain more
24 than one county, the Governor shall not appoint a person from
25 the same county as his or her predecessor unless the Governor is

1 reappointing the same person. Each member shall serve until the
2 appointment and qualification of his or her successor. In case of a
3 vacancy occurring prior to the expiration of the term of a member,
4 the appointment shall be made only for the remainder of the term.

5 (3) All members of the commission shall be citizens and
6 bona fide residents of the district from which they are appointed.
7 When a member ceases to be a bona fide resident of the district,
8 from which he or she was appointed, the office shall be immediately
9 vacated.

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

14 (5) Members may be removed by the Governor for
15 inefficiency, neglect of duty, or misconduct in office, but only
16 after delivering to the member a copy of the charges and affording
17 an opportunity of being publicly heard in person or by counsel in
18 his or her own defense, upon not less than ten days' notice. Such
19 hearing shall be held before the Governor. ~~(6)~~ If such member is
20 removed, the Governor shall file in the office of the Secretary of
21 State a complete statement of all charges made against such member
22 and his or her findings thereon, together with a complete record
23 of the proceedings.

24 (6) Until January 1, 2008, no ~~Ne~~ person who has served
25 a full five-year term shall be eligible for reappointment as a

1 member of the commission until at least five years have elapsed
2 between any previous term which he or she might have served and the
3 effective date of his or her new appointment. On and after January
4 1, 2008, no person who has served two full terms shall be eligible
5 for reappointment as a member of the commission.

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