

AMENDMENTS TO LB511

Introduced by Government, Military and Veterans Affairs.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. (1) An agency head, or other management personnel  
4 designated by the agency head, may adjust the work schedule of a state  
5 employee by up to one hour per week to permit such state employee to  
6 participate in an approved youth mentoring program. Any request for an  
7 adjusted work schedule for participation in an approved youth mentoring  
8 program shall be submitted and approved in accordance with applicable  
9 agency procedures, including approval by the supervisor of such state  
10 employee. Nothing in this section shall be construed to authorize paid  
11 leave for any state employee.

12           (2) For purposes of this section, state employee means any employee  
13 of the state or of any state agency, including all administrative,  
14 professional, academic, and other personnel of the University of  
15 Nebraska, the state colleges, and the State Department of Education, but  
16 excluding any employee or officer of the state whose salary is set by the  
17 Constitution of Nebraska or by statute. An employee of any local  
18 government or entity, including any entity created pursuant to the  
19 Interlocal Cooperation Act or the Joint Public Agency Act, shall not be  
20 considered a state employee for purposes of this section.

21           (3)(a) The Director of Personnel may use an existing publicly  
22 accessible data base of youth mentoring programs as a list of approved  
23 youth mentoring programs for purposes of this section.

24           (b) The director shall only use a data base as the list of approved  
25 programs if programs are added to the data base based on nationally  
26 recognized standards for quality youth mentoring programs that address  
27 elements of effective practice for mentoring, including, but not limited

1 to:

2 (i) Recruiting prospective mentors and mentees;

3 (ii) Screening prospective mentors and mentees;

4 (iii) Training prospective mentors, prospective mentees, and the  
5 parents or guardians of prospective mentees;

6 (iv) Matching mentors with mentees and initiating formal mentoring  
7 relationships;

8 (v) Monitoring and supporting mentoring relationships; and

9 (vi) Bringing mentoring relationships to closure.

10 (c) The director shall only use a data base as the list of approved  
11 programs if such data base is limited to programs that conduct criminal  
12 background checks on prospective adult mentors, including, but not  
13 limited to, searches of the central registry maintained by the sex  
14 offender registration and community notification division of the Nebraska  
15 State Patrol pursuant to section 29-4004.

16 (d) Each state agency is responsible for verifying that the youth  
17 mentoring program for which a state employee is requesting an adjusted  
18 work schedule is on the list of approved youth mentoring programs.

19 (e) If no publicly accessible data base can be found that meets the  
20 criteria in this section after a reasonable search, the director shall  
21 not have any further obligation under this section.

22 (4) An agency may deny a request to adjust a work schedule pursuant  
23 to this section if:

24 (a) The activity for which the adjustment is requested is not part  
25 of an approved youth mentoring program;

26 (b) The request was not submitted in accordance with agency  
27 procedures;

28 (c) The most recent performance review for the state employee making  
29 the request is unsatisfactory;

30 (d) After considering reasonable alternatives and options, it is  
31 determined that the absence of the employee will interfere with agency

1 operations or services; or

2 (e) For any other reason the agency deems that the absence of the  
3 state employee would not be in the best interests of the agency.

4 (5) The director may adopt and promulgate such rules and regulations  
5 as necessary to administer this section.

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

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

14 Sec. 3. Section 2-1201, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 2-1201 (1) There hereby is created a State Racing Commission.

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

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

30 (a) The member representing the second congressional district who is  
31 appointed on or after April 1, 2010, shall serve until March 31, 2014,

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 (b) The member representing the third congressional district who is  
5 appointed on or after April 1, 2011, shall serve until March 31, 2015,  
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 (c) The member representing the first congressional district who is  
10 appointed on or after April 1, 2012, shall serve until March 31, 2016,  
11 and until his or her successor is appointed and qualified. Thereafter the  
12 term of the member representing such district shall be four years and  
13 until his or her successor is appointed and qualified;

14 (d) Not later than sixty days after July 15, 2010, the Governor  
15 shall appoint one at-large member who shall serve until March 31, 2013,  
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; and

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

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

1 bonded or insured as required by section 11-201.

