

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 310**

FINAL READING

Introduced by Davis, 43.

Read first time January 15, 2015

Committee: Natural Resources

1 A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend  
2 section 72-2007, Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to the Niobrara Council; and to repeal the  
4 original section.

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

1 Section 1. Section 72-2007, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 72-2007 (1) The Niobrara Council is created. The council membership  
4 shall include:

5 (a) A commissioner from ~~representative of~~ each of the county boards  
6 of Brown, Cherry, Keya Paha, and Rock counties chosen by the county board  
7 of the respective county;

8 (b) A representative of the Middle Niobrara Natural Resources  
9 District and the Lower Niobrara Natural Resources District chosen by the  
10 board of the respective district;

11 (c) The secretary of the Game and Parks Commission or his or her  
12 designee;

13 (d) The regional director for the National Park Service or his or  
14 her designee and the regional director for the United States Fish and  
15 Wildlife Service or his or designee ~~A representative of the United States~~  
16 ~~Fish and Wildlife Service and a representative of the National Park~~  
17 ~~Service chosen by the Governor from lists of at least three individuals,~~  
18 ~~or fewer if there are not at least three qualified individuals, submitted~~  
19 ~~by the federal services.~~ The members appointments under this subdivision  
20 shall be nonvoting members unless and until the agencies represented by  
21 these members appointees formally authorize such members appointees to  
22 vote on all matters before the council by notifying the council and the  
23 Governor in writing;

24 (e) An individual from each of Brown, Cherry, Keya Paha, and Rock  
25 counties who resides in the Niobrara River drainage area and owns land in  
26 the Niobrara scenic river corridor chosen by the Governor from a list of  
27 at least three individuals, or fewer if there are not at least three  
28 qualified individuals, from each county submitted by the county board  
29 members ~~representatives~~ on the council;

30 (f) A representative from a recreational business operating within  
31 the Niobrara scenic river corridor chosen by the Governor from a list of

1 at least three individuals, or fewer if there are not at least three  
2 qualified individuals, submitted by the county board members  
3 ~~representatives~~ on the council;

4 (g) A timber industry representative operating within the Niobrara  
5 scenic river corridor chosen by the Governor from a list of at least  
6 three individuals, or fewer if there are not at least three qualified  
7 individuals, submitted by the county board members ~~representatives~~ on the  
8 council; and

9 (h) A representative of a recognized, nonprofit environmental,  
10 conservation, or wildlife organization chosen by the Governor from a list  
11 of at least three individuals, or fewer if there are not at least three  
12 qualified individuals, submitted by the county board members  
13 ~~representatives~~ on the council.

14 ~~The council members shall be selected within ninety days after July~~  
15 ~~13, 2000.~~ The council members shall hold office for three-year terms and  
16 until a successor is appointed and qualified. The council members shall  
17 serve at the pleasure of the appointing board or the Governor.

18 (2) The council shall elect a chairperson, a vice-chairperson, a  
19 secretary, and a treasurer who shall jointly serve as the executive  
20 committee for the council. The council shall meet on a regular basis,  
21 ~~preferably once a month,~~ with a minimum of six meetings per year. Special  
22 meetings may be called by any member of the executive committee or at the  
23 request of a simple majority of the members of the council.

24 (3) A quorum shall be present at a meeting before any action may be  
25 taken by the council. A quorum shall be a majority of the members who are  
26 selected and serving and who vote on issues before the council. All  
27 actions of the council require a majority vote of the quorum present at  
28 any meeting, except that any vote to reject or adopt any zoning  
29 regulation or variance under section 72-2010 requires a vote of two-  
30 thirds of all the council members who are selected and serving and who  
31 vote on issues before the council. ~~A council member may not participate~~

1 ~~or vote on any matter on which he or she participated or voted as a~~  
2 ~~member of a county board, county planning commission, or natural~~  
3 ~~resources district board, and in such a case such council member shall~~  
4 ~~not be counted for purposes of determining whether quorum or vote~~  
5 ~~requirements have been satisfied.~~

6 (4) Members shall be reimbursed for actual and necessary expenses  
7 incurred in carrying out their duties on the council as provided in  
8 sections 81-1174 to 81-1177.

9 Sec. 2. Original section 72-2007, Reissue Revised Statutes of  
10 Nebraska, is repealed.