

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 426

Introduced by Murante, 49.

Read first time January 13, 2017

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 1-110,
2 2-1201, 2-1803, 2-2306, 2-3619, 2-3751, 2-4008, 2-4208, 2-4901,
3 2-5003, 2-5302, 3-104, 7-205, 21-2307, 23-1215, 24-1003, 24-1103,
4 24-1203, 25-2907, 29-2252, 29-2259, 29-3925, 30-4108, 37-105,
5 37-106, 39-2106, 39-2304, 43-1302, 43-1903, 43-2411, 43-3342.05,
6 43-4001, 43-4202, 45-603, 46-538, 48-1116, 48-2503, 49-233, 50-415,
7 51-402, 53-112, 53-113, 53-302, 54-191, 57-904, 58-228, 60-4,118.02,
8 66-1335, 68-948, 68-953, 68-1105, 70-719, 71-222, 71-702, 71-808,
9 71-1799, 71-2605, 71-4723, 71-4728.05, 71-5657, 71-6227, 71-6303,
10 71-6321, 71-7012, 71-8236, 71-8251, 71-8604, 71-8803, 72-224.03,
11 72-2103, 75-104, 77-5206, 79-317, 79-527.01, 79-546, 79-740,
12 79-760.07, 79-808, 79-861, 79-863, 79-1104.04, 79-1217, 79-1816,
13 80-318, 80-401.02, 80-401.08, 81-175, 81-502.02, 81-829.53,
14 81-829.54, 81-8,189, 81-8,267, 81-8,309, 81-1108.32, 81-1120.18,
15 81-1174, 81-1180, 81-11,104, 81-1348, 81-1409, 81-1421, 81-1430,
16 81-1449, 81-1503, 81-1505.03, 81-15,171, 81-15,175, 81-15,211,
17 81-15,245, 81-1805, 81-2105, 81-2506, 81-3521, 82-310, 83-4,124,
18 83-1212.01, 83-1213, 84-931, 84-1204, 84-1502, 85-104, 85-301,
19 85-1408, 85-1509, 86-461, 86-515, 86-570, and 86-571, Reissue
20 Revised Statutes of Nebraska, and sections 2-3951.01, 9-1004,
21 49-14,120, 50-505, 53-502, 55-604, 58-819, 70-1003, 71-219.03,
22 71-3406, 72-201, 72-1239, 72-2007, 76-2222, 77-5004, 79-760.03,
23 79-2204, 81-1603, and 84-1501, Revised Statutes Cumulative

1 Supplement, 2016; to change provisions relating to reimbursement for
2 expenses as prescribed; to eliminate obsolete provisions; to
3 harmonize provisions; to repeal the original sections; and to
4 outright repeal section 81-1181, Reissue Revised Statutes of
5 Nebraska.

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

1 Section 1. Section 1-110, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 1-110 Each member of the board shall be paid one hundred dollars for
4 each day or portion thereof spent in the discharge of his or her official
5 duties and shall be reimbursed for ~~his or her actual and necessary~~
6 expenses incurred in the discharge of his or her official duties as
7 provided in sections 81-1174 to 81-1177. Such compensation and expenses
8 shall be paid from the Certified Public Accountants Fund.

9 Sec. 2. Section 2-1201, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 2-1201 (1) There hereby is created a State Racing Commission.

12 (2) Until July 15, 2010, the commission shall consist of three
13 members who shall be appointed by the Governor and subject to
14 confirmation by a majority of the members elected to the Legislature and
15 may be for cause removed by the Governor. One member shall be appointed
16 each year for a term of three years. The members shall serve until their
17 successors are appointed and qualified.

18 (3) On and after July 15, 2010, the commission shall consist of five
19 members who shall be appointed by the Governor and subject to
20 confirmation by a majority of the members elected to the Legislature and
21 may be for cause removed by the Governor. One member of the commission
22 shall be appointed from each congressional district, as such districts
23 existed on January 1, 2010, and two members of the commission shall be
24 appointed at large for terms as follows:

25 (a) The member representing the second congressional district who is
26 appointed on or after April 1, 2010, shall serve until March 31, 2014,
27 and until his or her successor is appointed and qualified. Thereafter the
28 term of the member representing such district shall be four years and
29 until his or her successor is appointed and qualified;

30 (b) The member representing the third congressional district who is
31 appointed on or after April 1, 2011, shall serve until March 31, 2015,

1 and until his or her successor is appointed and qualified. Thereafter the
2 term of the member representing such district shall be four years and
3 until his or her successor is appointed and qualified;

4 (c) The member representing the first congressional district who is
5 appointed on or after April 1, 2012, shall serve until March 31, 2016,
6 and until his or her successor is appointed and qualified. Thereafter the
7 term of the member representing such district shall be four years and
8 until his or her successor is appointed and qualified;

9 (d) Not later than sixty days after July 15, 2010, the Governor
10 shall appoint one at-large member who shall serve until March 31, 2013,
11 and until his or her successor is appointed and qualified. Thereafter the
12 term of such member shall be four years and until his or her successor is
13 appointed and qualified; and

14 (e) Not later than sixty days after July 15, 2010, the Governor
15 shall appoint one at-large member who shall serve until March 31, 2014,
16 and until his or her successor is appointed and qualified. Thereafter the
17 term of such member shall be four years and until his or her successor is
18 appointed and qualified.

19 (4) Not more than three members of the commission shall belong to
20 the same political party. No more than two of the members shall reside,
21 when appointed, in the same congressional district. No more than two of
22 the members shall reside in any one county. Any vacancy shall be filled
23 by appointment by the Governor for the unexpired term. The members shall
24 serve without compensation but shall be reimbursed for ~~their actual~~
25 expenses incurred in the performance of their duties as provided in
26 sections 81-1174 to 81-1177. The members of the commission shall be
27 bonded or insured as required by section 11-201.

28 Sec. 3. Section 2-1803, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 2-1803 With the exception of the ex officio member, the Governor
31 shall appoint an advisory committee to be known as the Nebraska Potato

1 Development Committee. The committee shall be composed of three shippers
2 and four growers from the industry and the vice chancellor of the
3 University of Nebraska Institute of Agriculture and Natural Resources who
4 shall be an ex officio member. The Director of Agriculture shall be the
5 chairperson. The committee shall adopt and provide rules and regulations
6 for the conduct of the affairs of the Division of Potato Development and
7 advise the director regarding the appointment of the division head and
8 any assistants as may be appointed. The members of the committee shall
9 serve without pay but shall receive ~~actual and necessary~~ expenses
10 incurred while on official business as provided in sections 81-1174 to
11 81-1177. As the terms of office of such appointees expire, successors
12 shall be appointed by the Governor for a period of two years and until
13 their successors are appointed and qualified.

14 Sec. 4. Section 2-2306, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 2-2306 All voting members of the board shall be entitled to ~~actual~~
17 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,
18 while attending meetings of the board or while engaged in the performance
19 of official responsibilities as determined by the board.

20 Sec. 5. Section 2-3619, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 2-3619 The voting members of the board, while engaged in the
23 performance of their official duties, shall receive compensation at the
24 rate of twenty-five dollars per day while so serving, including travel
25 time. In addition, members of the board shall receive reimbursement for
26 ~~actual and necessary~~ expenses on the same basis and subject to the same
27 conditions as provided in sections 81-1174 to 81-1177 ~~for state~~
28 ~~employees.~~

29 Sec. 6. Section 2-3751, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 2-3751 The commission shall elect from its members a chairperson and

1 such other officers as may be necessary. The commission shall meet at
2 least once every three months and at such other times as called by the
3 chairperson or by any three members of the commission. The members shall
4 receive no compensation for their services, but appointed members shall
5 receive reimbursement for ~~actual, necessary, and reasonable~~ expenses
6 incurred in the discharge of their official duties as provided in
7 sections 81-1174 to 81-1177 ~~for state employees~~.

8 Sec. 7. Section 2-3951.01, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 2-3951.01 (1) Members of the board shall, as nearly as possible, be
11 representative of all first purchasers of milk and individual producer-
12 processors in the state and, to the extent practicable, result in
13 equitable representation of the various interests of milk producers both
14 in terms of the manner in which milk is marketed and geographic
15 distribution of milk production units in the state.

16 (2) The terms of the members of the board shall be three years,
17 except that the first term of the initial and additional members of the
18 board shall be staggered so that one-third of the members are appointed
19 each year. The number of years for the first term of new and additional
20 members shall be determined by the Governor. Once duly appointed and
21 qualified, no member's term shall be shortened or terminated by any
22 subsequent certification by the Department of Agriculture of milk
23 production units from which a first purchaser of milk purchases milk.

24 (3) The Director of Agriculture or his or her designee shall be an
25 ex officio member of the board but shall have no vote in board matters.

26 (4) Members of the board shall elect from among the members a
27 chairperson, a vice-chairperson, and such other officers as they deem
28 necessary and appropriate.

29 (5) Members of the board shall be reimbursed for ~~their actual and~~
30 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

31 Sec. 8. Section 2-4008, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 2-4008 All voting members of the board shall be entitled to actual
3 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177
4 ~~for state employees,~~ while attending meetings of the board, or while
5 engaged in the performance of official responsibilities as determined by
6 the board.

7 Sec. 9. Section 2-4208, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 2-4208 The board of directors shall appoint an administrator who
10 shall be an employee of the corporation, but not a member of the board,
11 and who shall serve at the pleasure of the board and receive such
12 compensation and benefits as shall be fixed by the board. The
13 administrator shall administer, manage, and direct the affairs and the
14 activities of the corporation in accordance with policies and under the
15 control and direction of the board. The administrator shall approve all
16 accounts for salaries, allowable expenses of the corporation or of any
17 employee or consultant thereof, and expenses incidental to the operation
18 of the corporation. He or she shall perform such duties as may be
19 directed by the members in carrying out the Conservation Corporation Act
20 ~~sections 2-4201 to 2-4246.~~ Members of the board of directors and any
21 employees of the corporation shall be reimbursed for ~~their actual and~~
22 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~
23 ~~employees.~~ All employees of the corporation shall be administratively
24 responsible to the administrator.

25 Sec. 10. Section 2-4901, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 2-4901 (1) The Climate Assessment Response Committee is hereby
28 created. The office of the Governor shall be the lead agency and shall
29 oversee the committee and its activities. The committee shall be composed
30 of representatives appointed by the Governor with the approval of a
31 majority of the Legislature from livestock producers, crop producers, the

1 Nebraska Emergency Management Agency, and the Conservation and Survey
2 Division and Cooperative Extension Service of the University of Nebraska.
3 The Director of Agriculture or his or her designee, the chief executive
4 officer of the Department of Health and Human Services or his or her
5 designee, and the Director of Natural Resources or his or her designee
6 shall be ex officio members of the committee. Representatives from the
7 federal Consolidated Farm Service Agency and Federal Crop Insurance
8 Corporation may also serve on the committee at the invitation of the
9 Governor. The chairperson of the Committee on Agriculture of the
10 Legislature and the chairperson of the Committee on Natural Resources of
11 the Legislature shall be nonvoting, ex officio members of the committee.
12 The Governor may appoint a member of the Governor's Policy Research
13 Office and any other state agency representatives or invite any other
14 federal agencies to name representatives as he or she deems necessary.
15 The Governor shall appoint one of the Climate Assessment Response
16 Committee members to serve as the chairperson of the committee. Committee
17 members shall be reimbursed for ~~actual and necessary~~ expenses as provided
18 in sections 81-1174 to 81-1177.

19 (2) The committee shall meet at least twice each year and shall meet
20 more frequently (a) at the call of the chairperson, (b) upon request of a
21 majority of the committee members, and (c) during periods of drought or
22 other severe climate situations.

23 (3) The chairperson may establish subcommittees and may invite
24 representatives of agencies other than those with members on the
25 committee to serve on such subcommittees.

26 (4) Any funds for the activities of the committee and for other
27 climate-related expenditures may be appropriated directly to the office
28 of the Governor for contracting with other agencies or persons for tasks
29 approved by the committee.

30 Sec. 11. Section 2-5003, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 2-5003 There is hereby created the Nebraska Aquaculture Board. The
2 board shall consist of (1) one employee of the commission who is familiar
3 with aquatic disease, appointed by the secretary of the commission, (2)
4 one employee of the department appointed by the director, (3) three
5 aquaculturists, appointed by the Governor, and (4) a representative of an
6 industry or product which is related to or used in aquaculture, appointed
7 by the Governor. The board shall elect from its members a chairperson.
8 The terms of the members of the board shall be three years, except that
9 the terms of the initial aquaculturist members of the board appointed by
10 the Governor shall be staggered so that one member is appointed for a
11 term of one year, one for a term of two years, and one for a term of
12 three years, as determined by the Governor. Members appointed under
13 subdivisions (3) and (4) of this section shall be reimbursed for ~~their~~
14 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

15 Sec. 12. Section 2-5302, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 2-5302 (1) The Carbon Sequestration Advisory Committee is created.
18 The committee shall consist of the following members appointed by the
19 Governor:

- 20 (a) The Director of Agriculture or his or her designee;
- 21 (b) The Director of Natural Resources or his or her designee;
- 22 (c) The Director of Environmental Quality or his or her designee;
- 23 (d) One member representing the Natural Resources Conservation
24 Service of the United States Department of Agriculture;
- 25 (e) One member representing the University of Nebraska Institute of
26 Agriculture and Natural Resources;
- 27 (f) One member representing the State ~~Nebraska~~ Energy Office;
- 28 (g) One member representing an entity which generates electrical
29 energy;
- 30 (h) Two members who are producers of field crops at least one of
31 whom actively employs a minimum tillage management system in his or her

1 farming operation;

2 (i) Two members who are producers of livestock at least one of whom
3 is actively involved in range management;

4 (j) One member with expertise in greenhouse emissions marketing or
5 trading;

6 (k) One member representing natural resources districts; and

7 (l) One member representing the ethanol industry.

8 (2) Members of the committee shall serve without compensation but
9 shall be reimbursed for ~~their actual and necessary~~ expenses as provided
10 in sections 81-1174 to 81-1177. The Director of Natural Resources shall
11 assist the committee with administrative and operational support. The
12 Nebraska Natural Resources Commission may advise the committee in the
13 performance of its duties under sections 2-5301 to 2-5306.

14 Sec. 13. Section 3-104, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 3-104 There is hereby created the Nebraska Aeronautics Commission
17 which shall consist of five members, who shall be appointed by the
18 Governor. The terms of office of the members of the commission initially
19 appointed shall expire on March 1 of the years 1946, 1947, 1948, 1949,
20 and 1950, as designated by the Governor in making the respective
21 appointments. As the terms of members expire, the Governor shall, on or
22 before March 1 of each year, appoint a member of the commission for a
23 term of five years to succeed the member whose term expires. Each member
24 shall serve until the appointment and qualification of his or her
25 successor. In case of a vacancy occurring prior to the expiration of the
26 term of a member, the appointment shall be made only for the remainder of
27 the term. All members of the commission shall be citizens and bona fide
28 residents of the state and, in making such an appointment, the Governor
29 shall take into consideration the interest or training of the appointee
30 in some one or all branches of aviation. The commission shall, in
31 December of each year, select a chairperson for the ensuing year. The

1 Director of Aeronautics shall serve as secretary as set forth in section
2 3-127. Three members shall constitute a quorum and no action shall be
3 taken by less than a majority of the commission.

4 The commission shall meet upon the written call of the chairperson,
5 the director, or any two members of the commission. Regular meetings
6 shall be held at the office of the department but, whenever the
7 convenience of the public or of the parties may be promoted or delay or
8 expense may be prevented, it may hold meetings or proceedings at any
9 other place designated by it. All meetings of the commission shall be
10 open to the public. No member shall receive any salary for his or her
11 service, but each shall be reimbursed for ~~actual and necessary~~ expenses
12 incurred by him or her in the performance of his or her duties as
13 provided in sections 81-1174 to 81-1177.

14 It shall be the duty of the commission to advise the Governor
15 relative to the appointment of a director and it shall report to the
16 Governor whenever it feels that the director is not properly fulfilling
17 his or her duties. It shall further act in an advisory capacity to the
18 director.

19 The commission shall have, in addition, the following specific
20 duties: (1) To allocate state funds and approve the use of federal funds
21 to be spent for the construction or maintenance of airports; (2) to
22 designate the locations and approve sites of airports; (3) to arrange and
23 authorize the purchase of aircraft upon behalf of the state; (4) to
24 select and approve pilots to be employed by the state, if any; and (5) to
25 assist the director in formulating the regulations and policies to be
26 carried out by the department under the terms of the State Aeronautics
27 Department Act. The commission may allocate state funds for the promotion
28 of aviation as defined for the purpose of this section by the department
29 by rule and regulation. The director may designate one or more members of
30 the commission to represent the department in conferences with officials
31 of the federal government, of other states, of other agencies or

1 municipalities of this state, or of persons owning privately owned public
2 use airports.

3 Sec. 14. Section 7-205, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 7-205 The board shall select one of its members to be chairperson.
6 The board shall meet as necessary to carry out its duties, but shall meet
7 at least annually. The members shall serve without compensation but shall
8 be reimbursed for ~~their actual and necessary~~ expenses as provided in
9 sections 81-1174 to 81-1177.

10 Sec. 15. Section 9-1004, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 9-1004 (1) The commission shall appoint one of its members as
13 chairperson and such other officers as it deems appropriate. Members
14 shall be reimbursed for ~~their actual and necessary~~ expenses in carrying
15 out their duties as members of the commission as provided in sections
16 81-1174 to 81-1177.

17 (2) The commission shall develop guidelines and standards for the
18 operation of the program and shall direct the distribution and
19 disbursement of money in the Compulsive Gamblers Assistance Fund.

20 (3) The commission shall appoint a director of the program, provide
21 for office space and equipment, and support and facilitate the work of
22 the program. The director may hire, terminate, and supervise commission
23 and program staff, shall be responsible for the duties of the office and
24 the administration of the program, and shall electronically provide an
25 annual report to the General Affairs Committee of the Legislature which
26 includes issues and policy concerns that relate to problem gambling in
27 Nebraska. All documents, files, equipment, effects, and records belonging
28 to the State Committee on Problem Gambling on June 30, 2013, shall become
29 the property of the commission on July 1, 2013.

30 (4) The commission shall (a) provide for a process for the
31 evaluation and approval of provider applications and contracts for

1 treatment and other services funded from the Compulsive Gamblers
2 Assistance Fund and (b) develop standards and guidelines for training and
3 certification of problem gambling counselors.

4 (5) The commission shall provide for (a) the review and use of
5 evaluation data, (b) the use and expenditure of funds for education
6 regarding problem gambling and prevention of problem gambling, and (c)
7 the creation and implementation of outreach and educational programs
8 regarding problem gambling for Nebraska residents.

9 (6) The commission may adopt and promulgate rules and regulations
10 and engage in other activities it finds necessary to carry out its duties
11 under sections 9-1001 to 9-1007.

12 (7) The commission shall submit a report within sixty days after the
13 end of each fiscal year to the Governor and the Clerk of the Legislature
14 that provides details of the administration of the program and
15 distribution of funds from the Compulsive Gamblers Assistance Fund. The
16 report submitted to the Legislature shall be submitted electronically.

17 Sec. 16. Section 21-2307, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 21-2307 The corporation shall have a board of directors in which all
20 powers of the corporation shall be vested and which shall consist of any
21 number of directors, not less than three, all of whom shall be duly
22 qualified electors of and taxpayers in the local political subdivision.
23 The directors shall serve without compensation, except that they shall be
24 reimbursed for ~~their actual and necessary~~ expenses incurred in the
25 performance of their duties under the Nebraska Industrial Development
26 Corporation Act pursuant to sections 81-1174 to 81-1177. The directors
27 shall be elected by the governing body of the local political
28 subdivision. Any meeting held by the board of directors for any purpose
29 shall be open to the public.

30 Sec. 17. Section 23-1215, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 23-1215 Members of the council shall serve without compensation, but
2 they shall be entitled to reimbursement for ~~actual and necessary~~ expenses
3 incident to such service on the council as provided in sections ~~section~~
4 81-1174 to 81-1177 , ~~for state employees.~~

5 Sec. 18. Section 24-1003, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 24-1003 The Supreme Court shall provide by rule for the recording
8 and preservation of evidence in all cases in the district and separate
9 juvenile courts and for the preparation of transcripts and bills of
10 exceptions. Court reporters and other persons employed to perform the
11 duties required by such rules shall be appointed by the judge under whose
12 direction they work. The Supreme Court shall prescribe uniform salary
13 schedules for such employees, based on their experience and training and
14 the methods used by them in recording and preserving evidence and
15 preparing transcripts and bills of exceptions. Salaries and ~~actual and~~
16 ~~necessary~~ expenses of such employees shall be paid by the State of
17 Nebraska from funds appropriated to the Supreme Court. Such employees
18 shall be reimbursed for ~~their~~ expenses as provided in sections 81-1174 to
19 81-1177 ~~for state employees.~~

20 Sec. 19. Section 24-1103, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 24-1103 (1) The Chief Justice of the Supreme Court may call active
23 judges of the district court to serve on the Court of Appeals in case of
24 incapacity or absence for any reason whatsoever or temporary vacancy in
25 the office of a judge of the Court of Appeals. Any active judge
26 designated to serve on the Court of Appeals shall be reimbursed for ~~his~~
27 ~~or her actual and necessary~~ expenses as provided in sections 81-1174 to
28 81-1177.

29 (2) The number of retired judges assigned to serve pursuant to
30 subdivision (1) of section 24-729 may not at any one time exceed three,
31 and no panel of the Court of Appeals may contain a majority of retired

1 judges so assigned. Payments to a retired judge shall be made in the
2 manner prescribed in sections 24-730 to 24-733.

3 Sec. 20. Section 24-1203, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 24-1203 Members of the Judicial Resources Commission shall be
6 reimbursed for ~~their actual and necessary~~ expenses as provided in
7 sections 81-1174 to 81-1177.

8 Sec. 21. Section 25-2907, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 25-2907 (1) The council shall advise the director on the
11 administration of the Dispute Resolution Act.

12 (2) The council shall meet at least four times per year and at other
13 times deemed necessary to perform its functions. Members of the council
14 shall be reimbursed for ~~their actual and necessary~~ expenses as provided
15 in sections 81-1174 to 81-1177.

16 (3) The council may appoint task forces to carry out its work. Task
17 force members shall have knowledge of, responsibility for, or interest in
18 an area related to the duties of the council.

19 Sec. 22. Section 29-2252, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 29-2252 The administrator shall:

22 (1) Supervise and administer the office;

23 (2) Establish and maintain policies, standards, and procedures for
24 the system, with the concurrence of the Supreme Court;

25 (3) Prescribe and furnish such forms for records and reports for the
26 system as shall be deemed necessary for uniformity, efficiency, and
27 statistical accuracy;

28 (4) Establish minimum qualifications for employment as a probation
29 officer in this state and establish and maintain such additional
30 qualifications as he or she deems appropriate for appointment to the
31 system. Qualifications for probation officers shall be established in

1 accordance with subsection (4) of section 29-2253. An ex-offender
2 released from a penal complex or a county jail may be appointed to a
3 position of deputy probation or parole officer. Such ex-offender shall
4 maintain a record free of arrests, except for minor traffic violations,
5 for one year immediately preceding his or her appointment;

6 (5) Establish and maintain advanced periodic inservice training
7 requirements for the system;

8 (6) Cooperate with all agencies, public or private, which are
9 concerned with treatment or welfare of persons on probation;

10 (7) Organize and conduct training programs for probation officers.
11 Training shall include the proper use of a risk and needs assessment,
12 risk-based supervision strategies, relationship skills, cognitive
13 behavioral interventions, community-based resources, criminal risk
14 factors, and targeting criminal risk factors to reduce recidivism and the
15 proper use of a matrix of administrative sanctions, custodial sanctions,
16 and rewards developed pursuant to subdivision (18) of this section. All
17 probation officers employed on or after August 30, 2015, shall complete
18 the training requirements set forth in this subdivision;

19 (8) Collect, develop, and maintain statistical information
20 concerning probationers, probation practices, and the operation of the
21 system and provide the Community Corrections Division of the Nebraska
22 Commission on Law Enforcement and Criminal Justice with the information
23 needed to compile the report required in section 47-624;

24 (9) Interpret the probation program to the public with a view toward
25 developing a broad base of public support;

26 (10) Conduct research for the purpose of evaluating and improving
27 the effectiveness of the system. Subject to the availability of funding,
28 the administrator shall contract with an independent contractor or
29 academic institution for evaluation of existing community corrections
30 facilities and programs operated by the office;

31 (11) Adopt and promulgate such rules and regulations as may be

1 necessary or proper for the operation of the office or system. The
2 administrator shall adopt and promulgate rules and regulations for
3 transitioning individuals on probation across levels of supervision and
4 discharging them from supervision consistent with evidence-based
5 practices. The rules and regulations shall ensure supervision resources
6 are prioritized for individuals who are high risk to reoffend, require
7 transitioning individuals down levels of supervision intensity based on
8 assessed risk and months of supervision without a reported major
9 violation, and establish incentives for earning discharge from
10 supervision based on compliance;

11 (12) Transmit a report during each even-numbered year to the Supreme
12 Court on the operation of the office for the preceding two calendar years
13 which shall include a historical analysis of probation officer workload,
14 including participation in non-probation-based programs and services. The
15 report shall be transmitted by the Supreme Court to the Governor and the
16 Clerk of the Legislature. The report submitted to the Clerk of the
17 Legislature shall be submitted electronically;

18 (13) Administer the payment by the state of all salaries, travel,
19 and ~~actual and necessary~~ expenses authorized under section 29-2259
20 incident to the conduct and maintenance of the office;

21 (14) Use the funds provided under section 29-2262.07 to augment
22 operational or personnel costs associated with the development,
23 implementation, and evaluation of enhanced probation-based programs and
24 non-probation-based programs and services in which probation personnel or
25 probation resources are utilized pursuant to an interlocal agreement
26 authorized by subdivision (16) of this section and to purchase services
27 to provide such programs aimed at enhancing adult probationer or non-
28 probation-based program participant supervision in the community and
29 treatment needs of probationers and non-probation-based program
30 participants. Enhanced probation-based programs include, but are not
31 limited to, specialized units of supervision, related equipment purchases

1 and training, and programs that address a probationer's vocational,
2 educational, mental health, behavioral, or substance abuse treatment
3 needs;

4 (15) Ensure that any risk or needs assessment instrument utilized by
5 the system be periodically validated;

6 (16) Have the authority to enter into interlocal agreements in which
7 probation resources or probation personnel may be utilized in conjunction
8 with or as part of non-probation-based programs and services. Any such
9 interlocal agreement shall comply with section 29-2255;

10 (17) Collaborate with the Community Corrections Division of the
11 Nebraska Commission on Law Enforcement and Criminal Justice and the
12 Office of Parole Administration to develop rules governing the
13 participation of parolees in community corrections programs operated by
14 the Office of Probation Administration;

15 (18) Develop a matrix of rewards for compliance and positive
16 behaviors and graduated administrative sanctions and custodial sanctions
17 for use in responding to and deterring substance abuse violations and
18 technical violations. As applicable under sections 29-2266.02 and
19 29-2266.03, custodial sanctions of up to thirty days in jail shall be
20 designated as the most severe response to a violation in lieu of
21 revocation and custodial sanctions of up to three days in jail shall be
22 designated as the second most severe response;

23 (19) Adopt and promulgate rules and regulations for the creation of
24 individualized post-release supervision plans, collaboratively with the
25 Department of Correctional Services and county jails, for probationers
26 sentenced to post-release supervision; and

27 (20) Exercise all powers and perform all duties necessary and proper
28 to carry out his or her responsibilities.