2 Sec. 4. Section 2-1803, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 2-1803 With the exception of the ex officio member, the Governor  
5 shall appoint an advisory committee to be known as the Nebraska Potato  
6 Development Committee. The committee shall be composed of three shippers  
7 and four growers from the industry and the vice chancellor of the  
8 University of Nebraska Institute of Agriculture and Natural Resources who  
9 shall be an ex officio member. The Director of Agriculture shall be the  
10 chairperson. The committee shall adopt and provide rules and regulations  
11 for the conduct of the affairs of the Division of Potato Development and  
12 advise the director regarding the appointment of the division head and  
13 any assistants as may be appointed. The members of the committee shall  
14 serve without pay but shall receive ~~actual and necessary~~ expenses  
15 incurred while on official business as provided in sections 81-1174 to  
16 81-1177. As the terms of office of such appointees expire, successors  
17 shall be appointed by the Governor for a period of two years and until  
18 their successors are appointed and qualified.

19 Sec. 5. Section 2-2306, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 2-2306 All voting members of the board shall be entitled to ~~actual~~  
22 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,  
23 while attending meetings of the board or while engaged in the performance  
24 of official responsibilities as determined by the board.

25 Sec. 6. Section 2-3405, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 2-3405 Members of the committee shall receive no salary, but shall  
28 be paid a per diem of twenty-five dollars for each day they are actually  
29 and necessarily engaged in the transaction of business, together with  
30 ~~their actual and necessary~~ expenses incurred while on official business  
31 as provided in sections 81-1174 to 81-1177.

1           Sec. 7. Section 2-3619, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           2-3619 The voting members of the board, while engaged in the  
4 performance of their official duties, shall receive compensation at the  
5 rate of twenty-five dollars per day while so serving, including travel  
6 time. In addition, members of the board shall receive reimbursement for  
7 ~~actual and necessary~~ expenses on the same basis and subject to the same  
8 conditions as provided in sections 81-1174 to 81-1177 ~~for state~~  
9 ~~employees.~~

10          Sec. 8. Section 2-3751, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12          2-3751 The commission shall elect from its members a chairperson and  
13 such other officers as may be necessary. The commission shall meet at  
14 least once every three months and at such other times as called by the  
15 chairperson or by any three members of the commission. The members shall  
16 receive no compensation for their services, but appointed members shall  
17 receive reimbursement for ~~actual, necessary, and reasonable~~ expenses  
18 incurred in the discharge of their official duties as provided in  
19 sections 81-1174 to 81-1177 ~~for state employees.~~

20          Sec. 9. Section 2-3951.01, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22          2-3951.01 (1) Members of the board shall, as nearly as possible, be  
23 representative of all first purchasers of milk and individual producer-  
24 processors in the state and, to the extent practicable, result in  
25 equitable representation of the various interests of milk producers both  
26 in terms of the manner in which milk is marketed and geographic  
27 distribution of milk production units in the state.

28          (2) The terms of the members of the board shall be three years,  
29 except that the first term of the initial and additional members of the  
30 board shall be staggered so that one-third of the members are appointed  
31 each year. The number of years for the first term of new and additional

1 members shall be determined by the Governor. Once duly appointed and  
2 qualified, no member's term shall be shortened or terminated by any  
3 subsequent certification by the Department of Agriculture of milk  
4 production units from which a first purchaser of milk purchases milk.

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

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

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

12 Sec. 10. Section 2-4008, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 2-4008 All voting members of the board shall be entitled to ~~actual~~  
15 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177  
16 ~~for state employees,~~ while attending meetings of the board, or while  
17 engaged in the performance of official responsibilities as determined by  
18 the board.

19 Sec. 11. Section 2-4208, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 2-4208 The board of directors shall appoint an administrator who  
22 shall be an employee of the corporation, but not a member of the board,  
23 and who shall serve at the pleasure of the board and receive such  
24 compensation and benefits as shall be fixed by the board. The  
25 administrator shall administer, manage, and direct the affairs and the  
26 activities of the corporation in accordance with policies and under the  
27 control and direction of the board. The administrator shall approve all  
28 accounts for salaries, allowable expenses of the corporation or of any  
29 employee or consultant thereof, and expenses incidental to the operation  
30 of the corporation. He or she shall perform such duties as may be  
31 directed by the members in carrying out the Conservation Corporation Act

1 ~~sections 2-4201 to 2-4246.~~ Members of the board of directors and any  
2 employees of the corporation shall be reimbursed for ~~their actual and~~  
3 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~  
4 ~~employees.~~ All employees of the corporation shall be administratively  
5 responsible to the administrator.

