

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 494

Introduced by Davis, 43; Johnson, 23; Nelson, 6; Scheer, 19;
Watermeier, 1.

Read first time January 23, 2013

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend
2 sections 37-101, 37-102, and 37-104, Reissue Revised
3 Statutes of Nebraska; to provide for a ninth district and
4 a tenth member; to harmonize provisions; and to repeal
5 the original sections.
6 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)(a) The Game and Parks Commission shall consist
4 of ~~nine~~ten members, one from each of the ~~eight~~nine districts
5 provided for by section 37-102 and one at-large member, and shall be
6 appointed by the Governor with the consent of a majority of all
7 members of the Legislature.

8 (b) Members of the commission shall be legal residents
9 and citizens of Nebraska and shall be well informed and interested in
10 matters under the jurisdiction of the commission.

11 (c) At least three members of the commission shall be
12 actually engaged in agricultural pursuits.

13 (d) Not more than five of the members of the commission
14 shall be affiliated with the same political party. The political
15 party affiliation of each prospective member shall be determined as
16 of the statewide general election prior to his or her appointment.

17 (e) Members of the commission representing districts
18 provided for by section 37-102 shall be bona fide residents of the
19 district from which they are appointed.

20 (f) When a member ceases to be a member of the political
21 party determined under subdivision (d) of this subsection, ceases to
22 be a bona fide resident of the district, or ceases to be actually
23 engaged in agricultural pursuits if required to meet the
24 qualifications for his or her appointment, the office shall be
25 immediately vacated.

1 (2)(a) When the term of a member of the commission
2 representing a district provided for by section 37-102 expires, a
3 successor shall be appointed as provided in subsection (1) of this
4 section from the same district as the member whose term has expired.
5 The terms of the members serving district numbers 4, 6, and 8 on
6 January 1, 2009, shall be extended to January 15 of the year
7 following the expiration of their current terms. Members appointed
8 for terms expiring prior to January 1, 2012, shall be appointed for
9 five-year terms. Members appointed for terms expiring on or after
10 January 1, 2012, shall be appointed for four-year terms. The member
11 appointed to represent district number 9 shall be appointed for a
12 term ending January 15, 2019. The terms of all members shall begin on
13 January 15, and the term of the at-large member shall begin January
14 15, 2009.

15 (b) Each member shall serve until the appointment and
16 qualification of his or her successor. In case of a vacancy occurring
17 prior to the expiration of the term of a member, the appointment
18 shall be made only for the remainder of the term. An appointment made
19 for the remainder of the term shall not be considered a full term.

20 (c) No person who has served two full terms shall be
21 eligible for reappointment as a member of the commission.

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

1 (4) Members may be removed by the Governor for
2 inefficiency, neglect of duty, or misconduct in office, but only
3 after delivering to the member a copy of the charges and affording an
4 opportunity of being publicly heard in person or by counsel in his or
5 her own defense, upon not less than ten days' notice. Such hearing
6 shall be held before the Governor. If such member is removed, the
7 Governor shall file in the office of the Secretary of State a
8 complete statement of all charges made against such member and his or
9 her findings thereon, together with a complete record of the
10 proceedings.

11 Sec. 2. Section 37-102, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 37-102 For purposes of section 37-101, the state is
14 hereby divided into ~~eight~~ nine districts. The limits and designations
15 of the ~~eight~~ districts shall be as follows:

16 (1) District No. 1. The counties of Richardson, Pawnee,
17 Nemaha, Johnson, Otoe, Cass, Sarpy, Saunders, Butler, Gage, Seward,
18 Saline, and Jefferson;

19 (2) District No. 2. Douglas County;

20 (3) District No. 3. The counties of Washington, Dodge,
21 Colfax, Platte, Merrick, Nance, Boone, Madison, Stanton, Cuming,
22 Burt, Thurston, Wayne, Pierce, Antelope, Knox, Cedar, Dixon, and
23 Dakota;

24 (4) District No. 4. The counties of Thayer, Nuckolls,
25 Webster, Adams, Clay, Fillmore, York, Polk, Hamilton, Hall, Buffalo,

1 Kearney, and Franklin;

2 (5) District No. 5. The counties of Harlan, Furnas, Red
3 Willow, Hitchcock, Dundy, Chase, Hayes, Frontier, Gosper, Phelps,
4 Dawson, Lincoln, and Perkins;

5 (6) District No. 6. The counties of Howard, Greeley,
6 Wheeler, Sherman, Valley, Garfield, Holt, Boyd, Keya Paha, Rock,
7 Brown, Loup, Blaine, Custer, Logan, McPherson, Arthur, Grant, Hooker,
8 and Thomas; , and Cherry;

9 (7) District No. 7. The counties of Deuel, Garden, Keith,
10 ~~Sheridan, Cheyenne, Morrill, Box Butte, Dawes, Sioux, Scotts Bluff,~~
11 Banner, and Kimball; ~~and~~

12 (8) District No. 8. Lancaster County; and -

13 (9) District No. 9. The counties of Box Butte, Cherry,
14 Dawes, Sheridan, and Sioux.

15 Sec. 3. Section 37-104, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 37-104 Regular meetings of the Game and Parks Commission
18 shall be held quarterly. Special meetings may be held upon call of
19 the chairperson or pursuant to a call signed by three other members,
20 of which the chairperson shall have three days' written notice. No
21 official action shall be taken except at a public meeting at the
22 headquarters of the commission or at a public meeting at a location
23 within the state as determined by a majority of members of the
24 commission. ~~Four~~ Six members of the commission shall constitute a
25 quorum for the transaction of business.

1 All regular meetings held in Lincoln, Nebraska, shall be
2 held in suitable offices to be provided under the authority of
3 Chapter 72, article 14. The Game and Parks Commission is authorized
4 to enter into an agreement with the city of Lincoln providing for the
5 supplying by the city of Lincoln to the State of Nebraska for the
6 commission of a headquarters office building and related buildings
7 and facilities therefor, including the parking of motor vehicles, to
8 be located on real estate which is north of Holdrege Street and east
9 of 33rd Street.

10 Sec. 4. Original sections 37-101, 37-102, and 37-104,
11 Reissue Revised Statutes of Nebraska, are repealed.