29 Each member of the Legislature shall receive an electronic copy of
30 the report required by subdivision (12) of this section by making a
31 request for it to the administrator.

1 Sec. 23. Section 29-2259, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 29-2259 (1) The salaries, ~~actual and necessary expenses,~~ and
4 expenses incident to the conduct and maintenance of the office shall be
5 paid by the state. Other Actual and necessary expenses shall be paid by
6 the state as provided in sections 81-1174 to 81-1177.

7 (2) The salaries and ~~actual and necessary~~ travel expenses of the
8 probation service shall be paid by the state. Travel Actual and necessary
9 expenses shall be paid as provided in sections 81-1174 to 81-1177.

10 (3) Except as provided in sections 29-2262 and 29-2262.04, the costs
11 of drug testing and equipment incident to the electronic surveillance of
12 individuals on probation shall be paid by the state.

13 (4) The expenses incident to the conduct and maintenance of the
14 principal office within each probation district shall in the first
15 instance be paid by the county in which it is located, but such county
16 shall be reimbursed for such expenses by all other counties within the
17 probation district to the extent and in the proportions determined by the
18 Supreme Court based upon population, number of investigations, and
19 probation cases handled or upon such other basis as the Supreme Court
20 deems fair and equitable.

21 (5) Each county shall provide office space and necessary facilities
22 for probation officers performing their official duties and shall bear
23 the costs incident to maintenance of such offices other than salaries,
24 travel expenses, and data processing and word processing hardware and
25 software that is provided on the state computer network.

26 (6) The cost of interpreter services for deaf and hard of hearing
27 persons and for persons unable to communicate the English language shall
28 be paid by the state with money appropriated to the Supreme Court for
29 that purpose or from other funds, including grant money, made available
30 to the Supreme Court for such purpose. Interpreter services shall include
31 auxiliary aids for deaf and hard of hearing persons as defined in section

1 20-151 and interpreters to assist persons unable to communicate the
2 English language as defined in section 25-2402. Interpreter services
3 shall be provided under this section for the purposes of conducting a
4 presentence investigation and for ongoing supervision by a probation
5 officer of such persons placed on probation.

6 (7) The probation administrator shall prepare a budget and request
7 for appropriations for the office and shall submit such request to the
8 Supreme Court and with its approval to the appropriate authority in
9 accordance with law.

10 Sec. 24. Section 29-3925, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 29-3925 The Governor shall designate one of the members of the
13 commission as the chairperson. The members of the commission shall be
14 reimbursed for ~~their actual and necessary~~ expenses incurred in the
15 performance of their duties as provided in sections 81-1174 to 81-1177.

16 Sec. 25. Section 30-4108, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 30-4108 (1) The council shall advise the Public Guardian on the
19 administration of public guardianship and public conservatorship.

20 (2) The council shall meet at least four times per year and at other
21 times deemed necessary to perform its functions upon the call of the
22 chairperson. Members of the council shall be reimbursed for ~~their actual~~
23 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

24 Sec. 26. Section 37-105, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 37-105 The members of the Game and Parks Commission, other than the
27 secretary, shall be reimbursed for ~~all actual and necessary traveling and~~
28 ~~other~~ expenses incurred in the discharge of their official duties as
29 provided in sections 81-1174 to 81-1177 and shall be allowed a per diem
30 of thirty-five dollars for days actually away from home on business of
31 the commission, not exceeding forty-five days in any one year.

1 Sec. 27. Section 37-106, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-106 The Game and Parks Commission shall appoint a secretary, who
4 will act as its director and chief conservation officer and be in charge
5 of its activities. He or she shall be a person with knowledge of and
6 experience in the requirements of the protection, propagation,
7 conservation, and restoration of the wildlife resources of the state. The
8 secretary shall serve for a term of six years. The secretary shall not
9 hold any other public office and shall devote his or her entire time to
10 the service of the state in the discharge of his or her official duties.
11 The secretary shall receive such compensation as the commission may
12 determine and shall be reimbursed for ~~all actual and necessary traveling~~
13 ~~and other~~ expenses incurred by him or her in the discharge of his or her
14 official duties as provided in sections 81-1174 to 81-1177. Before
15 entering upon the duties of his or her office, the secretary shall take
16 and subscribe to the constitutional oath of office, and shall, in
17 addition thereto, swear or affirm that he or she holds no other public
18 office, nor any position under any political committee or party. Such
19 oath or affirmation shall be filed in the office of the Secretary of
20 State. Under the direction of the commission, the secretary shall have
21 general supervision and control of all activities and functions of the
22 commission, shall enforce all the provisions of the law of the state
23 relating to wild animals, birds, fish, parks, and recreational areas, and
24 shall exercise all necessary powers incident thereto not specifically
25 conferred on the commission. The secretary may be removed by the
26 commission for inefficiency, neglect of duty, or misconduct in office,
27 but only by a majority vote of the commissioners after delivering to the
28 secretary a copy of the charges and affording him or her an opportunity
29 of being publicly heard in person or by counsel in his or her own
30 defense. If the secretary is removed, the commission shall place in its
31 minutes a complete statement of all charges made against the secretary

1 and its findings thereon, together with a complete record of the
2 proceedings and the recorded vote thereon.

3 Sec. 28. Section 39-2106, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 39-2106 To assist in developing the functional classification
6 system, there is hereby established the Board of Public Roads
7 Classifications and Standards which shall consist of eleven members to be
8 appointed by the Governor with the approval of the Legislature. Of the
9 members of such board, two shall be representatives of the Department of
10 Roads, three shall be representatives of the counties, one of whom shall
11 be a licensed county highway superintendent in good standing and two of
12 whom shall be county board members, three shall be representatives of the
13 municipalities who shall be either public works directors or licensed
14 city street superintendents in good standing, and three shall be lay
15 citizens who shall represent the three congressional districts of the
16 state. The county members on the board shall represent the various
17 classes of counties, as defined in section 23-1114.01, in the following
18 manner: One shall be a representative from either a Class 1 or Class 2
19 county; one shall be a representative from either a Class 3 or Class 4
20 county; and one shall be a representative from either a Class 5, Class 6,
21 or Class 7 county. The municipal members of the board shall represent
22 municipalities of the following sizes by population: One shall be a
23 representative from a municipality of less than two thousand five hundred
24 population; one shall be a representative from a municipality of two
25 thousand five hundred to fifty thousand population; and one shall be a
26 representative from a municipality of over fifty thousand population. In
27 making such appointments, the Governor shall consult with the Director-
28 State Engineer and with the appropriate county and municipal officials
29 and may consult with organizations representing such officials or
30 representing counties or municipalities as may be appropriate. At the
31 expiration of existing term, one member from the county representatives,

1 the municipal representatives and the lay citizens shall be appointed for
2 a term of two years; two members from the county representatives, the
3 municipal representatives and the lay citizens shall be appointed for
4 terms of four years. One representative from the Department of Roads
5 shall be appointed for a two-year term and the other representative shall
6 be appointed for a four-year term. Thereafter, all such appointments
7 shall be for terms of four years each. Members of such board shall
8 receive no compensation for their services as such, except that the lay
9 members shall receive the same compensation as members of the State
10 Highway Commission, and all members shall be reimbursed for ~~their actual~~
11 ~~and necessary~~ expenses incurred in the performance of their official
12 duties as provided in sections 81-1174 to 81-1177 ~~for state employees~~.
13 All expenses of such board shall be paid by the Department of Roads.

14 Sec. 29. Section 39-2304, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 39-2304 The Board of Examiners for County Highway and City Street
17 Superintendents is created. The board shall consist of seven members to
18 be appointed by the Governor, four of whom shall be county
19 representatives, and three of whom shall be municipal representatives.

20 Immediately preceding appointment to the board, each county and
21 municipal representative shall hold a current license as a county highway
22 or city street superintendent pursuant to the County Highway and City
23 Street Superintendents Act. Of the county representatives, no more than
24 one member shall be appointed from each class of county as defined in
25 section 23-1114.01, and of the municipal representatives, no more than
26 one shall be appointed from each congressional district, one of whom
27 shall be a representative of a city of the metropolitan or primary class,
28 one of whom shall be a representative of a city of the first class, and
29 one of whom shall be a representative of a city of the second class or a
30 village.

31 In making such appointments, the Governor may give consideration to

1 a list of licensed county highway engineers, county highway
2 superintendents, and county surveyors submitted by the Nebraska
3 Association of County Officials and to a list of licensed city street
4 superintendents or street commissioners, city engineers, and public works
5 directors submitted by the League of Nebraska Municipalities. Two county
6 representatives shall initially be appointed for terms of two years each,
7 and two county representatives shall initially be appointed for terms of
8 four years each. One municipal representative shall initially be
9 appointed for a term of two years, and two municipal representatives
10 shall initially be appointed for terms of four years each. Thereafter,
11 all such appointments shall be for terms of four years each.

12 In the event a county or municipal representative loses his or her
13 license as a county highway or city street superintendent, such person
14 shall no longer be qualified to serve on the board and such seat shall be
15 vacant. In the event of a vacancy occurring on the board for any reason,
16 such vacancy shall be filled by appointment by the Governor for the
17 remainder of the unexpired term. Such appointed person shall meet the
18 same requirements and qualifications as the member whose vacancy he or
19 she is filling.

20 Members of the board shall receive no compensation for their
21 services as members of the board but shall be reimbursed for ~~their actual~~
22 ~~and necessary~~ expenses incurred while engaged in the performance of their
23 official duties as provided in sections 81-1174 to 81-1177.

24 Sec. 30. Section 43-1302, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 43-1302 (1) The Foster Care Review Office is hereby established. The
27 purpose of the office is to provide information and direct reporting to
28 the courts, the Department of Health and Human Services, the Office of
29 Probation Administration, and the Legislature regarding the foster care
30 system in Nebraska; to provide oversight of the foster care system; and
31 to make recommendations regarding foster care policy to the Legislature.

1 The executive director of the Foster Care Review Office shall provide
2 information and reporting services, provide analysis of information
3 obtained, and oversee foster care file audit case reviews and tracking of
4 cases of children in the foster care system. The executive director of
5 the office shall, through information analysis and with the assistance of
6 the Foster Care Advisory Committee, (a) determine key issues of the
7 foster care system and ways to resolve the issues and to otherwise
8 improve the system and (b) make policy recommendations.

9 (2)(a) The Foster Care Advisory Committee is created. The committee
10 shall have five members appointed by the Governor. Three members shall be
11 local board members, one member shall have data analysis experience, and
12 one member shall be a resident of the state who is representative of the
13 public at large. The members shall have no pecuniary interest in the
14 foster care system and shall not be employed by the office, the
15 Department of Health and Human Services, a county, a residential child-
16 caring agency, a child-placing agency, or a court.

17 (b) The Health and Human Services Committee of the Legislature shall
18 hold a confirmation hearing for the appointees, and the appointments
19 shall be subject to confirmation by the Legislature, except that the
20 members appointed while the Legislature is not in session shall serve
21 until the next session of the Legislature, at which time a majority of
22 the members of the Legislature shall approve or disapprove of the
23 appointments.

24 (c) The terms of the members shall be for three years, except that
25 the Governor shall designate two of the initial appointees to serve
26 initial terms ending on March 1, 2014, and three of the initial
27 appointees to serve initial terms ending on March 1, 2015. The Governor
28 shall make the initial appointments within thirty days after July 1,
29 2012. Members shall not serve more than two consecutive terms, except
30 that members shall serve until their successors have been appointed and
31 qualified. The Governor shall appoint members to fill vacancies from the

1 same category as the vacated position to serve for the remainder of the
2 unexpired term.

3 (d) The Foster Care Advisory Committee shall meet at least four
4 times each calendar year. Each member shall attend at least two meetings
5 each calendar year and shall be subject to removal for failure to attend
6 at least two meetings unless excused by a majority of the members of the
7 committee. Members shall be reimbursed for ~~their actual and necessary~~
8 expenses as provided in sections 81-1174 to 81-1177.

9 (e) The duties of the Foster Care Advisory Committee are to:

10 (i) Hire and fire an executive director for the office who has
11 training and experience in foster care; and

12 (ii) Support and facilitate the work of the office, including the
13 tracking of children in foster care and reviewing foster care file audit
14 case reviews.

15 (3) The executive director of the office shall hire, fire, and
16 supervise office staff and shall be responsible for the duties of the
17 office as provided by law, including the annual report and other
18 reporting, review, tracking, data collection and analysis, and oversight
19 and training of local boards.

20 Sec. 31. Section 43-1903, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 43-1903 (1) There is hereby created within the department the
23 Nebraska Child Abuse Prevention Fund Board which shall be composed of
24 nine members as follows: Two representatives of the Department of Health
25 and Human Services appointed by the chief executive officer and seven
26 members to be appointed by the Governor with the approval of the
27 Legislature. The Governor shall appoint two members from each of the
28 three congressional districts and one member from the state at large. As
29 a group, the appointed board members (a) shall demonstrate knowledge in
30 the area of child abuse and neglect prevention, (b) shall be
31 representative of the demographic composition of this state, and (c) to

1 the extent practicable, shall be representative of all of the following
2 categories (i) the business community, (ii) the religious community,
3 (iii) the legal community, (iv) professional providers of child abuse and
4 neglect prevention services, and (v) volunteers in child abuse and
5 neglect prevention services.

6 (2) The term of each appointed board member shall be three years,
7 except that of the board members first appointed, two, including the at-
8 large member, shall serve for three years, three shall serve for two
9 years, and two shall serve for one year. The Governor shall designate the
10 term which each of the members first appointed shall serve when he or she
11 makes the appointments. An appointed board member shall not serve more
12 than two consecutive terms whether partial or full. A vacancy shall be
13 filled for the balance of the unexpired term in the same manner as the
14 original appointment.

15 (3) The board shall elect a chairperson from among the appointed
16 board members who shall serve for a term of two years. The board may
17 elect the other officers and establish committees as it deems
18 appropriate.

19 (4) The members of the board shall not receive any compensation for
20 their services but shall be reimbursed for ~~their actual and necessary~~
21 expenses incurred in the performance of their duties as provided in
22 sections 81-1174 to 81-1177. The reimbursement shall be paid from the
23 fund. In any one fiscal year, no more than five percent of the annually
24 available funds as provided in section 43-1906 shall be used for the
25 purpose of reimbursement of board members.

26 (5) Any board member may be removed by the Governor for misconduct,
27 incompetency, or neglect of duty after first being given the opportunity
28 to be heard in his or her own behalf.

29 Sec. 32. Section 43-2411, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 43-2411 (1) The Nebraska Coalition for Juvenile Justice is created.

1 As provided in the federal act, there shall be no less than fifteen nor
2 more than thirty-three members of the coalition. Coalition members who
3 are members of the judicial branch of government shall be nonvoting
4 members of the coalition. The coalition members shall be appointed by the
5 Governor and shall include:

6 (a) The Administrator of the Office of Juvenile Services;

7 (b) The chief executive officer of the Department of Health and
8 Human Services or his or her designee;

9 (c) The Commissioner of Education or his or her designee;

10 (d) The executive director of the Nebraska Commission on Law
11 Enforcement and Criminal Justice or his or her designee;

12 (e) The Executive Director of the Nebraska Association of County
13 Officials or his or her designee;

14 (f) The probation administrator of the Office of Probation
15 Administration or his or her designee;

16 (g) One county commissioner or supervisor;

17 (h) One person with data analysis experience;

18 (i) One police chief;

19 (j) One sheriff;

20 (k) The executive director of the Foster Care Review Office;

21 (l) One separate juvenile court judge;

22 (m) One county court judge;

23 (n) One representative of mental health professionals who works
24 directly with juveniles;

25 (o) Three representatives, one from each congressional district,
26 from community-based, private nonprofit organizations who work with
27 juvenile offenders and their families;

28 (p) One volunteer who works with juvenile offenders or potential
29 juvenile offenders;

30 (q) One person who works with an alternative to a detention program
31 for juveniles;

1 (r) The director or his or her designee from a youth rehabilitation
2 and treatment center;

3 (s) The director or his or her designee from a secure juvenile
4 detention facility;

5 (t) The director or his or her designee from a staff secure youth
6 confinement facility;

7 (u) At least five members who are under twenty-four years of age
8 when appointed;

9 (v) One person who works directly with juveniles who have learning
10 or emotional difficulties or are abused or neglected;

11 (w) One member of the Nebraska Commission on Law Enforcement and
12 Criminal Justice;

13 (x) One member of a regional behavioral health authority established
14 under section 71-808;

15 (y) One county attorney; and

16 (z) One public defender.

17 (2) The terms of members appointed pursuant to subdivisions (1)(g)
18 through (1)(z) of this section shall be three years, except that the
19 terms of the initial appointments of members of the coalition shall be
20 staggered so that one-third of the members are appointed for terms of one
21 year, one-third for terms of two years, and one-third for terms of three
22 years, as determined by the Governor. A majority of the coalition
23 members, including the chairperson, shall not be full-time employees of
24 federal, state, or local government. At least one-fifth of the coalition
25 members shall be under the age of twenty-four at the time of appointment.
26 Any vacancy on the coalition shall be filled by appointment by the
27 Governor. The coalition shall select a chairperson, a vice-chairperson,
28 and such other officers as it deems necessary.

29 (3) Members of the coalition shall be reimbursed for ~~their actual~~
30 ~~and necessary~~ expenses pursuant to sections 81-1174 to 81-1177.

31 (4) The coalition may appoint task forces or subcommittees to carry

1 out its work. Task force and subcommittee members shall have knowledge
2 of, responsibility for, or interest in an area related to the duties of
3 the coalition.

4 Sec. 33. Section 43-3342.05, Reissue Revised Statutes of Nebraska,
5 is amended to read:

6 43-3342.05 (1) The Child Support Advisory Commission is created.
7 Commission members shall include:

8 (a) Two district court judges whose jurisdiction includes domestic
9 relations, to be appointed by the Supreme Court;

10 (b) One member of the Nebraska State Bar Association who practices
11 primarily in the area of domestic relations;

12 (c) One county attorney who works in child support;

13 (d) One professional who works in the field of economics or
14 mathematics or another field of expertise relevant to child support;

15 (e) One custodial parent who has a court order to receive child
16 support;

17 (f) One noncustodial parent who is under a support order to pay
18 child support;

19 (g) The chairperson of the Judiciary Committee of the Legislature,
20 who shall serve as the chairperson of the commission;

21 (h) The chairperson of the Health and Human Services Committee of
22 the Legislature;

23 (i) The State Treasurer or his or her designee;

24 (j) The State Court Administrator or his or her designee; and

25 (k) The director of the Title IV-D Division or his or her designee.

26 (2)(a) The Supreme Court shall notify the Executive Board of the
27 Legislative Council of its intent to review the child support guidelines
28 pursuant to section 42-364.16. Following such notification, the
29 chairperson of the commission shall call a meeting of the commission.

30 (b) Each time the commission meets pursuant to subdivision (2)(a) of
31 this section, the Supreme Court shall make appointments to fill the

1 membership under subdivision (1)(a) of this section and the chairperson
2 of the Executive Board shall make appointments to fill each membership
3 under subdivisions (1)(b) through (f) of this section. The terms of these
4 members shall expire after the commission has fulfilled its duties
5 pursuant to subsection (3) of this section.

6 (c) Members shall serve without compensation but shall be reimbursed
7 for ~~their actual and necessary~~ expenses incurred in the performance of
8 their duties as provided in sections 81-1174 to 81-1177.

9 (d) If determined to be necessary to perform the duties of the
10 commission, the commission may hire, contract, or otherwise obtain the
11 services of consultants, researchers, aides, and other necessary support
12 staff with prior approval of the chairperson of the Executive Board.

13 (e) For administrative purposes, the commission shall be managed and
14 administered by the Legislative Council.

15 (3) The duties of the commission shall include, but are not limited
16 to:

17 (a) Reviewing the child support guidelines adopted by the Supreme
18 Court and recommending, if appropriate, any changes to the guidelines.
19 Whenever practicable, the commission shall base its recommendations on
20 economic data and statistics collected in the State of Nebraska. In
21 reviewing the guidelines and formulating recommendations, the commission
22 may conduct public hearings around the state; and

23 (b) Presenting reports, as deemed necessary, of its activities and
24 recommendations to the Supreme Court and the Executive Board. Any reports
25 submitted to the Executive Board shall be submitted electronically.

26 (4) The Supreme Court shall review the commission's reports. The
27 Supreme Court may amend the child support guidelines established pursuant
28 to section 42-364.16 based upon the commission's recommendations.

29 Sec. 34. Section 43-4001, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 43-4001 (1) The Children's Behavioral Health Task Force is created.

1 The task force shall consist of the following members:

2 (a) The chairperson of the Health and Human Services Committee of
3 the Legislature or another member of the committee as his or her
4 designee;

5 (b) The chairperson of the Appropriations Committee of the
6 Legislature or another member of the committee as his or her designee;

7 (c) Two providers of community-based behavioral health services to
8 children, appointed by the chairperson of the Health and Human Services
9 Committee of the Legislature;

10 (d) One regional administrator appointed under section 71-808,
11 appointed by the chairperson of the Health and Human Services Committee
12 of the Legislature;

13 (e) Two representatives of organizations advocating on behalf of
14 consumers of children's behavioral health services and their families,
15 appointed by the chairperson of the Health and Human Services Committee
16 of the Legislature;

17 (f) One juvenile court judge, appointed by the Chief Justice of the
18 Supreme Court; and

19 (g) The probation administrator or his or her designee.

20 (2) Members of the task force shall serve without compensation but
21 shall be reimbursed from the Nebraska Health Care Cash Fund for ~~their~~
22 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

23 (3) The chairperson of the Health and Human Services Committee of
24 the Legislature or his or her designee shall serve as chairperson of the
25 task force. Administrative and staff support for the task force shall be
26 provided by the Health and Human Services Committee of the Legislature
27 and the Appropriations Committee of the Legislature.

28 Sec. 35. Section 43-4202, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 43-4202 (1) The Nebraska Children's Commission is created as a high-
31 level leadership body to (a) create a statewide strategic plan for reform

1 of child welfare and juvenile justice programs and services in the State
2 of Nebraska, (b) review the operations of the Department of Health and
3 Human Services regarding child welfare programs and services and
4 recommend, as a part of the statewide strategic plan, options for
5 attaining the legislative intent stated in section 43-4201, either by the
6 establishment of a new division within the department or the
7 establishment of a new state agency to provide all child welfare programs
8 and services which are the responsibility of the state, and (c) monitor
9 and evaluate the child welfare and juvenile justice systems. The
10 commission shall provide a permanent forum for collaboration among state,
11 local, community, public, and private stakeholders in child welfare and
12 juvenile justice programs and services.

13 (2) The commission shall include the following voting members:

14 (a) The executive director of the Foster Care Review Office; and

15 (b) Seventeen members appointed by the Governor. The members
16 appointed pursuant to this subdivision shall represent stakeholders in
17 the child welfare and juvenile justice systems and shall include: (i) A
18 director of a child advocacy center; (ii) an administrator of a
19 behavioral health region established pursuant to section 71-807; (iii) a
20 community representative from each of the service areas designated
21 pursuant to section 81-3116. In the eastern service area designated
22 pursuant to such section, the representative may be from a lead agency of
23 a pilot project established under section 68-1212 or a collaborative
24 member; (iv) a prosecuting attorney who practices in juvenile court; (v)
25 a guardian ad litem; (vi) a biological parent currently or previously
26 involved in the child welfare system or juvenile justice system; (vii) a
27 foster parent; (viii) a court appointed special advocate volunteer; (ix)
28 a member of a local foster care review board; (x) a child welfare service
29 agency that directly provides a wide range of child welfare services and
30 is not a member of a lead agency collaborative; (xi) a young adult
31 previously in foster care; (xii) a representative of a child advocacy

1 organization that deals with legal and policy issues that include child
2 welfare; and (xiii) a representative of a federally recognized Indian
3 tribe residing within the State of Nebraska and appointed within thirty
4 days after June 5, 2013, from a list of three nominees submitted by the
5 Commission on Indian Affairs.

6 (3) The Nebraska Children's Commission shall have the following
7 nonvoting, ex officio members: (a) The chairperson of the Health and
8 Human Services Committee of the Legislature or a committee member
9 designated by the chairperson; (b) the chairperson of the Judiciary
10 Committee of the Legislature or a committee member designated by the
11 chairperson; (c) the chairperson of the Appropriations Committee of the
12 Legislature or a committee member designated by the chairperson; (d)
13 three persons appointed by the State Court Administrator; (e) the chief
14 executive officer of the Department of Health and Human Services or his
15 or her designee; (f) the Director of Children and Family Services of the
16 Division of Children and Family Services of the Department of Health and
17 Human Services or his or her designee; (g) the Commissioner of Education
18 or his or her designee; and (h) the Inspector General of Nebraska Child
19 Welfare. The nonvoting, ex officio members may attend commission meetings
20 and participate in the discussions of the commission, provide information
21 to the commission on the policies, programs, and processes of each of
22 their respective bodies, gather information for the commission, and
23 provide information back to their respective bodies from the commission.
24 The nonvoting, ex officio members shall not vote on decisions by the
25 commission or on the direction or development of the statewide strategic
26 plan pursuant to section 43-4204.

27 (4) The commission shall meet within sixty days after April 12,
28 2012, and shall select from among its members a chairperson and vice-
29 chairperson and conduct any other business necessary to the organization
30 of the commission. The commission shall meet not less often than once
31 every three months, and meetings of the commission may be held at any

1 time on the call of the chairperson. The commission may hire staff to
2 carry out the responsibilities of the commission. For administrative
3 purposes, the offices of the staff of the commission shall be located in
4 the Foster Care Review Office. The commission may hire a consultant with
5 experience in facilitating strategic planning to provide neutral,
6 independent assistance in updating the statewide strategic plan. The
7 commission shall terminate on June 30, 2019, unless continued by the
8 Legislature.

9 (5) The commission, with assistance from the executive director of
10 the Foster Care Review Office, shall employ a policy analyst to provide
11 research and expertise to the commission relating to the child welfare
12 system. The policy analyst shall work in conjunction with the staff of
13 the commission. His or her responsibilities may include, but are not
14 limited to: (a) Monitoring the Nebraska child welfare system and juvenile
15 justice system to provide information to the commission; (b) analyzing
16 child welfare and juvenile justice public policy through research and
17 literature reviews and drafting policy reports when requested; (c)
18 managing or leading projects or tasks and providing resource support to
19 commission members and committees as determined by the chairperson of the
20 commission; (d) serving as liaison among child welfare and juvenile
21 justice stakeholders and the public and responding to information
22 inquiries as required; and (e) other duties as assigned by the
23 commission.

