

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 86

Introduced by Davis, 43.

Read first time January 08, 2015

Committee: Natural Resources

1 A BILL FOR AN ACT relating to the Game and Parks Commission; to amend
2 sections 37-101, 37-102, and 37-104, Reissue Revised Statutes of
3 Nebraska; to provide for a ninth district and a tenth member; to
4 change quorum requirements; 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 Nebraska, is
2 amended to read:

3 37-101 (1)(a) The Game and Parks Commission shall consist of ten
4 ~~nine~~ members, one from each of the nine ~~eight~~ districts provided for by
5 section 37-102 and one at-large member, and shall be appointed by the
6 Governor with the consent of a majority of all members of the
7 Legislature.

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

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

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

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

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

25 (2)(a) When the term of a member of the commission representing a
26 district provided for by section 37-102 expires, a successor shall be
27 appointed as provided in subsection (1) of this section from the same
28 district as the member whose term has expired. The terms of the members
29 serving district numbers 4, 6, and 8 on January 1, 2009, shall be
30 extended to January 15 of the year following the expiration of their
31 current terms. Members appointed for terms expiring prior to January 1,

1 2012, shall be appointed for five-year terms. Members appointed for terms
2 expiring on or after January 1, 2012, shall be appointed for four-year
3 terms. The member appointed to represent district number 9 shall be
4 appointed for a term ending January 15, 2019. The terms of all members
5 shall begin on January 15, and the term of the at-large member shall
6 begin January 15, 2009.

7 (b) Each member shall serve until the appointment and qualification
8 of his or her successor. In case of a vacancy occurring prior to the
9 expiration of the term of a member, the appointment shall be made only
10 for the remainder of the term. An appointment made for the remainder of
11 the term shall not be considered a full term.

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

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

17 (4) Members may be removed by the Governor for inefficiency, neglect
18 of duty, or misconduct in office, but only after delivering to the member
19 a copy of the charges and affording an opportunity of being publicly
20 heard in person or by counsel in his or her own defense, upon not less
21 than ten days' notice. Such hearing shall be held before the Governor.

22 If such member is removed, the Governor shall file in the office of
23 the Secretary of State a complete statement of all charges made against
24 such member and his or her findings thereon, together with a complete
25 record of the proceedings.

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

28 37-102 For purposes of section 37-101, the state is hereby divided
29 into nine ~~eight~~ districts. The limits and designations of the nine ~~eight~~
30 districts shall be as follows:

31 (1) District No. 1. The counties of Richardson, Pawnee, Nemaha,

1 Johnson, Otoe, Cass, Sarpy, Saunders, Butler, Gage, Seward, Saline, and
2 Jefferson;

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

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

7 (4) District No. 4. The counties of Thayer, Nuckolls, Webster,
8 Adams, Clay, Fillmore, York, Polk, Hamilton, Hall, Buffalo, Kearney, and
9 Franklin;

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

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

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

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

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

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

25 37-104 Regular meetings of the Game and Parks Commission shall be
26 held quarterly. Special meetings may be held upon call of the chairperson
27 or pursuant to a call signed by three other members, of which the
28 chairperson shall have three days' written notice. No official action
29 shall be taken except at a public meeting at the headquarters of the
30 commission or at a public meeting at a location within the state as
31 determined by a majority of members of the commission. Six ~~Four~~ members

1 of the commission shall constitute a quorum for the transaction of
2 business.

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

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