24 (6) Members of the commission shall be reimbursed for ~~their actual~~
25 ~~and necessary~~ expenses as members of such commission as provided in
26 sections 81-1174 to 81-1177. No member of the commission shall have any
27 private financial interest, profit, or benefit from any work of the
28 commission.

29 Sec. 36. Section 45-603, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 45-603 (1) There is hereby created the Collection Agency Licensing

1 Board which shall consist of the Secretary of State, who shall be
2 chairperson of the board, and four members appointed by the Governor.
3 Three of the members appointed by the Governor shall be licensees
4 actively engaged in the collection business in this state, one of whom
5 shall reside in each of the state's three congressional districts. The
6 remaining member shall be appointed at large as a representative of the
7 public. Such person shall not be a licensee actively engaged in the
8 collection business in this state.

9 (2) The term of office of each appointed member shall be for four
10 years, except that of the members of the first board appointed under this
11 section, two shall be appointed for a term of two years. Before a
12 member's term expires, the Governor shall appoint a successor to take
13 office on the expiration of the member's term. A member shall continue to
14 serve after the expiration of his or her term until a successor is
15 appointed and qualified. A vacancy in the office of a member shall be
16 filled by appointment for the unexpired term.

17 (3) The members of the board shall be reimbursed for ~~their actual~~
18 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

19 (4) The board may employ such persons as may be necessary to carry
20 out the Collection Agency Act, fix the salaries of such employees, and
21 make such other expenditures as are necessary to properly carry out the
22 act, except that all remuneration, expenses, salaries, and expenditures
23 provided for in the act shall be paid out of the Nebraska Collection
24 Agency Fund.

25 (5) The Secretary of State shall keep a record of all the
26 proceedings, transactions, communications, and official acts performed
27 pursuant to the act and perform such other duties as may be necessary to
28 carry out the intent and purpose of the act.

29 Sec. 37. Section 46-538, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 46-538 Each director shall receive from the board a per diem of not

1 to exceed seventy dollars per day for each day that such director attends
2 a board meeting or is engaged in matters concerning the district, but no
3 director shall receive more than two thousand eight hundred dollars in
4 any one year. Each director shall also be entitled to ~~any necessary~~
5 ~~traveling~~ expenses ~~actually expended~~ while engaged in the performance of
6 his or her duties as provided in sections 81-1174 to 81-1177.

7 Sec. 38. Section 48-1116, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 48-1116 There is hereby established an Equal Opportunity Commission
10 to consist of seven members to be appointed by the Governor. Terms of
11 members shall be three years. As the terms of the members expire, the
12 Governor shall appoint or reappoint the members of the commission for
13 terms of three years to succeed the members whose terms expire. The
14 commission shall elect one member to serve as chairperson of the
15 commission.

16 Four members of the commission shall constitute a quorum for the
17 purpose of conducting the business thereof. Any action of the commission
18 shall require at least four votes. A vacancy in the commission shall not
19 impair the right of the remaining members to exercise all the powers of
20 the commission.

21 Members of the commission shall receive fifty dollars per day for
22 their services and shall be reimbursed for ~~their~~ expenses ~~actually and~~
23 ~~necessarily~~ incurred in the performance of their duties as provided in
24 sections 81-1174 to 81-1177. Reimbursement shall be for not more than two
25 regular meetings per month and not more than three training sessions for
26 any one fiscal year. Any member of the commission may be removed by the
27 Governor for inefficiency, neglect of duty, misconduct, or malfeasance in
28 office after being given a written statement of the charges and an
29 opportunity to be heard thereon.

30 The commission shall establish and maintain its principal office in
31 the city of Lincoln and such other offices within the state as it may

1 deem necessary. The commission may meet and function at any place within
2 the state. The commission shall appoint an executive director who shall
3 be directly responsible to the commission. The executive director may
4 appoint such assistants, clerks, agents, and other employees as such
5 executive director may deem necessary, fix their compensation within the
6 limitations provided by law, and prescribe duties of such employees. The
7 executive director may appoint additional staff as the commission deems
8 necessary.

9 The Attorney General shall represent and appear for the commission
10 in all actions and proceedings involving any question under the Nebraska
11 Fair Employment Practice Act, the Nebraska Fair Housing Act, or section
12 20-123, 20-124, or 20-132 and shall aid in any investigation or hearing
13 had under either act or any of such sections. The commission shall have
14 an official seal which shall be judicially noticed.

15 Sec. 39. Section 48-2503, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 48-2503 (1) The Conveyance Advisory Committee is created. One member
18 shall be the state elevator inspector appointed pursuant to section
19 48-2512.01. One member shall be the State Fire Marshal or his or her
20 designee. The Governor shall appoint the remaining members of the
21 committee as follows: One representative from a major elevator
22 manufacturing company; one representative from an elevator servicing
23 company; one representative who is a building manager; one representative
24 who is an elevator mechanic; and one representative of the general public
25 from each county that has a population of more than one hundred thousand
26 inhabitants. The committee shall be appointed within ninety days after
27 January 1, 2008.

28 (2) The members of the committee appointed by the Governor shall
29 serve for terms of three years, except that of the initial members
30 appointed, two shall serve for terms of one year and three shall serve
31 for terms of two years. The state elevator inspector and the State Fire

1 Marshal or his or her designee shall serve continuously. The appointed
2 members shall be reimbursed for ~~their actual and necessary~~ expenses for
3 service on the committee as provided in sections 81-1174 to 81-1177. The
4 members of the committee shall elect a chairperson who shall be the
5 deciding vote in the event of a tie vote.

6 (3) The committee shall meet and organize within thirty days after
7 the appointment of the members. The committee shall meet quarterly at a
8 time and place to be fixed by the committee for the consideration of code
9 regulations and for the transaction of such other business as properly
10 comes before it. Special meetings may be called by the chairperson or at
11 the request of two or more members of the committee. Any appointed
12 committee member absent from three consecutive meetings shall be
13 dismissed.

14 Sec. 40. Section 49-233, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 49-233 The members of the preliminary survey committee shall be paid
17 ~~their travel expenses and actual expenses for food and lodging~~ while they
18 ~~are away from home and~~ are engaged in the duties provided for by section
19 49-232 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

20 Sec. 41. Section 49-14,120, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 49-14,120 All members of the commission shall be reimbursed for
23 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

24 Sec. 42. Section 50-415, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 50-415 The members of the council shall be compensated for ~~actual~~
27 expenses incurred while attending sessions of the council and the members
28 of any committee of the council shall be compensated for ~~actual~~ expenses
29 incurred while on business of the committee as provided in sections
30 81-1174 to 81-1177 ~~for state employees.~~

31 Sec. 43. Section 50-505, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 50-505 (1) The Water Funding Task Force is created. The task force
3 shall consist of the members of the Nebraska Natural Resources Commission
4 and eleven additional members to be appointed by the Governor. The
5 Director of Natural Resources or his or her designee, the chairperson of
6 the Natural Resources Committee of the Legislature or his or her
7 designee, and five additional members of the Legislature appointed by the
8 Executive Board of the Legislative Council shall be nonvoting, ex officio
9 members of the task force. In appointing members to the task force, the
10 Governor:

11 (a) Shall seek to create a broad-based task force with knowledge of
12 and experience with and representative of Nebraska's water use and
13 economy;

14 (b) Shall give equal recognition to the importance of both water
15 quantity and water quality;

16 (c) Shall appoint one member from each of the following categories:
17 Public power; public power and irrigation districts; irrigation
18 districts; a metropolitan utilities district; municipalities;
19 agriculture; wildlife conservation; livestock producers; agribusiness;
20 manufacturing; and outdoor recreation users; and

21 (d) May solicit and accept nominations for appointments to the task
22 force from recognized water interest groups in Nebraska.

23 (2) The members of the task force appointed by the Governor shall
24 represent diverse geographic regions of the state, including urban and
25 rural areas. Such members shall be appointed within thirty days after
26 June 5, 2013. Members shall begin serving immediately following notice of
27 appointment. Members shall be reimbursed for ~~their actual and necessary~~
28 expenses incurred in carrying out their duties as members as provided in
29 sections 81-1174 to 81-1177.

30 Sec. 44. Section 51-402, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 51-402 The members of the Nebraska Library Commission shall serve
2 without pay. They shall receive remuneration for ~~traveling and actual~~
3 expenses incurred while engaged in the business of the commission as
4 provided in sections 81-1174 to 81-1177 ~~for state employees~~. These
5 expenses shall be paid out of the funds of the Nebraska Library
6 Commission.

7 Sec. 45. Section 53-112, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 53-112 Each member of the commission shall receive an annual salary
10 of not to exceed twelve thousand five hundred dollars, to be fixed by the
11 Governor, payable monthly, and in addition ~~actual and necessary~~ expenses
12 authorized in section 53-113 incurred on behalf of the commission. The
13 salary of the executive director of the commission shall be fixed by the
14 commission, payable monthly.

15 Sec. 46. Section 53-113, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 53-113 The commissioners, the executive director of the commission,
18 and all employees of the commission shall be reimbursed for ~~all actual~~
19 ~~and necessary traveling~~ expenses and ~~disbursements~~ incurred ~~or made by~~
20 ~~them~~ in the discharge of their official duties as provided in sections
21 81-1174 to 81-1177. The commission may also incur necessary expenses for
22 office furniture and other incidental expenses. No commissioner,
23 executive director, or employee of the commission shall request or be
24 allowed mileage or other traveling expenses unless such sections are
25 strictly complied with.

26 Sec. 47. Section 53-302, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 53-302 (1) Within thirty days after the appointment of the initial
29 members of the Nebraska Grape and Winery Board, such board shall conduct
30 its first regular meeting. During that meeting, the board members shall
31 elect from among themselves, by majority vote, a chairperson, vice-

1 chairperson, secretary, and treasurer, all to serve for terms of one year
2 from the date of election. Subsequent board meetings shall take place at
3 least once every six months and at such times as called by the
4 chairperson or by any three board members.

5 (2) Each board member shall serve for a term of three years, upon
6 completion of which he or she may, at the Governor's discretion, be
7 reappointed.

8 (3) All voting board members shall be reimbursed for ~~their actual~~
9 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,
10 while attending meetings of the board or while engaged in the performance
11 of official responsibilities as determined by the board.

12 (4) A board member shall be removable by the Governor for cause. The
13 board member shall first be given a written copy of the charges against
14 him or her and also an opportunity to be heard publicly. In addition to
15 all other causes, the failure of a board member to continue to meet any
16 of the requirements for eligibility set out in section 53-301 shall be
17 deemed sufficient cause for removal from office.

18 Sec. 48. Section 53-502, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 53-502 (1) Within thirty days after the appointment of the initial
21 members of the Nebraska Craft Brewery Board, such board shall conduct its
22 first regular meeting. During that meeting, the board members shall elect
23 from among themselves, by majority vote, a chairperson, vice-chairperson,
24 secretary, and treasurer, all to serve for terms of one year from the
25 date of election. Subsequent board meetings shall take place at least
26 once every six months and at such times as called by the chairperson or
27 by any three board members.

28 (2) Each member shall serve for a term of three years and may be
29 reappointed.

30 (3) All voting members of the board shall be reimbursed for ~~their~~
31 ~~actual and necessary~~ expenses incurred while engaged in the performance

1 of official responsibilities as members of such board pursuant to
2 sections 81-1174 to 81-1177.

3 (4) A member may be removed by the Governor for cause. The member
4 shall first be given a written copy of the charges against him or her and
5 also an opportunity to be heard publicly. If a member moves out of
6 Nebraska, that shall be deemed sufficient cause for removal from office.

7 Sec. 49. Section 54-191, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 54-191 The Nebraska Brand Committee is hereby created. Beginning
10 August 28, 2007, the brand committee shall consist of five members
11 appointed by the Governor. At least three appointed members shall be
12 active cattlemen and at least one appointed member shall be an active
13 cattle feeder. The Secretary of State and the Director of Agriculture, or
14 their designees, shall be nonvoting, ex officio members of the brand
15 committee. The appointed members shall be owners of cattle within the
16 brand inspection area, shall reside within the brand inspection area,
17 shall be owners of Nebraska-recorded brands, and shall be persons whose
18 principal business and occupation is the raising or feeding of cattle
19 within the brand inspection area. The members of the brand committee
20 shall elect a chairperson and vice-chairperson from among its appointed
21 members during the first meeting held after September 1 each calendar
22 year. A member may be reelected to serve as chairperson or vice-
23 chairperson. The Secretary of State shall remain a member of the brand
24 committee in the capacity as chairperson of the brand committee until a
25 chairperson is elected as provided in this section. The terms of the
26 members shall be four-year, staggered terms. At the expiration of the
27 term of an appointed member, the Governor shall appoint a successor. The
28 members of the brand committee serving on August 28, 2007, shall be
29 considered appointed to serve the remainder of their terms. The Governor
30 shall complete any additional appointment of members as necessary to
31 fulfill the membership of the brand committee as prescribed by Laws 2007,

1 LB 422, on or before August 28, 2007. If there is a vacancy on the brand
2 committee, the Governor shall fill such vacancy by appointing a member to
3 serve during the unexpired term of the member whose office has become
4 vacant. The action of a majority of the members shall be deemed the
5 action of the brand committee. No appointed member shall hold any
6 elective or appointive state or federal office while serving as a member
7 of the brand committee. Each member and each brand committee employee who
8 collects or who is the custodian of any funds shall be bonded or insured
9 as required under section 11-201. The appointed members of the brand
10 committee shall be reimbursed for ~~paid their actual and necessary~~
11 ~~traveling~~ expenses in attending meetings of the brand committee or in
12 performing any other duties that are prescribed in the Livestock Brand
13 Act or section 54-415, as provided for in sections 81-1174 to 81-1177.

14 The purpose of the Nebraska Brand Committee is to protect Nebraska
15 brand and livestock owners from the theft of livestock through
16 established brand recording, brand inspection, and livestock theft
17 investigation.

18 Sec. 50. Section 55-604, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 55-604 ~~(1)~~ Members of the Commission on Military and Veteran
21 Affairs shall receive no compensation for their services as members of
22 the commission other than their salary, but shall be reimbursed for
23 ~~actual and necessary expenses.~~
24 ~~(2) Reimbursement for expenses shall be~~ as provided in sections 81-1174
25 to 81-1177.

26 Sec. 51. Section 57-904, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 57-904 There is hereby established the Nebraska Oil and Gas
29 Conservation Commission. The commission shall consist of three members to
30 be appointed by the Governor. The director of the state geological survey
31 shall serve the commission in the capacity as its technical advisor, but

1 with no power to vote. Any two commissioners shall constitute a quorum
2 for all purposes. At least one member of the commission shall have had
3 experience in the production of oil or gas and shall have resided in the
4 State of Nebraska for at least one year. Each of the other members of the
5 commission shall have resided in the State of Nebraska for at least three
6 years. Initially, two of said members shall be appointed for a term of
7 two years each; and one shall be appointed for a term of four years. At
8 the expiration of the initial terms all members thereafter appointed
9 shall serve for a term of four years. The Governor may at any time remove
10 any appointed member of the commission for cause, and by appointment,
11 with the approval of the Legislature, shall fill any vacancy on the
12 commission.

13 The members of the commission shall receive as compensation for
14 their services the sum of fifty dollars per day for each day actually
15 devoted to the business of the commission, except ~~; Provided,~~ that they
16 shall not receive a sum in any one year in excess of two thousand dollars
17 each. In addition, each member of the commission shall be reimbursed for
18 ~~his or her actual and necessary traveling and other~~ expenses incurred in
19 connection with the carrying out of his or her duties as provided in
20 sections 81-1174 to 81-1177 ~~for state employees.~~

21 Sec. 52. Section 58-228, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 58-228 The Director of Economic Development shall be the chairperson
24 of the authority. The members shall elect from among the membership a
25 vice-chairperson and such other officers as they may determine. Members
26 shall receive no compensation for their services but shall be reimbursed
27 for ~~actual, necessary, and reasonable~~ expenses incurred in the discharge
28 of their official duties as provided in sections 81-1174 to 81-1177.

29 Sec. 53. Section 58-819, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 58-819 The members of the authority shall receive no compensation

1 for the performance of their duties as members, but each such member
2 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses
3 while engaged in the performance of such duties as provided in sections
4 81-1174 to 81-1177 from any funds legally available therefor.

5 Sec. 54. Section 60-4,118.02, Reissue Revised Statutes of Nebraska,
6 is amended to read:

7 60-4,118.02 (1) There is hereby created the Health Advisory Board
8 which shall consist of six health care providers appointed by the
9 director with the advice and recommendation of the Department of Health
10 and Human Services. The members of the board shall consist of one general
11 practice physician, one physician engaged in the practice of
12 ophthalmology, one physician engaged in the practice of orthopedic
13 surgery, one physician engaged in the practice of neurological medicine
14 and surgery, one optometrist, and one psychiatrist. Each member of the
15 board shall be licensed to practice his or her profession pursuant to the
16 Uniform Credentialing Act.

17 (2) Of the initial members of the board, two shall be appointed for
18 four years, two shall be appointed for three years, and two shall be
19 appointed for two years. Thereafter, each member shall be appointed for a
20 term of four years and until a successor is appointed and qualified. If a
21 vacancy occurs for any reason other than the expiration of a term, the
22 Director of Motor Vehicles may appoint a person licensed in the same type
23 of professional practice as the member being replaced to serve out the
24 unexpired term. Members of the board shall be reimbursed for ~~their actual~~
25 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

26 (3) The board shall meet as necessary at the call of the director.
27 At the initial meeting of the board following completion of the initial
28 appointments, the board shall select from among its members a chairperson
29 and shall designate any other officers or committees as it deems
30 necessary. The board may select officers and committees annually or as
31 necessary to fill vacancies and to carry out duties of the board.

1 Sec. 55. Section 66-1335, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 66-1335 (1) The Nebraska Ethanol Board is hereby established. The
4 board shall consist of seven members to be appointed by the Governor with
5 the approval of a majority of the Legislature. The Governor shall make
6 the initial appointments within thirty days after September 1, 1993. Four
7 members shall be actually engaged in farming in this state, one in
8 general farming and one each in the production of corn, wheat, and
9 sorghum. One member shall be actively engaged in business in this state.
10 One member shall represent labor interests in this state. One member
11 shall represent Nebraska petroleum marketers in this state.

12 (2) Members shall be appointed for terms of four years, except that
13 of the initial appointees the terms of the member representing labor
14 interests and the member engaged in general farming shall expire on
15 August 31, 1994, the terms of the member engaged in sorghum production
16 and the member engaged in wheat production shall expire on August 31,
17 1995, the term of the member representing petroleum marketers shall
18 expire on August 31, 1996, and the terms of the member engaged in
19 business and the member engaged in corn production shall expire on August
20 31, 1997. A member shall serve until a successor is appointed and
21 qualified. Not more than four members shall be members of the same
22 political party.

23 (3) A vacancy on the board shall exist in the event of death,
24 disability, resignation, or removal for cause of a member. Any vacancy on
25 the board arising other than from the expiration of a term shall be
26 filled by appointment for the unexpired portion of the term. An
27 appointment to fill a vacancy shall be made by the Governor with the
28 approval of a majority of the Legislature, and any person so appointed
29 shall have the same qualifications as the person whom he or she succeeds.

30 (4) The board shall meet at least once annually.

31 (5) The members shall be reimbursed for ~~their actual and necessary~~

1 expenses as provided in sections 81-1174 to 81-1177. The members shall
2 receive twenty-five dollars for each day while engaged in the performance
3 of board duties.

4 Sec. 56. Section 68-948, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 68-948 (1) The Medicaid Reform Council is established. The council
7 shall consist of ten persons appointed by the Governor. The chairperson
8 of the Health and Human Services Committee of the Legislature or his or
9 her designee shall serve as a nonvoting, ex officio member of the
10 council. The council shall include, but not be limited to, at least one
11 representative from each of the following: Providers, recipients of
12 medical assistance, advocates for such recipients, business
13 representatives, insurers, and elected officials. The Governor shall
14 appoint the chairperson of the council. Members of the council may be
15 reimbursed for ~~their actual and necessary~~ expenses as provided in
16 sections 81-1174 to 81-1177.

17 (2) The council shall (a) oversee and advise the department
18 regarding implementation of reforms to the medical assistance program,
19 including, but not limited to, reforms such as those contained in the
20 Medicaid Reform Plan, (b) conduct public meetings at least quarterly and
21 other meetings at the call of the chairperson of the council, in
22 consultation with the department, and (c) provide comments and
23 recommendations to the department regarding the administration of the
24 medical assistance program and any proposed changes to such program.

25 (3) The department shall provide the council with any reports, data,
26 analysis, or other such information upon which the department relied,
27 which provided a basis for the department's proposed reforms, or which
28 the department otherwise intends to present to the council at least two
29 weeks prior to the quarterly meeting.

30 (4) Beginning June 30, 2010, the terms of the existing members of
31 the council shall be extended as follows: One-half of the members shall

1 serve for two-year terms and one-half of the members shall serve for
2 four-year terms as determined by the Governor. Thereafter all members
3 shall serve for four-year terms. Members may be reappointed at the
4 discretion of the Governor. Appointments to the council occurring as a
5 result of replacement of an existing member at the expiration of the
6 member's term or due to resignation of an existing member shall be made
7 by the Governor.

8 Sec. 57. Section 68-953, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 68-953 (1) No later than July 1, 2010, the department shall
11 establish and maintain a preferred drug list for the medical assistance
12 program. The department shall establish a pharmaceutical and therapeutics
13 committee to advise the department on all matters relating to the
14 establishment and maintenance of such list.

15 (2) The pharmaceutical and therapeutics committee shall include at
16 least fifteen but no more than twenty members. The committee shall
17 consist of at least (a) eight physicians, (b) four pharmacists, (c) a
18 university professor of pharmacy or a person with a doctoral degree in
19 pharmacology, and (d) two public members. No more than twenty-five
20 percent of the committee shall be state employees.

21 (3) The physician members of the committee, so far as practicable,
22 shall include physicians practicing in the areas of (a) family medicine,
23 (b) internal medicine, (c) pediatrics, (d) cardiology, (e) psychiatry or
24 neurology, (f) obstetrics or gynecology, (g) endocrinology, and (h)
25 oncology.

26 (4) Members of the committee shall submit conflict of interest
27 disclosure statements to the department and shall have an ongoing duty to
28 disclose conflicts of interest not included in the original disclosure.

29 (5) The committee shall elect a chairperson and a vice-chairperson
30 from among its members. Members of the committee shall be reimbursed for
31 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to

1 81-1177.

2 (6) The department, in consultation with the committee, shall adopt
3 and publish policies and procedures relating to the preferred drug list,
4 including (a) guidelines for the presentation and review of drugs for
5 inclusion on the preferred drug list, (b) the manner and frequency of
6 audits of the preferred drug list for appropriateness of patient care and
7 cost effectiveness, (c) an appeals process for the resolution of
8 disputes, and (d) such other policies and procedures as the department
9 deems necessary and appropriate.

10 Sec. 58. Section 68-1105, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 68-1105 The members of the Division of Medicaid and Long-Term Care
13 Advisory Committee on Aging, and noncommittee members serving on special
14 committees, shall receive no compensation for their services other than
15 reimbursement for ~~actual and necessary~~ expenses as provided in sections
16 81-1174 to 81-1177. Committee expenses and any office expenses shall be
17 paid from funds made available to the committee by the Legislature.

18 Sec. 59. Section 70-719, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 70-719 The directors, other than those named in the certificate of
21 incorporation to serve until the first annual meeting of members, shall
22 be elected annually, or as otherwise provided in the bylaws, by the
23 members. The directors shall be members of the corporation and shall be
24 entitled to such compensation and reimbursement for expenses ~~actually and~~
25 ~~necessarily~~ incurred by them as provided in sections 81-1174 to 81-1177
26 ~~for state employees~~. The bylaws may provide for the election of alternate
27 directors, who shall be elected and serve in the same manner as members
28 elected to the board of directors. Such alternate directors shall serve
29 in the event of the absence, disability, disqualification, or death of an
30 elected director.

31 Sec. 60. Section 70-1003, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 70-1003 (1) There is hereby established an independent board to be
3 known as the Nebraska Power Review Board to consist of five members, one
4 of whom shall be an engineer, one an attorney, one an accountant, and two
5 laypersons. No person who is or who has within four years preceding his
6 or her appointment been either a director, officer, or employee of any
7 electric utility or an elective state officer shall be eligible for
8 membership on the board. Members of the board shall be appointed by the
9 Governor subject to the approval of the Legislature. Upon expiration of
10 the terms of the members first appointed, the successors shall be
11 appointed for terms of four years. No member of the board shall serve
12 more than two consecutive terms. Any vacancy on the board arising other
13 than from the expiration of a term shall be filled by appointment for the
14 unexpired portion of the term, and any person appointed to fill a vacancy
15 on the board shall be eligible for reappointment for two more consecutive
16 terms. No more than three members of the board shall be registered
17 members of that political party represented by the Governor.

18 (2) Each member of the board shall receive sixty dollars per day for
19 each day actually and necessarily engaged in the performance of his or
20 her duties, but not to exceed six thousand dollars in any one year,
21 except for the member designated to represent the board on the Southwest
22 Power Pool Regional State Committee or its equivalent successor, who
23 shall receive two hundred fifty dollars for each day actually and
24 necessarily engaged in the performance of his or her duties, not to
25 exceed twenty thousand dollars in any one year. If the member designated
26 to represent the board on the Southwest Power Pool Regional State
27 Committee should for any reason no longer serve in that capacity during a
28 year, the pay received while serving in such capacity shall not be used
29 for purposes of calculating the six-thousand-dollar limitation for board
30 members not serving in that capacity. When another board member acts as
31 the proxy for the designated Southwest Power Pool Regional State

1 Committee member, he or she shall receive the same pay as the designated
2 member would have for that activity. Pay received while serving as proxy
3 for such designated member shall not be used for purposes of determining
4 whether the six-thousand-dollar limitation has been met for board members
5 not serving as such designated member. Total pay to board members for
6 activities related to the Southwest Power Pool shall not exceed an
7 aggregate total of twenty-five thousand dollars in any one year. Each
8 member shall be reimbursed for ~~his or her actual and necessary~~ expenses
9 while so engaged as provided in sections 81-1174 to 81-1177. The board
10 shall have jurisdiction as provided in Chapter 70, article 10.

11 (3) The board shall elect from their members a chairperson and a
12 vice-chairperson. Decisions of the board shall require the approval of a
13 majority of the members of the board.

14 (4) The board shall employ an executive director and may employ such
15 other staff necessary to carry out the duties pursuant to Chapter 70,
16 article 10. The executive director shall serve at the pleasure of the
17 board and shall be solely responsible to the board. The executive
18 director shall be responsible for the administrative operations of the
19 board and shall perform such other duties as may be delegated or assigned
20 to him or her by the board. The board may obtain the services of experts
21 and consultants necessary to carry out the board's duties pursuant to
22 Chapter 70, article 10.

23 (5) The board shall publish and submit a biennial report with annual
24 data to the Governor, with copies to be filed with the Clerk of the
25 Legislature and with the State Energy Office. The report submitted to the
26 Clerk of the Legislature shall be submitted electronically. The State
27 Energy Office shall consider the information in the Nebraska Power Review
28 Board's report when the State Energy Office prepares its own reports
29 pursuant to sections 81-1606 and 81-1607. The report of the board shall
30 include:

31 (a) The assessments for the fiscal year imposed pursuant to section

1 70-1020;

2 (b) The gross income totals for each category of the industry and
3 the industry total;

4 (c) The number of suppliers against whom the assessment is levied,
5 by category and in total;

6 (d) The projected dollar costs of generation, transmission, and
7 microwave applications, approved and denied;

8 (e) The actual dollar costs of approved applications upon
9 completion, and a summary of an informational hearing concerning any
10 significant divergence between the projected and actual costs;

11 (f) A description of Nebraska's current electric system and
12 information on additions to and retirements from the system during the
13 fiscal year, including microwave facilities;

14 (g) A statistical summary of board activities and an expenditure
15 summary;

16 (h) A roster of power suppliers in Nebraska and the assessment each
17 paid; and

18 (i) Appropriately detailed historical and projected electric supply
19 and demand statistics, including information on the total generating
20 capacity owned by Nebraska suppliers and the total peak load demand of
21 the previous year, along with an indication of how the industry will
22 respond to the projected situation.

23 (6) The board may, in its discretion, hold public hearings
24 concerning the conditions that may indicate that retail competition in
25 the electric industry would benefit Nebraska's citizens and what steps,
26 if any, should be taken to prepare for retail competition in Nebraska's
27 electricity market. In determining whether to hold such hearings, the
28 board shall consider the sufficiency of public interest.

29 (7) The board may, at any time deemed beneficial by the board,
30 submit a report to the Governor with copies to be filed with the Clerk of
31 the Legislature and the Natural Resources Committee of the Legislature.

1 The report filed with the Clerk of the Legislature and the committee
2 shall be filed electronically. The report may include:

3 (a) Whether or not a viable regional transmission organization and
4 adequate transmission exist in Nebraska or in a region which includes
5 Nebraska;

6 (b) Whether or not a viable wholesale electricity market exists in a
7 region which includes Nebraska;

8 (c) To what extent retail rates have been unbundled in Nebraska;

9 (d) A comparison of Nebraska's wholesale electricity prices to the
10 prices in the region; and

11 (e) Any other information the board believes to be beneficial to the
12 Governor, the Legislature, and Nebraska's citizens when considering
13 whether retail electric competition would be beneficial, such as, but not
14 limited to, an update on deregulation activities in other states and an
15 update on federal deregulation legislation.

16 (8) The board may establish working groups of interested parties to
17 assist the board in carrying out the powers set forth in subsections (6)
18 and (7) of this section.

19 Sec. 61. Section 71-219.03, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 71-219.03 The Board of Barber Examiners shall set the fees at a
22 level sufficient to provide for all ~~actual and necessary~~ expenses and
23 salaries of the board authorized in section 71-222 and in such a manner
24 that unnecessary surpluses are avoided. The board shall annually file a
25 report with the Attorney General and the Legislative Fiscal Analyst
26 stating the amount of the fees set by the board. Such report shall be
27 submitted on or before July 1 of each year. The report submitted to the
28 Legislative Fiscal Analyst shall be submitted electronically.

29 Sec. 62. Section 71-222, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 71-222 The board shall annually elect a president and vice

1 president, and the board shall appoint a director who shall serve as
2 secretary of the board. The board shall be furnished with suitable
3 quarters in the State Capitol or elsewhere. It shall adopt and use a
4 common seal for the authentication of its orders and records. The
5 secretary of the board shall keep a record of all proceedings of the
6 board. A majority of the board, in a meeting duly assembled, may perform
7 and exercise all the duties and powers devolving upon the board. Each
8 member of the board shall receive a compensation of seventy-five dollars
9 per diem and shall be reimbursed for ~~his or her actual and necessary~~
10 expenses incurred in the discharge of his or her duties as provided in
11 sections 81-1174 to 81-1177, not to exceed two thousand dollars per
12 annum. Salaries and expenses shall be paid only from the fund created by
13 fees collected in the administration of the Barber Act, and no other
14 funds or state money except as collected in the administration of the act
15 shall be drawn upon to pay the expense of administration. The board shall
16 report each year to the Governor a full statement of its receipts and
17 expenditures and also a full statement of its work during the year,
18 together with such recommendations as it may deem expedient. The board
19 may employ one field inspector and such other inspectors, clerks, and
20 other assistants as it may deem necessary to carry out the act and
21 prescribe their qualifications. No owner, agent, or employee of any
22 barber school shall be eligible to membership on the board.

23 Sec. 63. Section 71-702, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 71-702 (1) The Women's Health Initiative Advisory Council is created
26 and shall consist of not more than thirty members, at least three-fourths
27 of whom are women. At least one member shall be appointed from the
28 following disciplines: (a) An obstetrician/gynecologist; (b) a nurse
29 practitioner or physician's assistant from a rural community; (c) a
30 geriatrics physician or nurse; (d) a pediatrician; (e) a community public
31 health representative from each congressional district; (f) a health

1 educator; (g) an insurance industry representative; (h) a mental health
2 professional; (i) a representative from a statewide health volunteer
3 agency; (j) a private health care industry representative; (k) an
4 epidemiologist or a health statistician; (l) a foundation representative;
5 and (m) a woman who is a health care consumer from each of the following
6 age categories: Eighteen to thirty; thirty-one to forty; forty-one to
7 sixty-five; and sixty-six and older. The membership shall also include a
8 representative of the University of Nebraska Medical Center, a
9 representative from Creighton University Medical Center, the chief
10 medical officer if one is appointed under section 81-3115, and the Title
11 V Administrator of the Department of Health and Human Services.

12 (2) The Governor shall appoint advisory council members and shall
13 consider and attempt to balance representation based on political party
14 affiliation, race, and different geographical areas of Nebraska when
15 making appointments. The Governor shall appoint the first chairperson and
16 vice-chairperson of the advisory council. There shall be two ex officio,
17 nonvoting members from the Legislature, one of which shall be the
18 chairperson of the Health and Human Services Committee.

19 (3) The terms of the initial members shall be as follows: One-third
20 shall serve for one-year terms, one-third shall serve for two-year terms,
21 and one-third shall serve for three-year terms including the members
22 designated chairperson and vice-chairperson. Thereafter members shall
23 serve for three-year terms. Members may not serve more than two
24 consecutive three-year terms.

25 (4) The Governor shall make the appointments within three months
26 after July 13, 2000.

27 (5) The advisory council shall meet quarterly the first two years.
28 After this time the advisory council shall meet at least every six months
29 or upon the call of the chairperson or a majority of the voting members.
30 A quorum shall be one-half of the voting members.

31 (6) The members of the advisory council shall be reimbursed for

1 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
2 81-1177 and pursuant to policies of the advisory council. Funds for
3 reimbursement for expenses shall be from the Women's Health Initiative
4 Fund.

5 (7) The advisory council shall advise the Women's Health Initiative
6 of Nebraska in carrying out its duties under section 71-701 and may
7 solicit private funds to support the initiative.

8 Sec. 64. Section 71-808, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 71-808 (1) A regional behavioral health authority shall be
11 established in each behavioral health region by counties acting under
12 provisions of the Interlocal Cooperation Act. Each regional behavioral
13 health authority shall be governed by a regional governing board
14 consisting of one county board member from each county in the region.
15 Board members shall serve for staggered terms of three years and until
16 their successors are appointed and qualified. Board members shall serve
17 without compensation but shall be reimbursed for ~~their actual and~~
18 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

19 (2) The regional governing board shall appoint a regional
20 administrator who shall be responsible for the administration and
21 management of the regional behavioral health authority. Each regional
22 behavioral health authority shall encourage and facilitate the
23 involvement of consumers in all aspects of service planning and delivery
24 within the region and shall coordinate such activities with the office of
25 consumer affairs within the division. Each regional behavioral health
26 authority shall establish and utilize a regional advisory committee
27 consisting of consumers, providers, and other interested parties and may
28 establish and utilize such other task forces, subcommittees, or other
29 committees as it deems necessary and appropriate to carry out its duties
30 under this section.

31 (3) Each county in a behavioral health region shall provide funding

1 for the operation of the behavioral health authority and for the
2 provision of behavioral health services in the region. The total amount
3 of funding provided by counties under this subsection shall be equal to
4 one dollar for every three dollars from the General Fund. The division
5 shall annually certify the total amount of county matching funds to be
6 provided. At least forty percent of such amount shall consist of local
7 and county tax revenue, and the remainder shall consist of other
8 nonfederal sources. The regional governing board of each behavioral
9 health authority, in consultation with all counties in the region, shall
10 determine the amount of funding to be provided by each county under this
11 subsection. Any General Funds transferred from regional centers for the
12 provision of community-based behavioral health services after July 1,
13 2004, and funds received by a regional behavioral health authority for
14 the provision of behavioral health services to children under section
15 71-826 shall be excluded from any calculation of county matching funds
16 under this subsection.

17 Sec. 65. Section 71-1799, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 71-1799 (1) The Nebraska Center for Nursing Board is created. The
20 board shall be a policy-setting board for the Nebraska Center for
21 Nursing. The board shall be appointed by the Governor as follows:

22 (a) Ten members, at least three of whom shall be registered nurses,
23 one of whom shall be a licensed practical nurse, one of whom shall be a
24 representative of the hospital industry, and one of whom shall be a
25 representative of the long-term care industry;

26 (b) One nurse educator recommended by the Board of Regents of the
27 University of Nebraska;

28 (c) One nurse educator recommended by the Nebraska Community College
29 Association;

30 (d) One nurse educator recommended by the Nebraska Association of
31 Independent Colleges and Universities; and

1 (e) Three members recommended by the State Board of Health.

2 (2) The initial terms of the members of the Nebraska Center for
3 Nursing Board shall be:

4 (a) Five of the ten members appointed under subdivision (1)(a) of
5 this section shall serve for one year and five shall serve for two years;

6 (b) The member recommended by the Board of Regents shall serve for
7 three years;

8 (c) The member recommended by the Nebraska Community College
9 Association shall serve for two years;

10 (d) The member recommended by the Nebraska Association of
11 Independent Colleges and Universities shall serve for one year; and

12 (e) The members recommended by the State Board of Health shall serve
13 for three years.

14 The initial appointments shall be made within sixty days after July
15 13, 2000. After the initial terms expire, the terms of all of the members
16 shall be three years with no member serving more than two consecutive
17 terms.

18 (3) The Nebraska Center for Nursing Board shall have the following
19 powers and duties:

20 (a) To determine operational policy;

21 (b) To elect a chairperson and officers to serve two-year terms. The
22 chairperson and officers may not succeed themselves;

23 (c) To establish committees of the board as needed;

24 (d) To appoint a multidisciplinary advisory council for input and
25 advice on policy matters;

26 (e) To implement the major functions of the Nebraska Center for
27 Nursing; and

28 (f) To seek and accept nonstate funds for carrying out center
29 policy.

30 (4) The board members shall be reimbursed for ~~their actual and~~
31 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

1 (5) The Department of Health and Human Services shall provide
2 administrative support for the board. The board may contract for
3 additional support not provided by the department.

4 Sec. 66. Section 71-2605, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 71-2605 The members of the State Board of Health shall receive the
7 sum of twenty dollars per diem, while actually engaged in the business of
8 the board, and shall be reimbursed for ~~the necessary~~ expenses incurred in
9 the performance of their duties as provided in sections 81-1174 to
10 81-1177 ~~for state employees.~~

11 Sec. 67. Section 71-3406, Revised Statutes Cumulative Supplement,
12 2016, is amended to read:

13 71-3406 (1) The chief executive officer of the Department of Health
14 and Human Services shall appoint a minimum of twelve and a maximum of
15 fifteen members to the State Child and Maternal Death Review Team. The
16 core members shall be (a) a physician employed by the department, who
17 shall be a permanent member and shall serve as the chairperson of the
18 team, (b) a senior staff member with child protective services of the
19 department, (c) a forensic pathologist, (d) a law enforcement
20 representative, (e) the Inspector General of Nebraska Child Welfare, and
21 (f) an attorney. The remaining members appointed may be, but shall not be
22 limited to, the following: A county attorney; a Federal Bureau of
23 Investigation agent responsible for investigations on Native American
24 reservations; a social worker; and members of organizations which
25 represent hospitals or physicians. The department shall be responsible
26 for the general administration of the activities of the team and shall
27 employ or contract with a team coordinator to provide administrative
28 support for the team.

29 (2) Members shall serve four-year terms with the exception of the
30 chairperson. In the absence of the chairperson, the chief executive
31 officer may appoint another member of the core team to serve as

1 chairperson.

2 (3) The team shall not be considered a public body for purposes of
3 the Open Meetings Act. The team shall meet a minimum of four times a
4 year. Members of the team shall be reimbursed for ~~their actual and~~
5 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

6 Sec. 68. Section 71-4723, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 71-4723 The members of the commission shall receive no compensation
9 for their services as such but shall be reimbursed for ~~their actual and~~
10 ~~necessary~~ expenses in attending meetings of the commission and in
11 carrying out their official duties as provided in sections 81-1174 to
12 81-1177, ~~for state employees.~~

13 Sec. 69. Section 71-4728.05, Reissue Revised Statutes of Nebraska,
14 is amended to read:

15 71-4728.05 (1) The commission shall appoint the Interpreter Review
16 Board as required in section 20-156.

17 (2) Members of the Interpreter Review Board shall be as follows:

18 (a) A representative of the Department of Health and Human Services
19 and the executive director of the commission or his or her designee, both
20 of whom shall serve continuously and without limitation;

21 (b) One qualified interpreter, appointed for a term to expire on
22 June 30, 2008;

23 (c) One representative of local government, appointed for a term to
24 expire on June 30, 2008;

25 (d) One deaf or hard of hearing person, appointed for a term to
26 expire on June 30, 2009;

27 (e) One qualified interpreter, appointed for a term to expire on
28 June 30, 2009;

29 (f) One deaf or hard of hearing person, appointed for a term to
30 expire on June 30, 2010; and

31 (g) One representative of local government, appointed for a term to

1 expire on June 30, 2010.

2 (3) Upon the expiration of the terms described in subsection (2) of
3 this section, members other than those identified in subdivision (2)(a)
4 of this section shall be appointed for terms of three years. No such
5 member may serve more than two consecutive three-year terms beginning
6 June 30, 2007, except that members whose terms have expired shall
7 continue to serve until their successors have been appointed and
8 qualified.

9 (4) The commission may remove a member of the board for
10 inefficiency, neglect of duty, or misconduct in office after delivering
11 to such member a copy of the charges and a public hearing in accordance
12 with the Administrative Procedure Act. If a vacancy occurs on the board,
13 the commission shall appoint another member with the same qualifications
14 as the vacating member to serve the remainder of the term. The members of
15 the board shall receive no compensation but shall be reimbursed for ~~their~~
16 ~~actual and necessary~~ expenses, as provided in sections 81-1174 to
17 81-1177, in attending meetings of the commission and in carrying out
18 their official duties as provided in this section and section 20-156.

19 (5) The board shall establish policies, standards, and procedures
20 for evaluating and licensing interpreters, including, but not limited to,
21 testing, training, issuance, renewal, and denial of licenses, continuing
22 education and continuing competency assessment, investigation of
23 complaints, and disciplinary actions against a license pursuant to
24 section 20-156.

25 Sec. 70. Section 71-5657, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 71-5657 Members of the commission shall be reimbursed for ~~their~~
28 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177
29 from funds appropriated for the Rural Health Systems and Professional
30 Incentive Act.

31 Sec. 71. Section 71-6227, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 71-6227 (1) The director may, with the advice of the board, adopt
3 and promulgate rules and regulations necessary to carry out the Nebraska
4 Regulation of Health Professions Act.

5 (2) The director shall provide all necessary professional and
6 clerical services to assist the committees and the board. Records of all
7 official actions and minutes of all business coming before the committees
8 and the board shall be kept. The director shall be the custodian of all
9 records, documents, and other property of the committees and the board.

10 (3) Committee members shall receive no salary, but shall be
11 reimbursed for ~~their actual and necessary~~ expenses as provided in
12 sections 81-1174 to 81-1177 ~~for state employees~~.

13 Sec. 72. Section 71-6303, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 71-6303 (1) The department shall administer the Asbestos Control
16 Act.

17 (2) The department shall adopt and promulgate rules and regulations
18 necessary to carry out the act. The department shall adopt state
19 standards governing asbestos projects and may adopt or incorporate part
20 or all of any federal standards in the state standards so long as state
21 standards are no less stringent than federal standards.

22 (3)(a) The department shall prescribe fees based upon the following
23 schedule:

24 (i) For a business entity license or license renewal, not less than
25 two thousand dollars or more than five thousand dollars;

26 (ii) For waiver on an emergency basis of a business entity license,
27 not less than two thousand dollars or more than five thousand dollars;

28 (iii) For waiver of a license for a business entity not primarily
29 engaged in asbestos projects, not less than two thousand dollars or more
30 than five thousand dollars;

31 (iv) For approval of an initial training course, not less than one

1 thousand dollars or more than two thousand five hundred dollars, which
2 fee shall include one onsite inspection if the inspection is required by
3 the department;

4 (v) For approval of a review course or a four-hour course on
5 Nebraska law, rules, and regulations, not less than five hundred dollars
6 or more than one thousand dollars, which fee shall include one onsite
7 inspection if the inspection is required by the department;

8 (vi) For an onsite inspection of an asbestos project other than an
9 initial inspection, not less than one hundred fifty dollars or more than
10 two hundred fifty dollars. Such fees shall not be assessed for more than
11 three onsite inspections per year during the period an actual asbestos
12 project is in progress; and

13 (vii) For a project review of each asbestos project of a licensed
14 business entity which is equal to or greater than two hundred sixty
15 linear feet or any combination which is equal to or greater than one
16 hundred sixty square feet and linear feet, including any initial onsite
17 inspection, not less than two hundred dollars or more than five hundred
18 dollars.

19 (b) Any business applicant whose application is rejected shall be
20 allowed the return of the application fee, except that an administrative
21 charge of three hundred dollars for a license and one hundred dollars for
22 approval of a training course shall be retained by the department.

23 (c) All fees shall be based on the costs of administering the
24 Asbestos Control Act. In addition to the fees prescribed in this section,
25 the department may charge and receive reimbursement ~~the actual costs~~ for
26 board, room, and travel by employees in excess of three hundred dollars,
27 which reimbursement ~~costs~~ shall not exceed the amounts allowable in
28 sections 81-1174 to 81-1177. All such fees collected by the department
29 shall be remitted to the State Treasurer for credit to the Health and
30 Human Services Cash Fund. Money credited to the fund pursuant to this
31 section shall be used by the department for the purpose of administering

1 the act.

2 (4) At least once a year during the continuation of an asbestos
3 project, the department shall conduct an onsite inspection of each
4 licensed business entity's procedures for performing asbestos projects.

5 (5) The department may enter into agreements or contracts with
6 public agencies to conduct any inspections required under the act.

7 (6) The department shall adopt and promulgate rules and regulations
8 defining work practices for asbestos projects. The department may provide
9 for alternatives to specific work practices when the health, safety, and
10 welfare of all classes of asbestos occupations and the general public are
11 adequately protected.

12 (7) The department may apply for and receive funds from the federal
13 government and any other public or private entity for the purposes of
14 administering the act.

15 Sec. 73. Section 71-6321, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 71-6321 (1) The department shall administer the Residential Lead-
18 Based Paint Professions Practice Act.

19 (2) The department shall adopt and promulgate rules and regulations
20 necessary to carry out such act. The department shall adopt state
21 standards governing abatement projects and may adopt or incorporate part
22 or all of any federal standards in such state standards so long as state
23 standards are no less stringent than federal standards.

24 (3) The department shall prescribe fees based upon the following
25 schedule:

26 (a) For an annual firm license or license renewal, not less than two
27 hundred dollars or more than five hundred dollars;

28 (b) For accreditation of a training program, not less than one
29 thousand dollars or more than two thousand five hundred dollars, which
30 fee shall include one onsite inspection if such inspection is required by
31 the department;

1 (c) For accreditation of a review course or a course on Nebraska
2 law, rules, and regulations, not less than five hundred dollars or more
3 than one thousand dollars, which fee shall include one onsite inspection
4 if such inspection is required by the department;

5 (d) For onsite inspections other than initial inspections, not less
6 than one hundred fifty dollars or more than two hundred fifty dollars.
7 Such fees shall not be assessed for more than three onsite inspections
8 per year during the period an actual abatement project is in progress;
9 and

10 (e) For a project review of each abatement project of a licensed
11 firm, not less than two hundred dollars or more than five hundred
12 dollars.

13 Any business applicant whose application is rejected shall be
14 allowed the return of the application fee, except that an administrative
15 charge of one hundred dollars for a firm license and for accreditation of
16 a training program shall be retained by the department.

17 All fees shall be based on the costs of administering the act. In
18 addition to the fees prescribed in this section, the department may
19 charge and receive reimbursement ~~the actual costs~~ for board, room, and
20 travel by employees in excess of three hundred dollars, which
21 reimbursement costs shall not exceed the amounts allowable in sections
22 81-1174 to 81-1177. All such fees collected by the department shall be
23 remitted to the State Treasurer for credit to the Health and Human
24 Services Cash Fund. Money credited to the fund pursuant to this section
25 shall be used by the department for the purpose of administering the act.

26 (4) At least once a year during the continuation of an abatement
27 project the department shall conduct an onsite inspection of each
28 licensed firm's procedures for performing abatement projects.

29 (5) The department may enter into agreements or contracts with
30 public agencies to conduct any inspections required under the act if such
31 agencies have the appropriate licensure or accreditation as described in

1 the act.

2 (6) The department shall adopt and promulgate rules and regulations
3 defining work practices for abatement projects, for the licensure of
4 lead-based paint professions, for the accreditation of training programs,
5 for the accreditation of training program providers, for the
6 dissemination of prerenovation information to homeowners and occupants,
7 for the facilitation of compliance with federal lead-based paint hazard
8 control grant programs, and for the implementation of lead-based paint
9 compliance monitoring and enforcement activities. The department may
10 provide for alternatives to specific work practices when the health,
11 safety, and welfare of all classes of lead-based paint professions and
12 the general public are adequately protected.

13 (7) The department may apply for and receive funds from the federal
14 government and any other public or private entity for the purposes of
15 administering the act. Any funds applied for, received, or used by the
16 department or any political subdivision from the federal government or
17 any public entity may be used only to abate lead-based paint hazards and
18 for the administration of lead-based paint programs which address health
19 and environmental hazards caused by lead-based paint.

20 Sec. 74. Section 71-7012, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-7012 The Breast and Cervical Cancer Advisory Committee is
23 established. The committee consists of the members of the Mammography
24 Screening Committee serving immediately prior to September 9, 1995, and
25 eight additional members appointed by the chief executive officer of the
26 department or his or her designee who have expertise or a personal
27 interest in cervical cancer. The committee shall consist of not more than
28 twenty-four volunteer members, at least eight of whom are women,
29 appointed by the chief executive officer or his or her designee. Members
30 of the committee shall be persons interested in health care, the
31 promotion of breast cancer screening, and cervical cancer and shall be

1 drawn from both the private sector and the public sector. At least one
2 member shall be a person who has or who has had breast cancer.

3 Of the initial members of the committee, four shall be appointed for
4 terms of one year and four shall be appointed for terms of two years.
5 Thereafter all appointments shall be for terms of two years. All members
6 shall serve until their successors are appointed. No member shall serve
7 more than two successive two-year terms. Vacancies in the membership of
8 the committee for any cause shall be filled by appointment by the chief
9 executive officer or his or her designee for the unexpired term.

10 Duties of the committee shall include, but not be limited to,
11 encouraging payment of public and private funds to the Breast and
12 Cervical Cancer Cash Fund, researching and recommending to the department
13 reimbursement limits, planning and implementing outreach and educational
14 programs to Nebraska women, advising the department on its operation of
15 the early detection of breast and cervical cancer grant from the United
16 States Department of Health and Human Services, and encouraging payment
17 of public and private funds to the fund. Members of the committee shall
18 be reimbursed for ~~their actual and necessary~~ expenses as provided in
19 sections 81-1174 to 81-1177.

20 Sec. 75. Section 71-8236, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-8236 The State Trauma Advisory Board is created. The board shall
23 be composed of representatives knowledgeable in emergency medical
24 services and trauma care, including emergency medical providers such as
25 physicians, nurses, hospital personnel, prehospital or out-of-hospital
26 providers, local government officials, state officials, consumers, and
27 persons affiliated professionally with health science schools. The
28 Director of Public Health or his or her designee shall appoint the
29 members of the board for staggered terms of three years each. The
30 department shall provide administrative support to the board. All members
31 of the board may be reimbursed for ~~their actual and necessary~~ expenses

1 incurred in the performance of their duties as such members as provided
2 in sections 81-1174 to 81-1177. The terms of members representing the
3 same field shall not expire at the same time.

4 The board shall elect a chairperson and a vice-chairperson whose
5 terms of office shall be for two years. The board shall meet at least
6 twice per year by written request of the director or the chairperson.

7 Sec. 76. Section 71-8251, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 71-8251 The department shall establish a regional trauma advisory
10 board within each trauma care region. The department shall appoint
11 members, to be comprised of a balance of hospital representatives and
12 out-of-hospital emergency services providers, local elected officials,
13 consumers, local law enforcement representatives, and local government
14 agencies involved in the delivery of emergency medical services and
15 trauma care recommended by the local emergency medical services providers
16 and medical facilities located within the region. All members of the
17 board may be reimbursed for ~~their actual and necessary~~ expenses incurred
18 in the performance of their duties as such members pursuant to sections
19 81-1174 to 81-1177.

20 Sec. 77. Section 71-8604, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-8604 (1) The Commission for the Blind and Visually Impaired is
23 created. The governing board of the commission shall consist of five
24 members appointed by the Governor with the approval of a majority of the
25 members of the Legislature. All board members shall have reasonable
26 knowledge or experience in issues related to blindness which may include,
27 but is not limited to, reasonable knowledge or experience acquired
28 through membership in consumer organizations of the blind. No board
29 member or his or her immediate family shall be a current employee of the
30 commission. At least three board members shall be blind persons: One
31 member shall be a member or designee of the National Federation of the

1 Blind of Nebraska; one member shall be a member or designee of the
2 American Council of the Blind of Nebraska; and one member may be a member
3 of another consumer organization of the blind.

4 (2) Board members shall be appointed for staggered terms with the
5 initial members appointed for terms as follows: Two members for terms
6 ending on December 31, 2001, and three members for terms ending December
7 31, 2003. Subsequent appointments shall be for terms of four years with
8 no board member appointed to more than two consecutive terms. Board
9 members whose terms have expired shall continue to serve until their
10 successors have been appointed. In the case of a vacancy, the Governor
11 shall appoint a successor for the unexpired term. Board members may be
12 removed for cause.

13 (3) A majority of the board members constitutes a quorum for the
14 transaction of business. The board shall annually elect a chairperson
15 from its membership.

16 (4) Board members shall receive a per diem of seventy dollars for
17 each day spent in the performance of their official duties and shall be
18 reimbursed for ~~their actual and necessary~~ expenses incurred in the
19 performance of their official duties as provided in sections 81-1174 to
20 81-1177. Aside from the provisions of this subsection, a board member
21 shall not receive other compensation, perquisites, or allowances for the
22 performance of official duties.

23 Sec. 78. Section 71-8803, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 71-8803 (1) The Stem Cell Research Advisory Committee is created.
26 The committee shall consist of the dean of every medical school in
27 Nebraska that is accredited by the Liaison Committee on Medical Education
28 or his or her designee and additional members appointed as follows: (a)
29 The dean of every medical school in Nebraska shall nominate three
30 scientists from outside Nebraska conducting human stem cell research with
31 funding from the National Institutes of Health of the United States

1 Department of Health and Human Services; and (b) the chief medical
2 officer as designated in section 81-3115 shall select two of such
3 scientists from each set of nominations to serve on the committee.
4 Appointments by the chief medical officer pursuant to this subsection
5 shall be approved by the Legislature. Members appointed by the chief
6 medical officer shall serve for staggered terms of three years each and
7 until their successors are appointed and qualified. Such members may be
8 reappointed for additional three-year terms.

9 (2) The committee shall meet not less than twice each year.

10 (3) Members of the committee not employed by medical schools in
11 Nebraska shall receive a stipend per meeting to be determined by the
12 Division of Public Health of the Department of Health and Human Services
13 based on standard consultation fees, and all members of the committee
14 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in
15 service on the committee pursuant to sections 81-1174 to 81-1177.

16 Sec. 79. Section 72-201, Revised Statutes Cumulative Supplement,
17 2016, is amended to read:

18 72-201 (1) The Board of Educational Lands and Funds shall consist of
19 five members to be appointed by the Governor with the consent of a
20 majority of the members elected to the Legislature. One member shall be
21 appointed from each of the congressional districts as the districts were
22 constituted on January 1, 1961, and a fifth member shall be appointed
23 from the state at large. One member of the board shall be competent in
24 the field of investments. The initial members shall be appointed to take
25 office on October 1, 1955, and shall hold office for the following
26 periods of time: The member from the first congressional district for one
27 year; the member from the second congressional district for two years;
28 the member from the third congressional district for three years; the
29 member from the fourth congressional district for four years; and the
30 member from the state at large for five years. As the terms of the
31 members expire, the Governor shall appoint or reappoint a member of the

1 board for a term of five years, except members appointed to fill
2 vacancies whose tenures shall be the unexpired terms for which they are
3 appointed. If the Legislature is not in session when such members, or
4 some of them, are appointed by the Governor, such members shall take
5 office and act as recess appointees until the Legislature next thereafter
6 convenes. The compensation of the members shall be fifty dollars per day
7 for each day's time actually engaged in the performance of the duties of
8 their office. Each member shall be reimbursed for ~~paid his or her~~
9 ~~necessary traveling~~ expenses incurred while upon business of the board as
10 provided in sections 81-1174 to 81-1177. The board shall cause all
11 school, university, agricultural college, and state college lands, owned
12 by or the title to which may hereafter vest in the state, to be
13 registered, leased, and sold as provided in sections 72-201 to 72-251 and
14 shall have the general management and control of such lands and make
15 necessary rules not provided by law. The funds arising from these lands
16 shall be disposed of in the manner provided by the Constitution of
17 Nebraska, sections 72-201 to 72-251, and other laws of Nebraska not
18 inconsistent herewith.

19 (2) No person shall be eligible to membership on the board who is
20 actively engaged in the teaching profession, who holds or has any
21 financial interest in a school land lease, who is a holder of or a
22 candidate for any state office or a member of any state board or
23 commission, or who has not resided in this state for at least three
24 years.

25 (3) The board shall elect one of its members as chairperson of the
26 Board of Educational Lands and Funds. In the absence of the chairperson,
27 any member of the board may, upon motion duly carried, act in his or her
28 behalf as such chairperson. It shall keep a record of all proceedings and
29 orders made by it. No order shall be made except upon the concurrence of
30 at least three members of the board. It shall make all orders pertaining
31 to the handling of all lands and funds set apart for educational

1 purposes.

2 (4) The board shall maintain an office in Lincoln and shall meet in
3 its office not less than once each month.

4 (5) The board may appoint a secretary for the board. The
5 compensation of the secretary shall be payable monthly, as fixed by the
6 board.

7 Sec. 80. Section 72-224.03, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 72-224.03 Except as otherwise provided in section 72-222.02, any
10 public body that has or hereafter shall be granted by the Legislature the
11 authority to acquire educational lands for public use shall be required
12 to condemn the interest of the state, as trustee for the public schools,
13 in educational lands in the following manner:

14 (1) The proceedings shall be had before a board consisting of (a)
15 the superintendent of a school district offering instruction in grades
16 kindergarten through twelve, (b) a certified public accountant, and (c) a
17 credentialed real property appraiser, all appointed by the Governor for a
18 term of six years, except that of the initial appointees one shall serve
19 for a term of two years, one for a term of four years, and one for a term
20 of six years as designated by the Governor. The members of the board
21 shall each receive fifty dollars for each day actually engaged in the
22 performance of official duties and shall be reimbursed for ~~actual~~ and
23 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 to be paid
24 by the Board of Educational Lands and Funds;

25 (2) The condemnation proceedings shall be commenced by the filing of
26 a plat and complete description of the lands to be acquired together with
27 an application for that purpose with the secretary of the Board of
28 Educational Lands and Funds. Notice of the pendency of such application
29 and the date of hearing shall be given by serving a copy of the
30 application, together with notice of the date of hearing, upon the
31 Governor and the Attorney General. The date of hearing shall be not less

1 than ten days from the date of the filing of the application;

2 (3) The condemner and the Board of Educational Lands and Funds may
3 present evidence before the board of appraisers. The board shall have the
4 power to administer oaths and subpoena witnesses at the request of either
5 party or on its own motion;

6 (4) After hearing the evidence, the board of appraisers shall make
7 the award and file same in the office of the Board of Educational Lands
8 and Funds. Such award may be appealed, and the appeal shall be in
9 accordance with the Administrative Procedure Act; and

10 (5) Upon payment of the amount of the award by the condemner, it
11 shall be the duty of the secretary of the Board of Educational Lands and
12 Funds to transmit a certified copy of the award to the condemner for
13 filing in the office of the register of deeds in the county or counties
14 where the land is located. The filing of such certified copy of the award
15 shall have the force and effect of a deed of conveyance of the real
16 estate and shall constitute a transfer of the title thereto.

17 Sec. 81. Section 72-1239, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 72-1239 The purpose of the council is to formulate and establish
20 such policies as it may deem necessary and proper which shall govern the
21 methods, practices, and procedures followed by the state investment
22 officer for the investment or reinvestment of state funds and funds
23 described in section 83-133 and the purchase, sale, or exchange of
24 securities as provided by the Nebraska State Funds Investment Act. The
25 council shall meet from time to time as directed by the Governor or the
26 chairperson or as requested by the state investment officer. The members
27 of the council, except the State Treasurer, the director of the Nebraska
28 Public Employees Retirement Systems, and beginning January 1, 2017, each
29 administrator of a retirement system provided for under the Class V
30 School Employees Retirement Act, shall be paid seventy-five dollars per
31 diem. The members shall be reimbursed for ~~their actual and necessary~~

1 expenses incurred in connection with the performance of their duties as
2 members as provided in sections 81-1174 to 81-1177.

3 Sec. 82. Section 72-2007, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 72-2007 (1) The Niobrara Council is created. The council membership
6 shall include:

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

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

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

15 (d) The regional director for the National Park Service or his or
16 her designee and the regional director for the United States Fish and
17 Wildlife Service or his or designee. The members under this subdivision
18 shall be nonvoting members unless and until the agencies represented by
19 these members formally authorize such members to vote on all matters
20 before the council by notifying the council and the Governor in writing;

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

27 (f) A representative from a recreational business operating within
28 the Niobrara scenic river corridor chosen by the Governor from a list of
29 at least three individuals, or fewer if there are not at least three
30 qualified individuals, submitted by the county board members on the
31 council;

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

5 (h) A representative of a recognized, nonprofit environmental,
6 conservation, or wildlife organization chosen by the Governor from a list
7 of at least three individuals, or fewer if there are not at least three
8 qualified individuals, submitted by the county board members on the
9 council.

10 The appointments made pursuant to subdivisions (1)(e) through (h) of
11 this section shall be subject to confirmation by the Legislature. The
12 council members shall hold office for three-year terms and until a
13 successor is appointed and qualified. The council members shall serve at
14 the pleasure of the appointing board or the Governor.

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

21 (3) A quorum shall be present at a meeting before any action may be
22 taken by the council. A quorum shall be a majority of the members who are
23 selected and serving and who vote on issues before the council. All
24 actions of the council require a majority vote of the quorum present at
25 any meeting, except that any vote to reject or adopt any zoning
26 regulation or variance under section 72-2010 requires a vote of two-
27 thirds of all the council members who are selected and serving and who
28 vote on issues before the council.

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

1 Sec. 83. Section 72-2103, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 72-2103 The members of the Governor's Residence Advisory Commission
4 shall serve without compensation. The members shall be reimbursed for
5 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
6 81-1177.

7 Sec. 84. Section 75-104, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 75-104 (1) Until January 4, 2007, the annual salary of each
10 commissioner shall be fifty thousand dollars. Commencing January 4, 2007,
11 the annual salary of each commissioner shall be seventy-five thousand
12 dollars.

13 (2) Each commissioner shall be entitled to receive from the state
14 his or her mileage expenses incurred while traveling in the line of duty
15 to and from his or her residence to the office of the Public Service
16 Commission in Lincoln pursuant to the following conditions:

17 (a) The Public Service Commission has adopted and promulgated rules
18 and regulations establishing guidelines for allowable reimbursement of
19 such mileage expenses, except that such mileage rate shall not exceed the
20 mileage rate established by the Department of Administrative Services
21 pursuant to section 81-1176;

22 (b) The request for such reimbursement falls within such guidelines;
23 and

24 (c) The total amounts authorized for such reimbursement of mileage
25 expenses in any fiscal year does not cause the total expenses to exceed
26 the total funds appropriated to the program established for
27 commissioners' expenses. In addition thereto, the commissioners,
28 executive director, clerks, and other employees of the commission shall
29 be reimbursed for ~~entitled to receive from the state their actual~~
30 ~~necessary traveling~~ expenses, including the cost of transportation while
31 traveling on the business of the commission, to be paid in the same

1 manner as other requests for payment or reimbursement from the state. In
2 computing the cost of transportation for the commissioners, executive
3 director, clerks, and other employees, no mileage or other traveling
4 expense shall be requested or allowed unless sections 81-1174 to 81-1177
5 are strictly complied with.

6 Sec. 85. Section 76-2222, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 76-2222 (1) The Real Property Appraiser Board is hereby created. The
9 board shall consist of five members. One member who is a certified real
10 property appraiser shall be selected from each of the three congressional
11 districts, and two members shall be selected at large. The two members
12 selected at large shall include one representative of financial
13 institutions and one licensed real estate broker who also holds a
14 credential as a licensed or certified real property appraiser. The
15 Governor shall appoint the members of the board. The members shall be
16 appointed so that the membership of the board selected from the
17 congressional districts includes at least two certified real property
18 appraisers.

19 (2) The term of each member of the board shall be five years. Upon
20 the expiration of his or her term, a member of the board shall continue
21 to hold office until the appointment and qualification of his or her
22 successor. No person shall serve as a member of the board for consecutive
23 terms. Any vacancy shall be filled in the same manner as the original
24 appointment. The Governor may remove a member for cause.

25 (3) The members of the board shall elect a chairperson during the
26 first meeting of each year from among the members.

27 (4) Three members of the board shall constitute a quorum.

28 (5) Each member of the board shall receive a per diem of one hundred
29 dollars per day (a) for each scheduled meeting of the board or a
30 committee of the board at which the member is present and (b) actually
31 spent in traveling to and from and attending meetings and conferences of

1 the Association of Appraiser Regulatory Officials and its committees and
2 subcommittees or of the Appraisal Foundation and its committees and
3 subcommittees, board committee meetings, or other business as authorized
4 by the board.

5 (6) Each member of the board shall be reimbursed for ~~actual and~~
6 ~~necessary~~ expenses incident to the performance of his or her duties under
7 the Real Property Appraiser Act and Nebraska Appraisal Management Company
8 Registration Act as provided in sections 81-1174 to 81-1177.

9 Sec. 86. Section 77-5004, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 77-5004 (1) Each commissioner shall be a qualified voter and
12 resident of the state and a domiciliary of the district he or she
13 represents.

14 (2) Each commissioner shall devote his or her full time and efforts
15 to the discharge of his or her duties and shall not hold any other office
16 under the laws of this state, any city or county in this state, or the
17 United States Government while serving on the commission. Each
18 commissioner shall possess:

19 (a) Appropriate knowledge of terms commonly used in or related to
20 real property appraisal and of the writing of appraisal reports;

21 (b) Adequate knowledge of depreciation theories, cost estimating,
22 methods of capitalization, and real property appraisal mathematics;

23 (c) An understanding of the principles of land economics, appraisal
24 processes, and problems encountered in the gathering, interpreting, and
25 evaluating of data involved in the valuation of real property, including
26 complex industrial properties and mass appraisal techniques;

27 (d) Knowledge of the law relating to taxation, civil and
28 administrative procedure, due process, and evidence in Nebraska;

29 (e) At least thirty hours of successfully completed class hours in
30 courses of study, approved by the Real Property Appraiser Board, which
31 relate to appraisal and which include the fifteen-hour National Uniform

1 Standards of Professional Appraisal Practice Course. If a commissioner
2 has not received such training prior to his or her appointment, such
3 training shall be completed within one year after appointment; and

4 (f) Such other qualifications and skills as reasonably may be
5 requisite for the effective and reliable performance of the commission's
6 duties.

7 (3) At least one commissioner shall possess the certification or
8 training required to become a licensed residential real property
9 appraiser as set forth in section 76-2230.

10 (4) At least one commissioner shall have been engaged in the
11 practice of law in the State of Nebraska for at least five years, which
12 may include prior service as a judge, and shall be currently admitted to
13 practice before the Nebraska Supreme Court.

14 (5) No commissioner or employee of the commission shall hold any
15 position of profit or engage in any occupation or business interfering
16 with or inconsistent with his or her duties as a commissioner or
17 employee. A person is not eligible for appointment and may not hold the
18 office of commissioner or be appointed by the commission to or hold any
19 office or position under the commission if he or she holds any official
20 office or position.

21 (6) Each commissioner shall annually attend a seminar or class of at
22 least two days' duration that is:

23 (a) Sponsored by a recognized assessment or appraisal organization,
24 in each of these areas: Utility and railroad appraisal; appraisal of
25 complex industrial properties; appraisal of other hard to assess
26 properties; and mass appraisal, residential or agricultural appraisal, or
27 assessment administration; or

28 (b) Pertaining to management, law, civil or administrative
29 procedure, or other knowledge or skill necessary for performing the
30 duties of the office.

31 (7) Each commissioner shall within two years after his or her

1 appointment attend at least thirty hours of instruction that constitutes
2 training for judges or administrative law judges.

3 (8) The commissioners shall be considered employees of the state for
4 purposes of sections 81-1320 to 81-1328 and 84-1601 to 84-1615.

5 (9) The commissioners shall be reimbursed as prescribed in sections
6 81-1174 to 81-1177 for ~~their actual and necessary~~ expenses in the
7 performance of their official duties pursuant to the Tax Equalization and
8 Review Commission Act.

9 Sec. 87. Section 77-5206, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 77-5206 Once every two years, the members of the board shall elect a
12 chairperson and a vice-chairperson. A member of the board may be
13 reelected to the position of chairperson or vice-chairperson upon the
14 discretion of the board. Members of the board shall be reimbursed for
15 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
16 81-1177.

17 Sec. 88. Section 79-317, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 79-317 (1) The State Board of Education shall meet regularly and
20 periodically in the office of the State Department of Education at least
21 four times annually and at such other times and places as it may
22 determine necessary for the proper and efficient conduct of its duties.
23 All meetings shall be called in accordance with this section and the Open
24 Meetings Act. Five members of the board shall constitute a quorum.

25 (2) The public shall be admitted to all meetings of the State Board
26 of Education except to such closed sessions as the board may direct in
27 accordance with the Open Meetings Act. The board shall cause to be kept a
28 record of all public meetings and proceedings of the board. The
29 commissioner, or his or her designated representative, shall be present
30 at all meetings except when the order of business for the board is the
31 selection of a Commissioner of Education.

1 (3) The members of the State Board of Education shall receive no
2 compensation for their services but shall be reimbursed for ~~actual and~~
3 ~~essential~~ expenses incurred in attending meetings or incurred in the
4 performance of duties as directed by the board as provided in sections
5 81-1174 to 81-1177.

6 Sec. 89. Section 79-527.01, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-527.01 (1)(a) The Council on Student Attendance is created. The
9 council shall consist of:

10 (i) A member of a school board in any class of school district to be
11 appointed by the State Board of Education;

12 (ii) Two parents not related to each other who have children
13 attending school in this state to be appointed by the State Board of
14 Education;

15 (iii) A superintendent or his or her designee of a school district
16 to be appointed by the State Board of Education;

17 (iv) A student attending a public school in this state to be
18 appointed by the State Board of Education;

19 (v) A representative of a community or advocacy organization to be
20 appointed by the State Board of Education;

21 (vi) A county attorney to be appointed by the State Board of
22 Education;

23 (vii) The probation administrator or his or her designee;

24 (viii) The Commissioner of Education or his or her designee; and

25 (ix) The chief executive officer of the Department of Health and
26 Human Services or his or her designee.

27 (b) The members of the council appointed by the State Board of
28 Education shall serve three-year staggered terms, as designated by the
29 board.

30 (c) The members of the council shall serve on the council without
31 any additional compensation, but they shall be entitled to receive

1 reimbursement for ~~any actual~~ expenses incurred as ~~necessary~~ incident to
2 such service as provided in sections 81-1174 to 81-1177.

3 (2) The council shall:

4 (a) Study and evaluate the data contained in the reports required by
5 subsection (2) of section 79-527;

6 (b) Develop recommendations to reduce incidents of absenteeism;

7 (c) Consider whether school district policies and practices for
8 addressing absenteeism are operational and effectively working to address
9 absenteeism and make recommendations for improvements where necessary;
10 and

11 (d) Review all school district policies developed under subsection
12 (2) of section 79-209 and make specific recommendations for school
13 district policy improvement.

14 The council may contact a school district or a county attorney for
15 additional information in order to carry out its duties under this
16 section.

17 (3) The council shall report on its activities electronically to the
18 Legislature on or before October 1 of each year.

19 Sec. 90. Section 79-546, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 79-546 Except as provided in section 79-1217, all members of a
22 school board, board of education, or other governing board created
23 pursuant to Chapter 79 shall not receive a per diem. Each such board may
24 provide or reimburse members for ~~their actual and necessary~~ expenses
25 incurred while carrying out their duties. Mileage expenses shall be
26 computed at the rate provided in section 81-1176. Sections 81-1174,
27 81-1175, and 81-1177 shall serve as guidelines for such boards when
28 determining allowable expenses and reimbursement for such expenses.

29 Sec. 91. Section 79-740, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 79-740 (1) The State Board of Education shall also be the State

1 Board of Vocational Education and, when acting as the State Board of
2 Vocational Education, shall assume the powers and duties provided in
3 sections 79-738 to 79-744.

4 (2) The Commissioner of Education shall be the executive officer of
5 the State Board of Vocational Education. The members of the State Board
6 of Vocational Education shall receive no compensation for their services.
7 They shall be reimbursed for ~~actual and essential~~ expenses incurred in
8 attending meetings or incurred in the performance of their duties as
9 provided in sections 81-1174 to 81-1177. The State Board of Vocational
10 Education shall meet in the office of the State Department of Education
11 at least four times annually. It may meet at such other times and places
12 as the board determines necessary for the proper and efficient conduct of
13 its duties. Special meetings may be called by the presiding officer upon
14 a written notice given at least five days preceding the meeting. In the
15 absence of such a call by the presiding officer, the Commissioner of
16 Education shall call such special meeting upon the written request of a
17 majority of the board. Five members of the board shall constitute a
18 quorum for the transaction of business.

19 Sec. 92. Section 79-760.03, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 79-760.03 (1) For school year 2009-10 and each school year
22 thereafter, the State Board of Education shall implement a statewide
23 system for the assessment of student learning and for reporting the
24 performance of school districts and learning communities pursuant to this
25 section. The assessment and reporting system shall measure student
26 knowledge of subject matter materials covered by measurable academic
27 content standards selected by the state board.

28 (2) The state board shall adopt a plan for an assessment and
29 reporting system and implement and maintain the assessment and reporting
30 system according to such plan. The plan shall be submitted annually to
31 the State Department of Education, the Governor, the chairperson of the

1 Education Committee of the Legislature, and the Clerk of the Legislature.
2 The plan submitted to the committee and the Clerk of the Legislature
3 shall be submitted electronically. The state board shall select grade
4 levels for assessment and reporting required pursuant to subsections (4)
5 through (7) of this section. The purposes of the system are to:

6 (a) Determine how well public schools are performing in terms of
7 achievement of public school students related to the state academic
8 content standards;

9 (b) Report the performance of public schools based upon the results
10 of state assessment instruments and national assessment instruments;

11 (c) Provide information for the public and policymakers on the
12 performance of public schools; and

13 (d) Provide for the comparison among Nebraska public schools and the
14 comparison of Nebraska public schools to public schools elsewhere.

15 (3) The Governor shall appoint a technical advisory committee to
16 review (a) the statewide assessment plan, (b) state assessment
17 instruments, and (c) the accountability system developed under the
18 Quality Education Accountability Act. The technical advisory committee
19 shall consist of three nationally recognized experts in educational
20 assessment and measurement, one administrator from a school in Nebraska,
21 and one teacher from a school in Nebraska. The members shall serve terms
22 of three years, except that two of the members shall be appointed for
23 initial terms of two years. Any vacancy shall be filled by the Governor
24 for the remainder of the term. One of the members shall be designated as
25 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~
26 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177. The
27 committee shall advise the Governor, the state board, and the State
28 Department of Education on the development of statewide assessment
29 instruments and the statewide assessment plan. The appointments to the
30 committee shall be confirmed by the Legislature.

31 (4) Through school year 2016-17, the state board shall prescribe a

1 statewide assessment of writing that relies on writing samples in each of
2 three grades selected by the state board. Each year at least one of the
3 three selected grades shall participate in the statewide writing
4 assessment with each selected grade level participating at least once
5 every three years.

6 (5) For school year 2009-10 and for each school year thereafter, the
7 state board shall prescribe a statewide assessment of reading. The
8 statewide assessment of reading shall include assessment instruments for
9 each of the grade levels three through eight and for one grade in high
10 school and standards adopted by the state board pursuant to section
11 79-760.01. For school year 2017-18 and each school year thereafter, the
12 statewide assessment of reading shall include a component of writing as
13 determined by the state board.

14 (6) For no later than school year 2010-11 and for each school year
15 thereafter, the state board shall prescribe a statewide assessment of
16 mathematics. The statewide assessment of mathematics shall include
17 assessment instruments for each of the grade levels three through eight
18 and for one grade in high school and standards adopted by the state board
19 pursuant to section 79-760.01.

20 (7) For no later than school year 2011-12 and each school year
21 thereafter, the state board shall prescribe a statewide assessment of
22 science. The statewide assessment of science shall include assessment
23 instruments for each of the grade levels selected by the state board and
24 standards adopted by the state board pursuant to section 79-760.01. The
25 grade levels shall include at least one grade in elementary school, one
26 grade in middle school or junior high school, and one grade in high
27 school.

28 (8) The department shall conduct studies to verify the technical
29 quality of assessment instruments and demonstrate the comparability of
30 assessment instrument results required by the act. The department shall
31 annually report such findings to the Governor, the Legislature, and the

1 state board. The report submitted to the Legislature shall be submitted
2 electronically.

3 (9) The state board shall recommend national assessment instruments
4 for the purpose of national comparison. Beginning with school year
5 2017-18, the state board shall select a national assessment instrument
6 that is also used as a standard college admission test which shall be
7 administered to students in the eleventh grade in every public high
8 school in each school district. Each school district shall report
9 individual student data for scores and sub-scores according to procedures
10 established by the state board and the department pursuant to section
11 79-760.05.

12 (10) The aggregate results of assessment instruments and national
13 assessment instruments shall be reported by the district on a building
14 basis to the public in that district, to the learning community
15 coordinating council if such district is a member of a learning
16 community, and to the department. Each learning community shall also
17 report the aggregate results of any assessment instruments and national
18 assessment instruments to the public in that learning community and to
19 the department. The department shall report the aggregate results of any
20 assessment instruments and national assessment instruments on a learning
21 community, district, and building basis as part of the statewide
22 assessment and reporting system.

23 (11)(a) The assessment and reporting plan shall:

24 (i) Provide for the confidentiality of the results of individual
25 students; and

26 (ii) Include all public schools and all public school students.

27 (b) The state board shall adopt criteria for the inclusion of
28 students with disabilities, students entering the school for the first
29 time, and students with limited English proficiency.

30 The department may determine appropriate accommodations for the
31 assessment of students with disabilities or any student receiving special

1 education programs and services pursuant to section 79-1139. Alternate
2 academic achievement standards in reading, mathematics, and science and
3 alternate assessment instruments aligned with the standards may be among
4 the accommodations for students with severe cognitive disabilities.

5 (12) The state board may select additional grade levels, subject
6 areas, or assessment instruments for statewide assessment consistent with
7 federal requirements.

8 (13) The state board shall not require school districts to
9 administer assessments or assessment instruments which are not consistent
10 with the act.

11 (14) The state board may appoint committees of teachers, from each
12 appropriate subject area, and administrators to assist in the development
13 of statewide assessment instruments required by the act.

14 Sec. 93. Section 79-760.07, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 79-760.07 (1) For each school designated as a priority school, the
17 Commissioner of Education shall appoint an intervention team. The
18 intervention team shall assist the school district with diagnosing issues
19 that negatively affect student achievement in the priority school,
20 designing and implementing strategies to address such issues through the
21 progress plan, and developing measurable indicators of progress.

22 (2) The intervention team shall be composed of up to five people
23 with the education and experience to carry out the responsibilities of
24 the team. Any member of the intervention team may receive pay for work
25 performed in conjunction with his or her duties as a member of such team.
26 Such pay shall be determined and provided (a) by the State Department of
27 Education for any member of the intervention team who is not an employee
28 of the school district containing the priority school for which such
29 intervention team is appointed or (b) by the school district containing
30 the priority school for which the intervention team is appointed for any
31 member of the intervention team who is an employee of such school

1 district. Any member of the intervention team who is eligible to receive
2 pay from the department pursuant to subdivision (a) of this subsection
3 shall also be eligible for reimbursement of ~~actual and necessary~~ expenses
4 incurred in carrying out his or her duties as a member of such team as
5 provided in sections 81-1174 to 81-1177. Reimbursement of ~~actual and~~
6 ~~necessary~~ expenses for any member of the intervention team who is an
7 employee of the school district containing the priority school for which
8 the intervention team is appointed shall be provided in accordance with
9 the policies and procedures of such school district.

10 (3) The intervention team, in collaboration with the priority school
11 staff and the administration and school board of the school district with
12 control of the priority school, shall develop a progress plan for
13 approval by the State Board of Education. Any progress plan shall include
14 specific actions required by the school and the district in order to
15 remove its classification as a priority school, including any required
16 level of progress as indicated by the measurable indicators.

17 (4) Compliance with progress plans shall be a requirement to
18 maintain accreditation for any school district that contains a priority
19 school. The state board shall annually review any progress plans and
20 determine whether any modifications are needed. If a school has been
21 designated as a priority school for the fifth consecutive school year,
22 the state board shall reevaluate the progress plan to determine if (a) a
23 significant revision of the progress plan is necessary, (b) an entirely
24 new progress plan is developed, or (c) an alternative administrative
25 structure is warranted.

26 (5) The school board of a school district containing a priority
27 school as designated pursuant to section 79-760.06 shall provide the
28 intervention team with full access to the priority school, priority
29 school staff, the school district, school district staff, academic
30 information, financial information, and any other requested information.

31 (6) The Commissioner of Education shall annually report to the

1 Governor and electronically to the Clerk of the Legislature and the
2 chairperson of the Education Committee of the Legislature on all schools
3 designated as priority schools. The report shall include the name of the
4 school, the grades included in the priority school designation, the name
5 of the school district, the years for which the school was designated a
6 priority school, a summary of the progress plan, and the level of
7 progress as indicated by the measurable indicators.

8 Sec. 94. Section 79-808, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 79-808 (1) The board shall establish, adopt, and promulgate
11 appropriate rules, regulations, and procedures governing the issuance,
12 renewal, conversion, suspension, and revocation of certificates and
13 permits to teach, provide special services, and administer based upon (a)
14 earned college credit in humanities, social and natural sciences,
15 mathematics, or career and technical education, (b) earned college
16 credit, or its equivalent in professional education, for particular
17 teaching, special services, or administrative assignments, (c) criminal
18 history record information if the applicant has not been a continuous
19 Nebraska resident for five years immediately preceding application for
20 the first issuance of a certificate, (d) human relations training, (e)
21 successful teaching, administration, or provision of special services,
22 and (f) moral, mental, and physical fitness for teaching, all in
23 accordance with sound educational practices. Such rules, regulations, and
24 procedures shall also provide for endorsement requirements to indicate
25 areas of specialization on such certificates and permits.

26 (2) The board may issue a temporary certificate, valid for a period
27 not to exceed two years, to any applicant for certification who has not
28 completed the human relations training requirement.

29 (3) Members of any advisory committee established by the board to
30 assist the board in teacher education and certification matters shall be
31 reimbursed for ~~their actual and necessary~~ expenses as provided in

1 sections 81-1174 to 81-1177. Each school district which has an employee
2 who serves as a member of such committee and which is required to hire a
3 person to replace such member during the member's attendance at meetings
4 or activities of the committee or any subcommittee thereof shall be
5 reimbursed from the Certification Fund for the expense it incurs from
6 hiring a replacement. School districts may excuse employees who serve on
7 such advisory committees from certain duties which conflict with any
8 advisory committee duties.

9 Sec. 95. Section 79-861, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 79-861 (1) The Governor shall appoint a Professional Practices
12 Commission of twelve members nominated by the teaching profession and
13 existing teachers professional organizations. Members shall be
14 representative of elementary classroom teachers, secondary classroom
15 teachers, school administrators, and postsecondary education. Members
16 shall be appointed for staggered terms of three years. No member may
17 succeed himself or herself more than once. Members shall be reimbursed
18 for ~~their actual and necessary~~ expenses as provided in sections 81-1174
19 to 81-1177. Compensation of members who are public employees shall not be
20 reduced by the agency or body by which they are regularly employed for
21 any absence from service occasioned by attendance upon the business of
22 the commission or any panel, committee, or subcommittee of the
23 commission. Each school district which employs a member of the commission
24 and which is required to employ a person to replace such member during
25 his or her attendance at meetings of the commission or any panel,
26 committee, or subcommittee of the commission shall be reimbursed from the
27 Professional Practices Commission Fund for the expense the district
28 incurs from employing a replacement.

29 (2) The members of the commission shall elect a chairperson pursuant
30 to the working rules of the commission. The chairperson shall call
31 meetings of the commission, preside at all meetings of the commission en

1 banc, assign the work of the commission to the members, and perform such
2 other supervisory duties as required.

3 (3) A majority of the commission members shall constitute a quorum
4 to transact business. A hearing panel of not less than seven commission
5 members shall hear cases brought before the commission. Members of the
6 hearing panel shall be assigned on a rotating basis. For purposes of
7 hearings, the act or decision of a majority of the commission members
8 sitting on the hearing panel shall in all cases be deemed the final act
9 or decision of the commission.

10 Sec. 96. Section 79-863, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 79-863 The clerk of the commission shall receive such salary as the
13 commission with the approval of the Governor determines. Such salary
14 shall be payable in the same manner as the salaries of other state
15 employees, and the clerk shall be reimbursed for ~~his or her actual~~
16 expenses incurred in the performance of his or her duties as provided in
17 sections 81-1174 to 81-1177.

18 Sec. 97. Section 79-1104.04, Reissue Revised Statutes of Nebraska,
19 is amended to read:

20 79-1104.04 (1) The board of trustees shall include the following six
21 members:

22 (a) The Commissioner of Education or his or her designee;

23 (b) The chief executive officer of the Department of Health and
24 Human Services or his or her designee; and

25 (c) The following persons appointed by the Governor, in his or her
26 discretion:

27 (i) Two persons nominated by the endowment provider;

28 (ii) An early childhood professional representing an urban at-risk
29 area appointed pursuant to subsection (5) of this section; and

30 (iii) An early childhood professional representing a rural at-risk
31 county appointed pursuant to subsection (6) of this section.

1 (2) The terms of office for members initially appointed under
2 subsection (1) of this section shall be three years. Upon completion of
3 the initial terms of such members, the Governor shall appoint the two
4 members under subdivision (1)(c)(i) of this section for terms of one and
5 two years, the member under subdivision (1)(c)(ii) of this section for a
6 term of three years, and the member under subdivision (1)(c)(iii) of this
7 section for a term of two years. Succeeding appointees shall be appointed
8 for terms of three years. An appointee to a vacancy occurring from an
9 unexpired term shall serve out the term of his or her predecessor.
10 Members whose terms have expired shall continue to serve until their
11 successors have been appointed and qualified.

12 (3) The board of trustees shall by majority vote annually elect a
13 chairperson from among the members of the board of trustees.

14 (4) The members of the board of trustees shall be reimbursed for
15 ~~their actual and necessary~~ expenses incurred while engaged in the
16 performance of their official duties as provided in sections 81-1174 to
17 81-1177.

18 (5) The Governor shall, in his or her discretion, appoint one member
19 to the board of trustees who resides or works in an at-risk urban area
20 consisting of not less than ten contiguous census tracts, as determined
21 by the United States Bureau of the Census for the 2000 United States
22 Census, within a city of the metropolitan class, which each contain a
23 percentage of families below the poverty line of greater than twenty
24 percent, as reported by the United States Bureau of the Census for the
25 2000 United States Census.

26 (6) The Governor shall, in his or her discretion, appoint one member
27 to the board of trustees who resides or works in a county which does not
28 contain a city of the metropolitan class or a city of the primary class
29 and which contains a percentage of families below the poverty line of
30 greater than eight and one-half percent, as reported by the United States
31 Bureau of the Census for the 2000 United States Census.

1 Sec. 98. Section 79-1217, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-1217 (1) All educational service units shall be governed by a
4 board to be known as the Board of Educational Service Unit No.
5 Until the first Thursday after the first Tuesday in January 2009, the
6 educational service unit board, except the board of an educational
7 service unit with only one member school district, shall be composed of
8 one member from each county and four members at large, all of whom shall
9 reside within the geographical boundaries of the educational service
10 unit, but no more than two of the members at large shall be appointed or
11 elected from the same county unless any one county within the educational
12 service unit has a population in excess of one hundred fifty thousand
13 inhabitants or the educational service unit consists of only one county.
14 Beginning on the first Thursday after the first Tuesday in January 2009,
15 the educational service unit board, except the board of an educational
16 service unit with only one member school district, shall be composed of
17 one member elected to represent each election district established
18 pursuant to section 79-1217.01. Successors to the members initially
19 appointed pursuant to section 79-1212 shall be elected pursuant to
20 section 32-515.

21 (2) Vacancies in office shall occur as set forth in section 32-560,
22 except as otherwise provided in section 79-1212 regarding the requirement
23 to live in the district represented, or in the case of absences, unless
24 excused by a majority of the remaining members of the board, when a
25 member is absent from the geographical boundaries of the educational
26 service unit for a continuous period of sixty days at one time or from
27 more than two consecutive regular meetings of the board. Whenever any
28 vacancy occurs on the board, the remaining members of such board shall
29 appoint an individual residing within the election district of the
30 educational service unit for which the vacancy exists and meeting the
31 qualifications for the office to fill such vacancy for the balance of the

1 unexpired term.

2 (3) Members of the board shall receive no compensation for their
3 services but shall be reimbursed for the ~~actual and necessary~~ expenses
4 incurred in the performance of their duties under the Educational Service
5 Units Act as provided in sections 81-1174 to 81-1177.

6 (4) Except as provided in subsection (5) of this section, any joint
7 school district located in two or more counties shall be considered a
8 part of the educational service unit in which the greater number of
9 school-age children of such joint school district reside.

10 (5) Any Class I district which is part of a Class VI district shall
11 be considered a part of the educational service unit of which the Class
12 VI district is a member. If the Class VI district has removed itself from
13 an educational service unit, each Class I district which is part of such
14 Class VI district may continue its existing membership in an educational
15 service unit or may change its status relative to membership in an
16 educational service unit in accordance with section 79-1209. The patrons
17 of a Class I district maintaining membership in an educational service
18 unit pursuant to this subsection shall have the same rights and
19 privileges as other patrons of the educational service unit, and the
20 taxable valuation of the taxable property within the geographic
21 boundaries of such Class I district shall be subject to the educational
22 service unit's tax levy established pursuant to section 79-1225.

23 (6) The administrator of each educational service unit, prior to
24 July 1 of each year in which a statewide primary election is to be held,
25 shall certify to the election commissioner or county clerk of each county
26 located within the unit the corporate name of each school district, as
27 described in section 79-405, located within the county. If a school
28 district is a joint school district located in two or more counties, the
29 administrator shall certify to each election commissioner or county clerk
30 the educational service unit of which the school district is considered
31 to be a part.

1 (7) An educational service unit may consist of a single school
2 district if the single school district is either a Class IV or Class V
3 school district. An educational service unit with only one member school
4 district shall be governed by the school board of such school district
5 and shall participate in one or more of the statewide projects managed by
6 the Educational Service Unit Coordinating Council.

7 Sec. 99. Section 79-1816, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 79-1816 The members of the authority shall receive no compensation
10 for the performance of their duties as members, but each such member
11 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses
12 while engaged in the performance of such duties as provided in sections
13 81-1174 to 81-1177 from any funds legally available therefor.

14 Sec. 100. Section 79-2204, Revised Statutes Cumulative Supplement,
15 2016, is amended to read:

16 79-2204 (1) The State Council on Educational Opportunity for
17 Military Children is created within the department. The council shall
18 consist of:

19 (a) The following ex officio members:

20 (i) The Commissioner of Education;

21 (ii) The chairperson of the Education Committee of the Legislature,
22 who shall serve as a nonvoting member of the council;

23 (iii) The compact commissioner appointed pursuant to section
24 79-2205; and

25 (iv) The military family education liaison, who shall serve as a
26 member of the council after his or her appointment pursuant to subsection
27 (3) of this section; and

28 (b) The following members appointed by the State Board of Education:

29 (i) The superintendent of a school district that has a high
30 concentration of children of military families; and

31 (ii) A representative of a military installation located in this

1 state.

2 (2) The members of the council appointed by the State Board of
3 Education shall serve three-year terms. Vacancies in the council shall be
4 filled in the same manner as the initial appointments. The members of the
5 council shall be reimbursed for ~~their actual and necessary~~ expenses as
6 provided in sections 81-1174 to 81-1177.

7 (3) The council shall have the following duties:

8 (a) To advise the department with regard to the state's
9 participation in and compliance with the Interstate Compact on
10 Educational Opportunity for Military Children; and

11 (b) To appoint a military family education liaison to assist
12 families and the state in implementing the compact.

13 (4) When the council holds a single meeting in a calendar year, that
14 meeting may be held by videoconferencing notwithstanding subdivision (2)
15 (e) of section 84-1411.

16 Sec. 101. Section 80-318, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 80-318 For the purpose of determining continued eligibility of
19 members to remain in one of the Nebraska veterans homes and for the
20 purpose of recommending matters of policy, rules and regulations,
21 administration, and maintenance pertaining to each of the Nebraska
22 veterans homes, the Veterans' Homes Board is established. The board shall
23 be composed of two members selected by each of the recognized veterans
24 organizations in Nebraska identified in subdivision (1) of section
25 80-401.01, and the Director of Veterans' Affairs who shall serve as the
26 permanent board secretary. Such members shall be selected in the manner
27 and serve for such term as the veterans organization may prescribe. If a
28 member selected by any such veterans organization is unavailable to
29 attend a meeting of the board or unable to serve for any reason, the
30 incumbent department commander of such organization may appoint some
31 other member of his or her organization to serve on the board. The

1 chairperson shall be selected from among the members of the board. No
2 salary shall be paid to any member of the board, but ~~actual~~ expenses of
3 the members of the board when attending regularly called meetings of that
4 board shall be paid as provided in sections 81-1174 to 81-1177 from the
5 administrative funds of the Department of Veterans' Affairs.

6 Sec. 102. Section 80-401.02, Reissue Revised Statutes of Nebraska,
7 is amended to read:

8 80-401.02 There is hereby created a department of government to be
9 known as the Department of Veterans' Affairs. The chief administrative
10 officer of the department shall be the director to be known as the
11 Director of Veterans' Affairs. He or she shall be appointed by the
12 Governor, subject to confirmation by the Legislature. No person shall be
13 eligible to receive appointment as director unless such person has the
14 following qualifications: (1) Resident of the State of Nebraska for at
15 least five years immediately prior to his or her appointment; (2) citizen
16 of the United States; and (3) served in the armed forces of the United
17 States during any of the periods identified in section 80-401.01 and
18 discharged or otherwise separated with a characterization of honorable
19 from such service. The director shall serve until a new director to
20 succeed him or her is appointed and ~~has~~ qualified. If a vacancy occurs in
21 the office of director when the Legislature is not in session, the
22 Governor shall make a temporary appointment until the next meeting of the
23 Legislature, when the Governor shall present to the Legislature a
24 recommendation for the office. The director shall receive an annual
25 salary to be fixed by the Governor, payable in equal monthly
26 installments. He or she shall be reimbursed for ~~entitled to the necessary~~
27 ~~and actual~~ expenses involved in the performance of his or her official
28 duties as provided in sections 81-1174 to 81-1177. He or she shall be
29 bonded or insured as required by section 11-201. The director shall
30 appoint state service officers and assistants, whose appointments shall
31 be approved by the Veterans' Advisory Commission.

1 The department shall be the designated state agency to advocate on
2 behalf of veterans.

3 Sec. 103. Section 80-401.08, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 80-401.08 The members of the Veterans' Advisory Commission shall
6 annually appoint one of its members as chairperson and one as secretary.
7 The members of the commission shall each qualify by taking and
8 subscribing an oath of office. No member shall receive any salary for his
9 or her services, but each shall be reimbursed for ~~his or her actual and~~
10 ~~necessary~~ expenses incurred by him or her in performing his or her duties
11 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

12 Sec. 104. Section 81-175, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-175 The compensation of the members of the task force shall be
15 established by the Governor on a per diem basis, and they shall work the
16 days and hours required to accomplish the task. Members of the task force
17 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in
18 the performance of their duties as provided in sections 81-1174 to
19 81-1177 ~~for state employees.~~

20 Sec. 105. Section 81-502.02, Reissue Revised Statutes of Nebraska,
21 is amended to read:

22 81-502.02 The board shall select from among its members a
23 chairperson and adopt and promulgate rules and regulations to govern its
24 procedures. Any vacancy occurring in the board shall be filled in the
25 manner in which original appointments are made. No person shall receive
26 any compensation for services rendered as a member of the board. Each
27 member of the board shall be reimbursed for ~~his or her actual and~~
28 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~
29 ~~employees.~~ The board shall meet at such times as the business of the
30 board requires and at such places as may be established by its
31 chairperson. When requested to do so by the State Fire Marshal, it shall

1 be the duty of the board to make a study of the specific problems,
2 questions, or appeals presented to the board. No member of the board
3 shall sit in hearing upon any question in which such member or any
4 corporation of which he or she is a shareholder or employee is a party.

5 Sec. 106. Section 81-829.53, Reissue Revised Statutes of Nebraska,
6 is amended to read:

7 81-829.53 Personnel of state emergency response teams while on duty,
8 whether within or without the state, shall: (1) If they are employees of
9 the state, have the powers, duties, rights, privileges, and immunities
10 and receive the compensation incidental to their employment; (2) if they
11 are employees of a political subdivision of the state, and whether
12 serving within or without such political subdivision, have the powers,
13 duties, rights, privileges, and immunities and receive the compensation
14 incidental to their employment; and (3) if they are not employees of the
15 state or a political subdivision thereof, be entitled to compensation by
16 the state at rates to be established by the Governor and shall be
17 entitled to the same rights and immunities as are provided by law for the
18 employees of this state. State emergency response teams shall, while on
19 duty, be subject to the operational control of the authority in charge of
20 emergency management activities in the area in which they are serving and
21 shall be reimbursed for ~~all actual and necessary~~ travel and subsistence
22 expenses in accordance with sections 81-1174 to 81-1177.

23 Sec. 107. Section 81-829.54, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 81-829.54 (1) The state shall reimburse a political subdivision for
26 (a) the compensation paid and ~~actual and necessary~~ travel, subsistence,
27 and maintenance expenses of employees of such political subdivision while
28 serving as members of a state emergency response team as provided in
29 sections 81-1174 to 81-1177, (b) all payments for death, disability, or
30 injury of such employees incurred in the course of such duty as provided
31 in the Nebraska Workers' Compensation Act, and (c) all losses of or

1 damage to supplies and equipment of such political subdivision resulting
2 from the operation of such state emergency response team.

3 (2) The state shall pay a fee for rental of privately owned
4 equipment used in the operation of a state emergency response team and
5 shall also pay for any loss or damage to privately owned equipment used
6 in emergency response. The fee for rental of such privately owned
7 equipment shall be fixed, and any loss or damage to such equipment shall
8 be assessed by a board consisting of three persons to be appointed by the
9 Governor, one of whom shall be the materiel administrator of the materiel
10 division of the Department of Administrative Services.

11 Sec. 108. Section 81-8,189, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 81-8,189 Members of the board shall serve without compensation
14 except that they shall be reimbursed for ~~their actual and necessary~~
15 expenses incurred in the discharge of their duties pursuant to the
16 Professional Landscape Architects Act as provided in sections 81-1174 to
17 81-1177.

18 Sec. 109. Section 81-8,267, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 81-8,267 Members shall receive thirty-five dollars per day for each
21 day spent in the performance of their official duties. Members shall
22 receive reimbursement for ~~actual and necessary~~ expenses as provided in
23 sections 81-1174 to 81-1177 ~~for state employees~~.

24 Sec. 110. Section 81-8,309, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 81-8,309 The Nebraska Sesquicentennial Commission is hereby
27 established. The commission shall consist of seventeen members to be
28 appointed by the Governor within sixty days after July 1, 2014. The
29 commission shall include members from all regions of the state,
30 representing all major interests and a diverse array of industries. No
31 more than eight of the members shall be affiliated with the same

1 political party. The members shall select a chairperson and a vice-
2 chairperson, and all members shall be reimbursed for ~~their actual and~~
3 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177. The
4 Governor shall fill any vacancy occurring on the commission by
5 appointment. For administrative and budgetary purposes only, the
6 commission shall be housed within the Nebraska State Historical Society.
7 The existence of the commission and terms of the members shall terminate
8 on June 30, 2018.

9 Sec. 111. Section 81-1108.32, Reissue Revised Statutes of Nebraska,
10 is amended to read:

11 81-1108.32 The Nebraska Capitol Commission is hereby created. The
12 commission shall consist of the Governor, the Speaker of the Legislature,
13 the Chief Justice of the Supreme Court, the dean of the College of
14 Architecture at the University of Nebraska-Lincoln, the Director of the
15 Nebraska State Historical Society, and three other residents of Nebraska
16 appointed by the Governor. One appointive member shall be appointed from
17 each congressional district. The terms of the appointive members shall be
18 staggered so that one term expires on March 1, 1994, one term expires on
19 March 1, 1995, and one term expires on March 1, 1996. As the terms of the
20 appointive members expire, the Governor shall, on or before March 1 of
21 each year, appoint or reappoint a member of the commission for a term of
22 three years to succeed the member whose term expires. Any member
23 appointed after March 1 shall serve for the remaining portion of the
24 three-year term.

25 The Governor shall serve as the chairperson of the Nebraska Capitol
26 Commission, the Speaker of the Legislature shall serve as the vice-
27 chairperson of the commission, and the State Capitol Administrator or his
28 or her representative shall serve as the nonvoting secretary of the
29 commission.

30 In the absence of the Governor, he or she may designate the
31 Lieutenant Governor as his or her representative. In the absence of the

1 Speaker of the Legislature, he or she may designate the chairperson of
2 the Executive Board of the Legislative Council or the Clerk of the
3 Legislature as his or her representative. In the absence of the Chief
4 Justice of the Supreme Court, he or she may designate the State Court
5 Administrator as his or her representative. Representatives of the
6 Governor, the Speaker of the Legislature, and the Chief Justice shall
7 have full voting privileges for the meeting in attendance.

8 The members of such commission shall be reimbursed for ~~their actual~~
9 ~~and necessary~~ expenses while away from home engaged in the performance of
10 their duties as members of the commission as provided in sections 81-1174
11 to 81-1177.

12 Sec. 112. Section 81-1120.18, Reissue Revised Statutes of Nebraska,
13 is amended to read:

14 81-1120.18 The division of communications may form temporary
15 advisory boards to provide advice in the development, management,
16 administration, and operation of a consolidated communications system to
17 meet the communications requirements of all departments and agencies of
18 state government. Board members shall be selected by the division and
19 shall receive no compensation for duties performed as members of a board,
20 but shall be reimbursed for ~~actual~~ expenses incurred while engaged in the
21 performance of their duties under the provisions of sections ~~23-1715,~~
22 81-1108.02, 81-1120.01 to 81-1120.03, 81-1120.15 to 81-1120.28, and
23 81-1423 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

24 Sec. 113. Section 81-1174, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 81-1174 (1) Whenever any state officer, state employee, or member
27 of any commission, council, committee, or board of the state is seeking
28 reimbursement for ~~actual~~ expenses incurred by him or her in the line of
29 duty, he or she shall be required to present a request for payment or
30 reimbursement to the Director of Administrative Services not later than
31 sixty days after the final day on which expenses were incurred for which

1 reimbursement is sought.

2 (2) Each request for reimbursement of travel and lodging expenses
3 shall be fully itemized, including the amount, date, place, and essential
4 character of the expense incurred. Each request for any meal or
5 incidental expense incurred during travel may be paid or reimbursed
6 pursuant to a percentage of the federal General Services Administration
7 per diem rates as determined by and in accordance with policies
8 established by the Director of Administrative Services.

9 (3) When reimbursement is requested for mileage by automobile, air
10 travel by commercial carrier, air travel in airplanes chartered by the
11 department or agency, or air travel by personally rented airplane, the
12 points between which such travel occurred, the times of arrival and
13 departure, and the necessity and purpose of such travel shall be stated
14 on such request. When reimbursement is requested for mileage by
15 automobile, the motor vehicle license plate number, the total miles
16 traveled, and the rate per mile being requested shall also be shown on
17 each request.

18 (4) The Accounting Administrator may require less supporting detail
19 for requests covered in this section but shall not impose reporting
20 requirements which exceed those listed unless specifically authorized by
21 other provisions of law. No request shall be submitted by an individual
22 for an expense when such expense has been paid by the agency or
23 department concerned.

24 (5) When reimbursement for expenses incurred in air travel by
25 privately owned airplane is requested, the cost of operating the airplane
26 at rates per mile as established by the Department of Administrative
27 Services shall be shown on such request. Travel by privately owned
28 airplane or personally rented airplane shall only be authorized when it
29 is more economical than surface transportation or will result in a
30 substantial savings of expense or productive time.

31 (6) The statement of expenses shall be duly verified and supported

1 by receipts for all of such expenditures, except immaterial items
2 identified by the director, for which reimbursement is requested.

3 (7) No charge for mileage shall be allowed when such mileage accrues
4 while using an automobile owned by the State of Nebraska.

5 (8) No personal maintenance expenses shall be allowed to any state
6 officer, state employee, or member of any commission, council, committee,
7 or board of the state when such expenses are incurred in the city or
8 village ~~town~~ in which the residence or primary work location of such
9 individual is located, except that individuals required to attend
10 official functions, conferences, or hearings within such location, not to
11 include normal day-to-day operations of the department, agency,
12 commission, council, committee, or board, may be paid or reimbursed in
13 accordance with policies established by the Director of Administrative
14 Services. The approval to attend a function, conference, or hearing shall
15 be obtained from the director of the department, agency, commission,
16 council, committee, or board prior to an individual's attendance at such
17 function, conference, or hearing.

18 (9) Nothing in this section shall be construed to prohibit the
19 furnishing of coffee, tea, and any similar beverage by the Legislature or
20 the Legislative Council to its employees or guests.

21 Sec. 114. Section 81-1180, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 81-1180 Any member of any state commission, council, committee, or
24 board who is not entitled to reimbursement under ~~the provisions of~~
25 section 81-1178 or 81-1179 shall be entitled to be reimbursed for his or
26 her ~~necessary and actual~~ expenses as provided in sections 81-1174 to
27 81-1177 if an appropriation is made for such purpose and if the
28 reimbursement is approved by the Governor or, in cases in which the
29 commission, council, committee, or board has been created to assist the
30 Legislature in the performance of its duties, by the Executive Board of
31 the Legislative Council.

1 Sec. 115. Section 81-11,104, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 81-11,104 (1) The Department of Administrative Services shall
4 establish an annual performance evaluation process for the administrative
5 head of each state agency that is not created by the Constitution of
6 Nebraska and that has an administrative head who is not appointed by the
7 Governor and who has an annual base salary in excess of thirty thousand
8 dollars. The first evaluation of an administrative head pursuant to this
9 section shall not occur prior to the completion of one year of service by
10 the administrative head. The results of the evaluation shall be provided
11 to the governing body which appoints the administrative head unless the
12 evaluation is waived under subsection (3) of this section.

13 (2) The department shall establish and maintain a pool of
14 individuals who are qualified to conduct performance evaluations of
15 administrative heads and shall schedule annual performance evaluations
16 for each administrative head who is subject to evaluation. The pool shall
17 consist of not less than twenty qualified individuals. Each evaluation
18 shall be conducted by a panel of not less than three and not more than
19 five individuals as determined by the Director of Administrative Services
20 and selected at random from the pool by the director or his or her
21 designee. Each member of the panel shall be paid a daily or hourly fee
22 set by the department at a level necessary to keep qualified individuals
23 in the pool. The panel shall also be reimbursed for ~~actual and necessary~~
24 expenses as provided in sections 81-1174 to 81-1177.

25 (3) The department shall provide staff support and model procedures
26 and processes for the evaluations. After conducting an evaluation, the
27 panel shall recommend one of the following to the governing body: (a)
28 Retain; (b) no comments; (c) retain with qualifications; or (d)
29 discharge. The rest of the evaluation shall be kept confidential, except
30 that the governing body may discuss the evaluation with the panel in
31 executive session and the administrative head may make any part of the

1 evaluation results public. Evaluation work product and results shall not
2 be deemed public records and may be withheld from the public pursuant to
3 section 84-712.05. Each agency shall pay for the cost of the annual
4 performance evaluation of its administrative head. If a governing body
5 conducts an annual performance evaluation of the administrative head
6 using procedures which meet the approval of the department, the annual
7 performance evaluation under this section may be waived by the director.

8 Sec. 116. Section 81-1348, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-1348 There is hereby created the Suggestion Award Board. The
11 membership of such board shall consist of the Director of Personnel, the
12 Director of Administrative Services, the Auditor of Public Accounts, and
13 three persons, each to serve a term of three years, selected and
14 appointed by the Governor from the bargaining units listed in section
15 81-1373, except that the first three appointments made after February 23,
16 2000, shall be for terms of one year, two years, and three years, as
17 designated by the Governor. Of the persons selected from such bargaining
18 units, one person shall be selected from each of such bargaining units as
19 follows:

20 (1) The first term from the bargaining units listed in subdivisions
21 (1)(a), (b), and (1) of such section;

22 (2) The second term from the bargaining units listed in subdivisions
23 (1)(c), (d), and (g) of such section;

24 (3) The third term from the bargaining units listed in subdivisions
25 (1)(e), (f), and (h) of such section; and

26 (4) The fourth term from the bargaining units listed in subdivisions
27 (1)(i), (j), and (k) of such section.

28 After the fourth term, the appointments shall be made starting from
29 subdivision (1) of this section and following the same sequence.

30 Whenever a vacancy occurs on the board for any reason, the Governor
31 shall appoint an individual to fill such vacancy from the same bargaining

1 unit in which the vacancy exists.

2 The members shall be reimbursed for ~~their actual and necessary~~
3 expenses as provided in sections 81-1174 to 81-1177.

4 The board shall adopt and promulgate rules and regulations to aid in
5 carrying out sections 81-1350 and 81-1351.

6 Sec. 117. Section 81-1409, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 81-1409 The members of the council shall serve without compensation,
9 but they shall be entitled to receive reimbursement for ~~any actual~~
10 expenses incurred ~~as a necessary~~ incident to such service as provided in
11 sections 81-1174 to 81-1177 ~~for state employees~~.

12 Sec. 118. Section 81-1421, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-1421 The members of the commission shall serve without
15 compensation, but they shall be entitled to receive reimbursement for ~~any~~
16 ~~actual~~ expenses incurred ~~as necessary~~ incident to such service as
17 provided in sections 81-1174 to 81-1177 ~~for state employees~~.

18 Sec. 119. Section 81-1430, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 81-1430 (1) A task force is hereby established within the Nebraska
21 Commission on Law Enforcement and Criminal Justice for the purposes of
22 investigating and studying human trafficking, the methods for advertising
23 human trafficking services, and the victimization of individuals coerced
24 to participate in human trafficking.

25 (2) The task force shall examine the extent to which human
26 trafficking is prevalent in this state, the scope of efforts being taken
27 to prevent human trafficking from occurring, and the services available
28 to victims of human trafficking in this state. The task force shall
29 utilize information and research available from the Innocence Lost
30 National Initiative. The task force shall research and recommend a model
31 of rehabilitative services for victims of human trafficking that includes

1 input from the areas of law enforcement, social services, the legal
2 profession, the judiciary, mental health, and immigration. The task force
3 shall also investigate the limitations upon victims who wish to come
4 forward and seek medical attention; investigate the potential to stop
5 human trafficking; and investigate the potential to promote recovery, to
6 protect families and children who may be profoundly impacted by such
7 abuse, and to save lives.

8 (3)(a) The Department of Labor shall work with the task force to
9 develop or select informational posters for placement around the state.
10 The posters shall be in English, Spanish, and any other language deemed
11 appropriate by the task force. The posters shall include a toll-free
12 telephone number a person may call for assistance, preferably the
13 National Human Trafficking Resource Center Hotline (888)373-7888.

14 (b) Posters shall be placed in rest stops and strip clubs. The task
15 force shall work with local businesses and nonprofit entities associated
16 with the prevention of human trafficking to voluntarily place additional
17 signs in high schools, postsecondary educational institutions, gas
18 stations, hotels, hospitals, health care clinics, urgent care centers,
19 airports, train stations, bus stations, and other locations around the
20 state deemed appropriate by the task force.

21 (4) The task force shall consist of the following members:

22 (a) The Attorney General or his or her designee;

23 (b) The executive director of the Nebraska Commission on Law
24 Enforcement and Criminal Justice;

25 (c) The Superintendent of Law Enforcement and Public Safety or his
26 or her designee;

27 (d) The Director of Correctional Services or his or her designee;

28 (e) The chief of police or director of public safety of a city of
29 two hundred thousand inhabitants or more;

30 (f) The chief of police or director of public safety of a city of
31 less than two hundred thousand inhabitants;

1 (g) A county sheriff;

2 (h) A county attorney;

3 (i) A county commissioner;

4 (j) A mayor or city manager;

5 (k) A person involved with the control or prevention of juvenile
6 delinquency;

7 (l) A person involved with the control or prevention of child abuse;

8 (m) The Commissioner of Education or his or her designee;

9 (n) The director of the Commission on Latino-Americans or his or her
10 designee; and

11 (o) Six members, at least three of whom shall be women, from the
12 public at large.

13 (5) The Governor shall appoint the members of the task force listed
14 in subdivisions (4)(e) through (l) and (o) of this section for terms as
15 provided in subsection (6) of this section. The membership of the task
16 force shall represent varying geographic areas and large and small
17 political subdivisions. One member from the public at large shall be a
18 professional representing child welfare, and one member of the public at
19 large shall represent juvenile pretrial diversion programs.

20 (6) The members of the task force appointed by the Governor shall
21 serve six-year terms, except that of the members first appointed, four
22 shall serve initial two-year terms, four shall serve initial four-year
23 terms, and six shall serve initial six-year terms from January 1 next
24 succeeding their appointments. Thereafter, all members shall serve six-
25 year terms. A member may be reappointed at the expiration of his or her
26 term. Any vacancy occurring otherwise than by expiration of a term shall
27 be filled for the balance of the unexpired term in the same manner as the
28 original appointment.

29 (7) No member shall serve beyond the time when he or she holds the
30 office, employment, or status by reason of which he or she was initially
31 eligible for appointment. Any member of the task force appointed by the

1 Governor may be removed from the task force for cause upon notice and an
2 opportunity to be heard at a public hearing. One of the causes for
3 removal shall be absence from three regularly scheduled meetings of the
4 task force during any six-month period when the member has failed to
5 advise the task force in advance of such meeting that he or she will be
6 absent and stating a reason therefor.

7 (8) The chairperson of the task force shall be designated by the
8 Governor to serve at the pleasure of the Governor. The chairperson shall
9 be the chief executive officer of the task force but may delegate such of
10 his or her duties to other members of the task force as may be authorized
11 by the task force.

12 (9) Notwithstanding any provision of law, ordinance, or charter
13 provision to the contrary, membership on the task force shall not
14 disqualify any member from holding any other public office or employment
15 or cause the forfeiture thereof.

16 (10) The members of the task force shall serve on the task force
17 without compensation, but they shall be entitled to receive reimbursement
18 for ~~any actual~~ expenses incurred as ~~necessary~~ incident to such service as
19 provided in sections 81-1174 to 81-1177.

20 (11) Eleven members of the task force shall constitute a quorum for
21 the transaction of any business or the exercise of any power of the task
22 force. The task force shall have the power to act by a majority of the
23 members present at any meeting at which a quorum is in attendance.

24 (12) All appointments shall be made not later than thirty days after
25 July 19, 2012. The chairperson shall meet with the task force not later
26 than sixty days after July 19, 2012.

27 (13) Not later than one year after July 19, 2012, and every July 1
28 and December 1 thereafter, the task force shall report electronically to
29 the Clerk of the Legislature the results of its investigation and study
30 and its recommendations, if any, together with drafts of legislation
31 necessary to carry its recommendations into effect by filing the report

1 with the clerk.

2 Sec. 120. Section 81-1449, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 81-1449 Members of the advisory council to the Office of Violence
5 Prevention shall serve without compensation but may be reimbursed for
6 ~~their actual and necessary~~ expenses incurred in the performance of their
7 duties as provided in sections 81-1174 to 81-1177.

8 Sec. 121. Section 81-1503, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-1503 (1)(a) The Environmental Quality Council is hereby created.

11 (b) Until April 28, 2005, the council shall consist of sixteen
12 members to be appointed by the Governor with the advice and consent of
13 the Legislature as follows:

14 (i) One representative of the food products manufacturing industry;

15 (ii) One representative of conservation;

16 (iii) One representative of the agricultural processing industry;

17 (iv) One representative of the automotive or petroleum industry;

18 (v) One representative of the chemical industry;

19 (vi) One representative of heavy industry;

20 (vii) One representative of the power generating industry;

21 (viii) One representative of agriculture actively engaged in crop
22 production;

23 (ix) One representative of labor;

24 (x) One professional engineer experienced in control of air and
25 water pollution and solid wastes;

26 (xi) One physician knowledgeable in the health aspects of air,
27 water, and land pollution;

28 (xii) One representative from county government;

29 (xiii) Two representatives from municipal government, one of whom
30 shall represent cities other than those of the primary or metropolitan
31 class;

1 (xiv) One representative of the livestock industry; and

2 (xv) One representative of the public at large.

3 (c) On and after April 28, 2005, the council shall consist of
4 seventeen members to be appointed by the Governor with the advice and
5 consent of the Legislature as follows:

6 (i) One representative of the food products manufacturing industry;

7 (ii) One representative of conservation;

8 (iii) One representative of the agricultural processing industry;

9 (iv) One representative of the automotive or petroleum industry;

10 (v) One representative of the chemical industry;

11 (vi) One representative of heavy industry;

12 (vii) One representative of the power generating industry;

13 (viii) One representative of agriculture actively engaged in crop
14 production;

15 (ix) One representative of labor;

16 (x) One professional engineer experienced in control of air and
17 water pollution and solid wastes;

18 (xi) One physician knowledgeable in the health aspects of air,
19 water, and land pollution;

20 (xii) One representative from county government;

21 (xiii) Two representatives from municipal government, one of whom
22 shall represent cities other than those of the primary or metropolitan
23 class;

24 (xiv) One representative of the livestock industry;

25 (xv) One representative of minority populations; and

26 (xvi) One biologist.

27 (d)(i) Except as otherwise provided in this subdivision, members of
28 the council serving on April 28, 2005, shall continue to serve on the
29 council as representatives of the entity they were appointed to represent
30 until their current terms of office expire and their successors are
31 appointed and confirmed. The member representing the public at large

1 shall serve until the member representing minority populations is
2 appointed.

3 (ii) The Governor shall appoint members pursuant to subdivisions (1)
4 (c)(xv) and (1)(c)(xvi) of this section within ninety days after April
5 28, 2005.

6 (2) Members shall serve for terms of four years. All appointments
7 shall be subject to confirmation by the Legislature when initially made.
8 As the term of an appointee to the council expires, the succeeding
9 appointee shall be a representative of the same segment of the public as
10 the previous appointee. In the case of appointees to vacancies occurring
11 from unexpired terms, each successor shall serve out the term of his or
12 her predecessor. Members whose terms have expired shall continue to serve
13 until their successors have been appointed. All members shall be citizens
14 and residents of the State of Nebraska.

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

24 (4) The council shall elect from its members a chairperson and a
25 vice-chairperson, who shall hold office at the pleasure of the council.
26 The vice-chairperson shall serve as chairperson in case of the absence or
27 disability of the chairperson. The director shall serve as secretary of
28 the council and shall keep all records of meetings of and actions taken
29 by the council. He or she shall be promptly advised as to such actions by
30 the chairperson.

31 (5) The members of the council, while engaged in the performance of

1 their official duties, shall receive a per diem of forty dollars while so
2 serving, including travel time. In addition, members of the council shall
3 receive reimbursement for ~~actual and necessary~~ expenses as provided in
4 sections 81-1174 to 81-1177.

5 (6) The council shall hold at least two regular meetings each year,
6 at a time and place fixed by the council and shall keep a record of its
7 proceedings which shall be open to the public for inspection. Special
8 meetings may be called by the chairperson. Such special meetings must be
9 called by him or her upon receipt of a written request signed by two or
10 more members of the council. Written notice of the time and place of all
11 meetings shall be mailed in advance to the office of each member of the
12 council by the secretary. A majority of the members of the council shall
13 constitute a quorum.

14 (7) The council shall submit to the Governor a list of names from
15 which he or she shall appoint the Director of Environmental Quality who
16 shall be experienced in air, water, and land pollution control and who
17 may be otherwise an employee of state government. The director shall be
18 responsible for administration of the department and all standards,
19 rules, and regulations adopted pursuant to Chapter 81, article 15, the
20 Integrated Solid Waste Management Act, and the Livestock Waste Management
21 Act. All such standards, rules, and regulations shall be adopted by the
22 council after consideration of the recommendations of the director. All
23 grants to political subdivisions under the control of the department
24 shall be made by the director in accordance with priorities established
25 by the council, unless otherwise directed by statute. A majority of the
26 members of the council shall constitute a quorum for the transaction of
27 business. The affirmative vote of a majority of all members of the
28 council shall be necessary for the adoption of standards, rules, and
29 regulations.

30 (8) Before the director enters upon the duties of his or her office,
31 he or she shall take and subscribe to the constitutional oath of office

1 and shall, in addition thereto, swear and affirm that he or she holds no
2 other public office nor any position under any political committee or
3 party, that he or she has not during the two years immediately prior to
4 his or her appointment received a significant portion of his or her
5 income directly or indirectly from permitholders or applicants for a
6 permit under the Environmental Protection Act, and that he or she will
7 not receive such income during his or her term as director, except that
8 such requirements regarding income prior to the term of office shall not
9 apply to employees of any agency of the State of Nebraska or any
10 political subdivision which may be a permitholder under the Environmental
11 Protection Act. Such oath and affirmation shall be filed with the
12 Secretary of State.

13 Sec. 122. Section 81-1505.03, Reissue Revised Statutes of Nebraska,
14 is amended to read:

15 81-1505.03 (1) There is hereby created the Small Business Compliance
16 Advisory Panel. The panel shall consist of the following:

17 (a) Two members who are not owners or representatives of owners of
18 small business stationary sources of air emissions selected by the
19 Governor to represent the general public;

20 (b) Four members selected by the Legislature who are owners or who
21 represent owners of small business stationary sources of air emissions;
22 and

23 (c) One member selected by the director.

24 (2) The panel shall be responsible for all requirements of the Clean
25 Air Act, 42 U.S.C. 7401 et seq., as such act existed on January 1, 2004.
26 Members shall be reimbursed for ~~their actual and necessary~~ expenses as
27 provided in sections 81-1174 to 81-1177. The panel shall conduct its
28 meetings in accordance with the Open Meetings Act and shall submit an
29 annual report to the Governor no later than January 1 of each year. The
30 panel shall receive necessary staff support from the department.

31 Sec. 123. Section 81-15,171, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 81-15,171 The citizen members of the board shall be appointed for
3 terms of six years, except that of the members first appointed, except
4 directors of agencies, the terms of three shall expire at the end of the
5 second year, three at the end of the fourth year, and three at the end of
6 the sixth year, as designated at the time of appointment. Any member
7 appointed to fill a vacancy occurring prior to the expiration of the term
8 for which his or her predecessor was appointed shall be appointed for the
9 remainder of such term. A vacancy on the board shall exist in the event
10 of the death, disability, or resignation of a member. All members shall
11 be reimbursed for ~~their actual and necessary travel~~ expenses as provided
12 in sections 81-1174 to 81-1177.

13 Sec. 124. Section 81-15,175, Reissue Revised Statutes of Nebraska,
14 is amended to read:

15 81-15,175 (1) The board may make an annual allocation each fiscal
16 year from the Nebraska Environmental Trust Fund to the Nebraska
17 Environmental Endowment Fund as provided in section 81-15,174.01. The
18 board shall make annual allocations from the Nebraska Environmental Trust
19 Fund and may make annual allocations each fiscal year from the Nebraska
20 Environmental Endowment Fund for projects which conform to the
21 environmental categories of the board established pursuant to section
22 81-15,176 and to the extent the board determines those projects to have
23 merit. The board shall establish a calendar annually for receiving and
24 evaluating proposals and awarding grants. To evaluate the economic,
25 financial, and technical feasibility of proposals, the board may
26 establish subcommittees, request or contract for assistance, or establish
27 advisory groups. Private citizens serving on advisory groups shall be
28 reimbursed for ~~their actual and necessary~~ expenses pursuant to sections
29 81-1174 to 81-1177.

30 (2) The board shall establish rating systems for ranking proposals
31 which meet the board's environmental categories and other criteria. The

1 rating systems shall include, but not be limited to, the following
2 considerations:

3 (a) Conformance with categories established pursuant to section
4 81-15,176;

5 (b) Amount of funds committed from other funding sources;

6 (c) Encouragement of public-private partnerships;

7 (d) Geographic mix of projects over time;

8 (e) Cost-effectiveness and economic impact;

9 (f) Direct environmental impact;

10 (g) Environmental benefit to the general public and the long-term
11 nature of such public benefit; and

12 (h) Applications recommended by the Director of Natural Resources
13 and submitted by the Department of Natural Resources pursuant to
14 subsection (7) of section 61-218 shall be awarded fifty priority points
15 in the ranking process for the 2011 grant application if the Legislature
16 has authorized annual transfers of three million three hundred thousand
17 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12
18 and 2012-13 and has stated its intent to transfer three million three
19 hundred thousand dollars to the Water Resources Cash Fund in fiscal year
20 2013-14. Priority points shall be awarded if the proposed programs set
21 forth in the grant application are consistent with the purposes of
22 reducing consumptive uses of water, enhancing streamflows, recharging
23 ground water, or supporting wildlife habitat in any river basin
24 determined to be fully appropriated pursuant to section 46-714 or
25 designated as overappropriated pursuant to section 46-713.

26 (3) A grant awarded under this section pursuant to an application
27 made under subsection (7) of section 61-218 shall be paid out in the
28 following manner:

29 (a) The initial three million three hundred thousand dollar
30 installment shall be remitted to the State Treasurer for credit to the
31 Water Resources Cash Fund no later than fifteen business days after the

1 date that the grant is approved by the board;

2 (b) The second three million three hundred thousand dollar
3 installment shall be remitted to the State Treasurer for credit to the
4 Water Resources Cash Fund no later than May 15, 2013; and

5 (c) The third three million three hundred thousand dollar
6 installment shall be remitted to the State Treasurer for credit to the
7 Water Resources Cash Fund no later than May 15, 2014, if the Legislature
8 has authorized a transfer of three million three hundred thousand dollars
9 from the General Fund to the Water Resources Cash Fund for fiscal year
10 2013-14.

11 (4) It is the intent of the Legislature that the Department of
12 Natural Resources apply for an additional three-year grant from the
13 Nebraska Environmental Trust Fund that would begin in fiscal year 2014-15
14 and such application shall be awarded fifty priority points in the
15 ranking process as set forth in subdivision (2)(h) of this section if the
16 following criteria are met:

17 (a) The Natural Resources Committee of the Legislature has examined
18 options for water funding and has submitted a report electronically to
19 the Clerk of the Legislature and the Governor by December 1, 2012,
20 setting forth:

21 (i) An outline and priority listing of water management and funding
22 needs in Nebraska, including instream flows, residential, agricultural,
23 recreational, and municipal needs, interstate obligations, water quality
24 issues, and natural habitats preservation;

25 (ii) An outline of statewide funding options which create a
26 dedicated, sustainable funding source to meet the needs set forth in the
27 report; and

28 (iii) Recommendations for legislation;

29 (b) The projects and activities funded by the department through
30 grants from the Nebraska Environmental Trust Fund under this section have
31 resulted in enhanced streamflows, reduced consumptive uses of water,

1 recharged ground water, supported wildlife habitat, or otherwise
2 contributed towards conserving, enhancing, and restoring Nebraska's
3 ground water and surface water resources. On or before July 1, 2014, the
4 department shall submit electronically a report to the Natural Resources
5 Committee of the Legislature providing demonstrable evidence of the
6 benefits accrued from such projects and activities; and

7 (c) In addition to the grant reporting requirements of the trust, on
8 or before July 1, 2014, the department provides to the board a report
9 which includes documentation that:

10 (i) Expenditures from the Water Resources Cash Fund made to natural
11 resources districts have met the matching fund requirements provided in
12 subdivision (5)(a) of section 61-218;

13 (ii) Ten percent or less of the matching fund requirements has been
14 provided by in-kind contributions for expenses incurred for projects
15 enumerated in the grant application. In-kind contributions shall not
16 include land or land rights; and

17 (iii) All other projects and activities funded by the department
18 through grants from the Nebraska Environmental Trust Fund under this
19 section were matched not less than forty percent of the project or
20 activity cost by other funding sources.

21 (5) The board may establish a subcommittee to rate grant
22 applications. If the board uses a subcommittee, the meetings of such
23 subcommittee shall be subject to the Open Meetings Act. The subcommittee
24 shall (a) use the rating systems established by the board under
25 subsection (2) of this section, (b) assign a numeric value to each rating
26 criterion, combine these values into a total score for each application,
27 and rank the applications by the total scores, (c) recommend an amount of
28 funding for each application, which amount may be more or less than the
29 requested amount, and (d) submit the ranked list and recommended funding
30 to the board for its approval or disapproval.

31 (6) The board may commit funds to multiyear projects, subject to

1 available funds and appropriations. No commitment shall exceed three
2 years without formal action by the board to renew the grant or contract.
3 Multiyear commitments may be exempt from the rating process except for
4 the initial application and requests to renew the commitment.

5 (7) The board shall adopt and promulgate rules and regulations and
6 publish guidelines governing allocations from the fund. The board shall
7 conduct annual reviews of existing projects for compliance with project
8 goals and grant requirements.

9 (8) Every five years the board may evaluate the long-term effects of
10 the projects it funds. The evaluation may assess a sample of such
11 projects. The board may hire an independent consultant to conduct the
12 evaluation and may report the evaluation findings to the Legislature and
13 the Governor. The report submitted to the Legislature shall be submitted
14 electronically.

15 Sec. 125. Section 81-15,211, Reissue Revised Statutes of Nebraska,
16 is amended to read:

17 81-15,211 (1) The commission shall annually elect a chairperson from
18 among its citizen members. The commission shall meet at least twice each
19 year and may meet more often at the call of the chairperson or at the
20 request of any three members.

21 (2) All members shall be reimbursed for ~~their actual and necessary~~
22 expenses as provided in sections 81-1174 to 81-1177.

23 Sec. 126. Section 81-15,245, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 81-15,245 The Private Onsite Wastewater Treatment System Advisory
26 Committee is created. The advisory committee shall be composed of the
27 following eleven members:

28 (1) Seven members appointed by the director as follows:

29 (a) Five private onsite wastewater treatment system professionals;
30 and

31 (b) Two registered environmental health specialists or officials

1 representing local public health departments which have established
2 programs for regulating private onsite wastewater treatment systems;

3 (2) The chief executive officer of the Department of Health and
4 Human Services or his or her designee;

5 (3) The Director of Environmental Quality or his or her designated
6 representative; and

7 (4) One representative with experience in soils and geology and one
8 representative with experience in biological engineering, both of whom
9 shall be designated by the vice chancellor of the University of Nebraska
10 Institute of Agriculture and Natural Resources.

11 Members shall be reimbursed for ~~their actual and necessary~~ expenses
12 as provided in sections 81-1174 to 81-1177. The department shall provide
13 administrative support for the advisory committee.

14 Sec. 127. Section 81-1603, Revised Statutes Cumulative Supplement,
15 2016, is amended to read:

16 81-1603 The office shall have the power to do such things as are
17 necessary to carry out sections 81-1601 to 81-1605, including but not
18 limited to the following:

19 (1) To adopt rules and regulations, pursuant to the Administrative
20 Procedure Act, to carry out the purposes of sections 81-1601 to 81-1605;

21 (2) To make all contracts pursuant to sections 81-1601 to 81-1605
22 and do all things to cooperate with the federal government, and to
23 qualify for, accept, expend, and dispense public or private funds
24 intended for the implementation of sections 81-1601 to 81-1605;

25 (3) To contract for services, if such work or services cannot be
26 satisfactorily performed by employees of the agency or by any other part
27 of state government;

28 (4) To enter into such agreements as are necessary to carry out
29 energy research and development with other states;

30 (5) To carry out the duties and responsibilities relating to energy
31 as may be requested or required of the state by the federal government;

1 (6) To cooperate and participate with the approval of the Governor
2 in the activities of organizations of states relating to the
3 availability, conservation, development, and distribution of energy;

4 (7) To engage in such activities as will seek to insure that the
5 State of Nebraska and its citizens receive an equitable share of energy
6 supplies at a fair price; and

7 (8) To form advisory committees of citizens of Nebraska to advise
8 the director of the energy office on programs and policies relating to
9 energy and to assist in implementing such programs. Such committees shall
10 be of a temporary nature, and no member shall receive any compensation
11 for serving on any such committee but, with the approval of the Governor,
12 members shall receive reimbursement for ~~actual and necessary~~ expenses as
13 provided in sections 81-1174 to 81-1177. The minutes of meetings of and
14 actions taken by each committee shall be kept and a record shall be
15 maintained of the name, address, and occupation or vocation of every
16 individual serving on any committee. Such minutes and records shall be
17 maintained in the State Energy Office and shall be available for public
18 inspection during regular office hours.

19 Sec. 128. Section 81-1805, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-1805 Members of the committee shall receive no reimbursement for
22 the performance of their duties as members of the committee, except that
23 such members shall receive reimbursement for ~~actual and necessary~~
24 expenses as provided in sections 81-1174 to 81-1177.

25 Sec. 129. Section 81-2105, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 81-2105 There is hereby created the Electrical Division Fund. All
28 money received under the State Electrical Act shall be remitted to the
29 State Treasurer for credit to the fund. Each member of the board shall be
30 reimbursed for ~~the actual and necessary~~ expenses incurred in the
31 performance of his or her duties pursuant to sections 81-1174 to 81-1177

1 to be paid out of the fund. Transfers may be made from the fund to the
2 General Fund at the direction of the Legislature.

3 Sec. 130. Section 81-2506, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 81-2506 The members of the commission shall each receive fifty
6 dollars for each day spent in the performance of their duties and shall
7 receive reimbursement for ~~any actual and necessary~~ expenses as provided
8 in sections 81-1174 to 81-1177.

9 Sec. 131. Section 81-3521, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 81-3521 Each member of the board shall be a citizen of the United
12 States and a resident of the State of Nebraska for at least one year
13 immediately preceding his or her appointment. Each professional member
14 shall have been engaged in the active practice of geology for at least
15 ten years, shall have had responsible charge of work for at least five
16 years at the time of his or her appointment, and shall be licensed in
17 geology. Each member of the board shall receive as compensation the same
18 per diem and travel expenses as other state employees for each day
19 actually spent in traveling to and from and while attending sessions of
20 the board and its committees or authorized meetings of the National
21 Association of State Boards of Geology, or its ~~their~~ subdivisions or
22 committees, and shall be reimbursed for ~~all necessary~~ expenses incident
23 to the performance of his or her duties under the Geologists Regulation
24 Act as provided in sections 81-1174 to 81-1177.

25 Sec. 132. Section 82-310, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 82-310 The term of office of each member shall be three years with
28 the terms of one-third of the members expiring every year. No member of
29 the council who serves two consecutive three-year periods shall be
30 eligible for reappointment during a one-year period following the
31 expiration of his or her term. The Governor shall designate a chairperson

1 and a vice-chairperson from the members of the council, to serve as such
2 at the pleasure of the Governor. The chairperson shall be the chief
3 executive officer of the council. All vacancies shall be filled for the
4 balance of the unexpired term in the same manner as original appointments
5 are made. The members of the council shall not receive any compensation
6 for their services but shall be reimbursed for ~~their actual and necessary~~
7 expenses incurred in the performance of their duties as provided in
8 sections 81-1174 to 81-1177 ~~for state employees.~~

9 Sec. 133. Section 83-4,124, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 83-4,124 (1) It is hereby declared to be the policy of the State of
12 Nebraska that all criminal detention facilities in this state shall
13 conform to certain minimum standards of construction, maintenance, and
14 operation and that all juvenile detention facilities and staff secure
15 juvenile facilities in this state shall conform to certain minimum
16 standards relating to the operation and physical structure of such
17 facilities and the care of, programs for, and discipline of juveniles at
18 such facilities.

19 (2) To further such policy, the Jail Standards Board is hereby
20 created. For administrative and budgetary purposes such board shall be
21 within the Nebraska Commission on Law Enforcement and Criminal Justice.
22 The board shall consist of the Director of Correctional Services or, if
23 the Director of Correctional Services chooses not to serve on the board,
24 a person appointed by the director to serve in lieu of the director, the
25 State Fire Marshal or his or her designee, and ten appointive members,
26 three of whom shall be from each of the three congressional districts, to
27 be appointed by the Governor. The appointive members of the board shall
28 be appointed from recommendation lists containing at least three names
29 submitted by the Nebraska Association of County Officials, the Nebraska
30 County Sheriffs Association, the Nebraska State Bar Association, and the
31 Police Officers Association of Nebraska. The appointive members of the

1 board shall consist of: (a) Two county commissioners or supervisors; (b)
2 one county sheriff; (c) one municipal police chief; (d) one member of the
3 Nebraska State Bar Association; (e) two lay people; (f) one person who at
4 the time of his or her appointment is serving as an administrator
5 responsible for the operation and maintenance of a juvenile detention
6 facility; (g) one person who at the time of his or her appointment is
7 serving as an administrator responsible for the operation and maintenance
8 of a staff secure juvenile facility; and (h) one person who at the time
9 of his or her appointment is serving as an administrator or jailer
10 responsible for the operation and maintenance of a criminal detention
11 facility having an average daily population of greater than fifty
12 persons.

13 (3) The terms of office for all members initially appointed shall be
14 three years. Upon completion of the initial term of the board, the
15 Governor shall appoint one member from each congressional district for a
16 term of one year, one member from each congressional district for a term
17 of two years, and one member from each congressional district for a term
18 of three years. Succeeding appointees shall be representative of the same
19 congressional district and shall be appointed for terms of three years.
20 An appointee to a vacancy occurring from an unexpired term shall serve
21 out the term of his or her predecessor. Members whose terms have expired
22 shall continue to serve until their successors have been appointed. The
23 member authorized by Laws 2013, LB561, shall be appointed by the Governor
24 within ninety days after May 30, 2013.

25 (4) The members of the board shall serve without compensation, but
26 they shall be reimbursed for ~~their actual~~ expenses while engaged in the
27 performance of their official duties as provided in sections 81-1174 to
28 81-1177.

29 Sec. 134. Section 83-1212.01, Reissue Revised Statutes of Nebraska,
30 is amended to read:

31 83-1212.01 (1) There is hereby created the Advisory Committee on

1 Developmental Disabilities. The advisory committee shall consist of a
2 representative of a statewide advocacy organization for persons with
3 developmental disabilities and their families and not more than fifteen
4 additional members, at least one-third of whom shall be persons with
5 developmental disabilities, at least one-third of whom shall be families
6 of persons with developmental disabilities, and no more than one-third of
7 whom shall be elected officials or interested community persons.

8 (2) The members shall be appointed by the Governor for staggered
9 terms of three years. Any vacancy shall be filled by the Governor for the
10 remainder of the term. One of the members shall be designated as
11 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~
12 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

13 (3) The advisory committee shall advise the department regarding all
14 aspects of the funding and delivery of services to persons with
15 developmental disabilities.

16 (4) The advisory committee shall provide sufficient oversight to
17 ensure that persons placed in the custody of the department under the
18 Developmental Disabilities Court-Ordered Custody Act are receiving the
19 least restrictive treatment and services necessary.

20 Sec. 135. Section 83-1213, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 83-1213 (1) The department shall provide for the establishment of at
23 least one quality review team for each developmental disability service
24 area designated by the department. Each team shall consist of at least
25 four members and shall include at least one person with a developmental
26 disability, at least one parent or other close relative of a person with
27 a developmental disability, and at least one person who is neither a
28 person with a developmental disability nor a close relative of such a
29 person. No employee of any governmental agency or instrumentality or any
30 specialized program shall be eligible to be appointed to a team. The
31 department shall consider nominations for such teams from advocacy

1 groups, providers, elected officials, or other groups or by persons
2 interested in developmental disability services who are located in the
3 service area where such team is established.

4 (2) Members of each quality review team shall be reimbursed by the
5 department for ~~their actual and necessary~~ expenses as provided in
6 sections 81-1174 to 81-1177.

7 (3)(a) Each quality review team shall (i) conduct onsite visits of
8 persons with developmental disabilities receiving residential services
9 funded in whole or in part by the department, (ii) assess the quality of
10 life of such persons receiving such services, (iii) make recommendations
11 to improve the quality of such services on behalf of such persons, and
12 (iv) perform such advisory or other duties as provided or approved in
13 rules and regulations adopted and promulgated by the department.

14 (b) In making quality of life assessments of persons receiving such
15 services, the quality review team shall consider the extent to which such
16 persons (i) are able to exercise choice and control regarding the type
17 and provider of services they receive and the daily activities in which
18 they are engaged, (ii) are treated with respect and dignity by their
19 service providers, (iii) have access to necessary services, equipment,
20 and support, and (iv) are able to participate in activities and events
21 that maximize community integration and inclusion.

22 (4) Each quality review team shall provide quarterly and annual
23 written reports to the department and service providers of visits
24 conducted and assessments completed under this section.

25 Sec. 136. Section 84-931, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 84-931 (1) An agency may employ or enter into a contract for the
28 services of an organization or individual to serve as a convenor or
29 facilitator for a negotiated rulemaking committee or may use the services
30 of a state employee to act as a convenor or facilitator for a committee.

31 (2) An agency shall determine whether a person under consideration

1 as a convenor or facilitator of a negotiated rulemaking committee has any
2 financial or other interest that would preclude the person from serving
3 in an impartial and independent manner. A person disqualified under this
4 criterion shall be dropped from further consideration.

5 (3) Members of a negotiated rulemaking committee shall be
6 responsible for their own expenses of participation. However, an agency
7 may reimburse pay ~~for a committee member for member's actual and~~
8 ~~necessary~~ expenses incurred in serving on the committee as provided in
9 sections 81-1174 to 81-1177 and a reasonable per diem rate of
10 compensation if:

11 (a) The committee member certifies a lack of adequate financial
12 resources to participate in the committee; and

13 (b) The agency determines that the committee member's participation
14 in the committee is necessary to ensure an adequate representation of the
15 interests of the members.

16 (4) An agency may accept grants or gifts from any source to fund the
17 negotiated rulemaking process if:

18 (a) Information on the name of the person giving the grant or gift
19 and the amount of the grant or gift is available to the public;

20 (b) The grant or gift is given to and accepted by the agency without
21 placing any condition on the membership of a negotiated rulemaking
22 committee or the outcome of the negotiated rulemaking process; and

23 (c) There is consensus among the members of the negotiated
24 rulemaking committee that the acceptance of the grant or gift will not
25 diminish the integrity of the negotiated rulemaking process.

26 Sec. 137. Section 84-1204, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 84-1204 (1) The State Records Board is hereby established. The board
29 shall:

30 (a) Advise and assist the administrator in the performance of his or
31 her duties under the Records Management Act;

1 (b) Provide electronic access to public records or electronic
2 information and services through the portal;

3 (c) Develop and maintain the portal for providing electronic access
4 to public records or electronic information and services;

5 (d) Provide appropriate oversight of a network manager;

6 (e) Approve reasonable fees for electronic access to public records
7 or electronic information and services pursuant to sections 84-1205.02
8 and 84-1205.03;

9 (f) Have the authority to enter into or renegotiate agreements
10 regarding the management of the portal in order to provide individuals,
11 businesses, and other entities with electronic access to public records
12 or electronic information and services;

13 (g) Explore ways and means of reducing the costs of agencies to
14 manage record retention, expanding the amount and type of public records
15 or electronic information and services provided through the portal, and,
16 when appropriate, implement changes necessary to effect such purposes;

17 (h) Explore new technologies as a means of improving access to
18 public records or electronic information and services by individuals,
19 businesses, and other entities and, if appropriate, implement the new
20 technologies;

21 (i) Explore options of expanding the portal and its services to
22 individuals, businesses, and other entities;

23 (j) Have the authority to grant funds to a state or local agency for
24 the development of programs and technology to improve electronic access
25 to public records or electronic information and services consistent with
26 the act; and

27 (k) Perform such other functions and duties as the act requires.

28 (2) In addition to the administrator, the board shall consist of:

29 (a) The Governor or his or her designee;

30 (b) The Attorney General or his or her designee;

31 (c) The Auditor of Public Accounts or his or her designee;

- 1 (d) The State Treasurer or his or her designee;
- 2 (e) The Director of Administrative Services or his or her designee;
- 3 (f) Three representatives appointed by the Governor to be broadly
4 representative of banking, insurance, and law groups; and
- 5 (g) Three representatives appointed by the Governor to be broadly
6 representative of libraries, the general public, and professional members
7 of the Nebraska news media.

8 (3) The administrator shall be chairperson of the board. Upon call
9 by the administrator, the board shall convene periodically in accordance
10 with its rules and regulations or upon call by the administrator.

11 (4) Six members of the board shall constitute a quorum, and the
12 affirmative vote of six members shall be necessary for any action to be
13 taken by the board. No vacancy in the membership of the board shall
14 impair the right of a quorum to exercise all the rights and perform all
15 the duties of the board.

16 (5) The representatives appointed by the Governor shall serve
17 staggered three-year terms as the Governor designates and may be
18 appointed for one additional term. Members of the board shall be
19 reimbursed for ~~actual and necessary~~ expenses as provided in sections
20 81-1174 to 81-1177.

21 Sec. 138. Section 84-1501, Revised Statutes Cumulative Supplement,
22 2016, is amended to read:

23 84-1501 (1) The Public Employees Retirement Board is hereby
24 established.

25 (2)(a) The board shall consist of eight appointed members as
26 described in this subsection and the state investment officer as a
27 nonvoting, ex officio member. Six of the appointed members shall be
28 active or retired participants in the retirement systems administered by
29 the board, and two of the appointed members (i) shall not be employees of
30 the State of Nebraska or any of its political subdivisions and (ii) shall
31 have at least ten years of experience in the management of a public or

1 private organization or have at least five years of experience in the
2 field of actuarial analysis or the administration of an employee benefit
3 plan.

4 (b) The six appointed members who are participants in the systems
5 shall be as follows:

6 (i) Two of the appointed members shall be participants in the School
7 Employees Retirement System of the State of Nebraska and shall include
8 one administrator and one teacher;

9 (ii) One of the appointed members shall be a participant in the
10 Nebraska Judges Retirement System as provided in the Judges Retirement
11 Act;

12 (iii) One of the appointed members shall be a participant in the
13 Nebraska State Patrol Retirement System;

14 (iv) One of the appointed members shall be a participant in the
15 Retirement System for Nebraska Counties; and

16 (v) One of the appointed members shall be a participant in the State
17 Employees Retirement System of the State of Nebraska.

18 (c) Appointments to the board shall be made by the Governor and
19 shall be subject to the approval of the Legislature. All appointed
20 members shall be citizens of the State of Nebraska.

21 (3)(a) Except as otherwise provided in this subsection, all members
22 shall serve for terms of five years or until a successor has been
23 appointed and qualified. The terms shall begin on January 1 of the
24 appropriate year.

25 (b) To ensure an experienced and knowledgeable board, the terms of
26 the appointed members shall be staggered as follows:

27 (i) One of the two members described in subdivisions (2)(a)(i) and
28 (ii) of this section shall be appointed to serve for a five-year term
29 which begins in 2017;

30 (ii) One of the two members described in subdivisions (2)(a)(i) and
31 (ii) of this section shall be appointed to serve for a five-year term

1 which begins in 2018;

2 (iii) The participant in the School Employees Retirement System of
3 the State of Nebraska who is a teacher shall be appointed for a five-year
4 term which begins in 2019;

5 (iv) The participant in the School Employees Retirement System of
6 the State of Nebraska who is an administrator and the participant in the
7 State Employees Retirement System of the State of Nebraska shall be
8 appointed for a five-year term which begins in 2020;

9 (v) The participant in the Retirement System for Nebraska Counties
10 and the participant in the Nebraska Judges Retirement System shall be
11 appointed to serve for a five-year term which begins in 2021; and

12 (vi) The participant in the Nebraska State Patrol Retirement System
13 shall be appointed to serve for a three-year term which begins in 2020,
14 and his or her successor shall be appointed to serve for a five-year term
15 which begins in 2023.

16 (4) In the event of a vacancy in office, the Governor shall appoint
17 a person to serve the unexpired portion of the term subject to the
18 approval of the Legislature.

19 (5) The appointed members of the board may be removed by the
20 Governor for cause after notice and an opportunity to be heard.

21 ~~(6) The members of the board shall be reimbursed for their actual
22 and necessary expenses as provided in sections 81-1174 to 81-1177.~~

23 Sec. 139. Section 84-1502, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 84-1502 (1) Within thirty days after its appointment, the Public
26 Employees Retirement Board shall meet and select a chairperson and
27 secretary. Thereafter, the chairperson and the secretary shall be elected
28 in January of each year.

29 (2) The board shall meet upon call of the chairperson or upon the
30 request of three members of the board filed with the board office.
31 Meetings of the board shall be held in this state and may be held by

1 telecommunication equipment if the requirements of the Open Meetings Act
2 are met.

3 (3) The members of the board, except the state investment officer,
4 shall be paid fifty dollars per diem, and all members shall be reimbursed
5 for ~~their actual and necessary~~ expenses incurred in connection with the
6 performance of their duties as board members as provided in sections
7 81-1174 to 81-1177.

8 Sec. 140. Section 85-104, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 85-104 All meetings of the Board of Regents shall be open to the
11 public. The board may hold closed sessions in accordance with the Open
12 Meetings Act. Public record shall be made and kept of all meetings and
13 proceedings of the board. The regents shall meet at least twice each year
14 at the administration building. They shall receive for their services no
15 compensation, but they may be reimbursed for ~~their actual~~ expenses
16 incurred in the performance of their official duties as provided in
17 sections 81-1174 to 81-1177.

18 Sec. 141. Section 85-301, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 85-301 The existing institutions known as the state colleges located
21 at Chadron, Peru, and Wayne shall hereafter be known and designated as
22 Chadron State College, Peru State College, and Wayne State College,
23 respectively. The general government thereof shall be vested, under the
24 direction of the Legislature, in a board of seven members, to be known as
25 the Board of Trustees of the Nebraska State Colleges, six of whom shall
26 be appointed by the Governor, with the advice and consent of the
27 Legislature, two each for terms of two, four, and six years and two each
28 biennium thereafter for terms of six years, and the Commissioner of
29 Education shall be a member ex officio. The duties and powers of the
30 board shall be prescribed by law, and the members thereof shall receive
31 no compensation for the performance of their duties but may be reimbursed

1 ~~for their actual~~ expenses incurred therein, except that members of the
2 Board of Trustees of the Nebraska State Colleges shall not be entitled to
3 reimbursement for mileage or other traveling expense as part of such
4 ~~their actual~~ expenses except on the basis provided for in sections
5 81-1174 to 81-1177.

6 Sec. 142. Section 85-1408, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 85-1408 Members of the commission shall receive no compensation for
9 the performance of their duties but shall be reimbursed for ~~their actual~~
10 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

11 Sec. 143. Section 85-1509, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 85-1509 Members of a board shall not receive a per diem. The board
14 may reimburse members for ~~their actual and necessary~~ expenses incurred
15 while carrying out their duties. Mileage expenses shall be computed at
16 the rate provided in section 81-1176. Sections 81-1174, 81-1175, and
17 81-1177 shall serve as guidelines for the board when determining
18 allowable expenses and reimbursement for such expenses.

19 Sec. 144. Section 86-461, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 86-461 (1) The Enhanced Wireless 911 Advisory Board is created to
22 advise the commission concerning the implementation, development,
23 administration, coordination, evaluation, and maintenance of enhanced
24 wireless 911 service. The advisory board shall be composed of nine
25 individuals appointed by the Governor, including:

26 (a) One sheriff;

27 (b) Two county officials or employees;

28 (c) Two municipal officials or employees;

29 (d) One representative from the state's wireless telecommunications
30 industry;

31 (e) One manager of a public safety answering point not employed by a

1 sheriff;

2 (f) One representative of the state's local exchange
3 telecommunications service industry; and

4 (g) One member of the public.

5 (2) The advisory board shall also include two ex officio members:

6 (a) One commissioner from the Public Service Commission or his or
7 her designee; and

8 (b) The Chief Information Officer or his or her designee.

9 (3) Members of the board as described in subdivisions (1)(a) through
10 (1)(g) of this section shall be appointed for a term of three years. Each
11 succeeding member of the board shall be appointed for a term of three
12 years. The board shall meet as often as necessary to carry out its
13 duties. Members of the board shall be reimbursed for ~~their actual and~~
14 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

15 Sec. 145. Section 86-515, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 86-515 (1) The Nebraska Information Technology Commission is
18 created. The commission shall consist of (a) one member representing
19 elementary and secondary education, (b) one member representing
20 postsecondary education, (c) the Governor or his or her designee, (d) one
21 member representing communities, and (e) five members representing the
22 general public who have experience in developing strategic plans and
23 making high-level business decisions. A member of the Transportation and
24 Telecommunications Committee of the Legislature shall be appointed by the
25 Executive Board of the Legislative Council to serve as an ex officio,
26 nonvoting member of the commission. The Executive Board shall make the
27 initial appointment of such member after January 5, 2011, and shall
28 appoint a member every two years after the initial appointment. At any
29 time that there is not a member of the Educational Service Unit
30 Coordinating Council serving on the Nebraska Information Technology
31 Commission, the technical panel established pursuant to section 86-521,

1 or any working groups established pursuant to sections 86-512 to 86-524
2 that establish, coordinate, or prioritize needs for education, the
3 Governor shall appoint to the commission one member who serves on the
4 Educational Service Unit Coordinating Council.

5 (2) The Governor or a designee of the Governor shall serve as
6 chairperson of the commission.

7 (3) The members of the commission other than the legislative member
8 shall be appointed by the Governor with the approval of a majority of the
9 Legislature. Members of the commission shall serve for terms of four
10 years, except that two members initially appointed to represent the
11 general public shall be appointed for a term of two years and any member
12 appointed to represent the Educational Service Unit Coordinating Council
13 shall be appointed for a term of one year. Members shall be limited to
14 two consecutive terms. The Governor or his or her designee shall serve on
15 the commission for his or her term. The legislative member of the
16 commission shall serve until he or she is reappointed or a successor is
17 appointed. Each member shall serve until the appointment and
18 qualification of his or her successor. In case of a vacancy occurring
19 prior to the expiration of the term of a member, the appointment shall be
20 made only for the remainder of the term.

21 (4) Members shall be reimbursed for ~~their actual and necessary~~
22 expenses as provided in sections 81-1174 to 81-1177.

23 (5) The commission may employ or designate an executive director to
24 provide administrative and operational support for the commission. The
25 Department of Administrative Services and Nebraska Educational
26 Telecommunications Commission shall assist with administrative and
27 operational support for the Nebraska Information Technology Commission as
28 necessary to carry out its duties.

29 Sec. 146. Section 86-570, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 86-570 (1) The Geographic Information Systems Council is hereby

1 created and shall consist of:

2 (a) The Chief Information Officer or his or her designee, the chief
3 executive officer or designee of the Department of Health and Human
4 Services, and the director or designee of the Department of Environmental
5 Quality, the Conservation and Survey Division of the University of
6 Nebraska, the Department of Natural Resources, and the Governor's Policy
7 Research Office;

8 (b) The Director-State Engineer or designee;

9 (c) The State Surveyor or designee;

10 (d) The Clerk of the Legislature or designee;

11 (e) The secretary of the Game and Parks Commission or designee;

12 (f) The Property Tax Administrator or designee;

13 (g) One representative of federal agencies appointed by the
14 Governor;

15 (h) One representative of the natural resources districts nominated
16 by the Nebraska Association of Resources Districts and appointed by the
17 Governor;

18 (i) One representative of the public power districts appointed by
19 the Governor;

20 (j) Two representatives of the counties nominated by the Nebraska
21 Association of County Officials and appointed by the Governor;

22 (k) One representative of the municipalities nominated by the League
23 of Nebraska Municipalities and appointed by the Governor;

24 (l) Two members at large appointed by the Governor; and

25 (m) Such other members as nominated by the Nebraska Information
26 Technology Commission and appointed by the Governor.

27 (2) The appointed members shall serve terms as determined by the
28 Nebraska Information Technology Commission.

29 (3) The members shall be reimbursed for ~~their actual and necessary~~
30 expenses as provided in sections 81-1174 to 81-1177.

31 Sec. 147. Section 86-571, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 86-571 (1) The Geographic Information Systems Council shall elect a
3 chairperson from its members and such other officers as the council deems
4 necessary.

5 (2) As the need arises, advisory committees may be established by
6 the council from various levels of government, industry, or the general
7 public to assist the council. The members of advisory committees shall be
8 reimbursed for ~~their actual and necessary~~ expenses as provided in
9 sections 81-1174 to 81-1177.

10 (3) The council shall meet quarterly or upon the call of the
11 chairperson.

12 Sec. 148. Original sections 1-110, 2-1201, 2-1803, 2-2306, 2-3619,
13 2-3751, 2-4008, 2-4208, 2-4901, 2-5003, 2-5302, 3-104, 7-205, 21-2307,
14 23-1215, 24-1003, 24-1103, 24-1203, 25-2907, 29-2252, 29-2259, 29-3925,
15 30-4108, 37-105, 37-106, 39-2106, 39-2304, 43-1302, 43-1903, 43-2411,
16 43-3342.05, 43-4001, 43-4202, 45-603, 46-538, 48-1116, 48-2503, 49-233,
17 50-415, 51-402, 53-112, 53-113, 53-302, 54-191, 57-904, 58-228,
18 60-4,118.02, 66-1335, 68-948, 68-953, 68-1105, 70-719, 71-222, 71-702,
19 71-808, 71-1799, 71-2605, 71-4723, 71-4728.05, 71-5657, 71-6227, 71-6303,
20 71-6321, 71-7012, 71-8236, 71-8251, 71-8604, 71-8803, 72-224.03, 72-2103,
21 75-104, 77-5206, 79-317, 79-527.01, 79-546, 79-740, 79-760.07, 79-808,
22 79-861, 79-863, 79-1104.04, 79-1217, 79-1816, 80-318, 80-401.02,
23 80-401.08, 81-175, 81-502.02, 81-829.53, 81-829.54, 81-8,189, 81-8,267,
24 81-8,309, 81-1108.32, 81-1120.18, 81-1174, 81-1180, 81-11,104, 81-1348,
25 81-1409, 81-1421, 81-1430, 81-1449, 81-1503, 81-1505.03, 81-15,171,
26 81-15,175, 81-15,211, 81-15,245, 81-1805, 81-2105, 81-2506, 81-3521,
27 82-310, 83-4,124, 83-1212.01, 83-1213, 84-931, 84-1204, 84-1502, 85-104,
28 85-301, 85-1408, 85-1509, 86-461, 86-515, 86-570, and 86-571, Reissue
29 Revised Statutes of Nebraska, and sections 2-3951.01, 9-1004, 49-14,120,
30 50-505, 53-502, 55-604, 58-819, 70-1003, 71-219.03, 71-3406, 72-201,
31 72-1239, 72-2007, 76-2222, 77-5004, 79-760.03, 79-2204, 81-1603, and

1 84-1501, Revised Statutes Cumulative Supplement, 2016, are repealed.

2 Sec. 149. The following section is outright repealed: Section

3 81-1181, Reissue Revised Statutes of Nebraska.