6 Sec. 12. Section 2-4901, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 2-4901 (1) The Climate Assessment Response Committee is hereby  
9 created. The office of the Governor shall be the lead agency and shall  
10 oversee the committee and its activities. The committee shall be composed  
11 of representatives appointed by the Governor with the approval of a  
12 majority of the Legislature from livestock producers, crop producers, the  
13 Nebraska Emergency Management Agency, and the Conservation and Survey  
14 Division and Cooperative Extension Service of the University of Nebraska.  
15 The Director of Agriculture or his or her designee, the chief executive  
16 officer of the Department of Health and Human Services or his or her  
17 designee, and the Director of Natural Resources or his or her designee  
18 shall be ex officio members of the committee. Representatives from the  
19 federal Consolidated Farm Service Agency and Federal Crop Insurance  
20 Corporation may also serve on the committee at the invitation of the  
21 Governor. The chairperson of the Committee on Agriculture of the  
22 Legislature and the chairperson of the Committee on Natural Resources of  
23 the Legislature shall be nonvoting, ex officio members of the committee.  
24 The Governor may appoint a member of the Governor's Policy Research  
25 Office and any other state agency representatives or invite any other  
26 federal agencies to name representatives as he or she deems necessary.  
27 The Governor shall appoint one of the Climate Assessment Response  
28 Committee members to serve as the chairperson of the committee. Committee  
29 members shall be reimbursed for ~~actual and necessary~~ expenses as provided  
30 in sections 81-1174 to 81-1177.

31 (2) The committee shall meet at least twice each year and shall meet



1 more frequently (a) at the call of the chairperson, (b) upon request of a  
2 majority of the committee members, and (c) during periods of drought or  
3 other severe climate situations.

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

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

11 Sec. 13. Section 2-5003, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

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

27 Sec. 14. Section 3-104, Revised Statutes Cumulative Supplement,  
28 2018, is amended to read:

29 3-104 (1) There is hereby created the Nebraska Aeronautics  
30 Commission which shall consist of five members, who shall be appointed by  
31 the Governor. The terms of office of the members of the commission

1 initially appointed shall expire on March 1 of the years 1946, 1947,  
2 1948, 1949, and 1950, as designated by the Governor in making the  
3 respective appointments. As the terms of members expire, the Governor  
4 shall, on or before March 1 of each year, appoint a member of the  
5 commission for a term of five years to succeed the member whose term  
6 expires. Each member shall serve until the appointment and qualification  
7 of his or her successor. In case of a vacancy occurring prior to the  
8 expiration of the term of a member, the appointment shall be made only  
9 for the remainder of the term. All members of the commission shall be  
10 citizens and bona fide residents of the state and, in making such an  
11 appointment, the Governor shall take into consideration the interest or  
12 training of the appointee in some one or all branches of aviation. The  
13 commission shall, in December of each year, select a chairperson for the  
14 ensuing year. The Director of Aeronautics shall serve as secretary as set  
15 forth in section 3-127. Three members shall constitute a quorum, and no  
16 action shall be taken by less than a majority of the commission.

17 (2) The commission shall meet upon the written call of the  
18 chairperson, the director, or any two members of the commission. Regular  
19 meetings shall be held at the office of the division but, whenever the  
20 convenience of the public or of the parties may be promoted or delay or  
21 expense may be prevented, the commission may hold meetings or proceedings  
22 at any other place designated by it. All meetings of the commission shall  
23 be open to the public. No member shall receive any salary for his or her  
24 service, but each shall be reimbursed for ~~actual and necessary~~ expenses  
25 incurred by him or her in the performance of his or her duties as  
26 provided in sections 81-1174 to 81-1177.

27 ~~(3)(a) Until December 31, 2017, it shall be the duty of the~~  
28 ~~commission to advise the Governor relative to the appointment of the~~  
29 ~~Director of Aeronautics, and the commission shall report to the Governor~~  
30 ~~whenever it feels that the Director of Aeronautics is not properly~~  
31 ~~fulfilling his or her duties.~~

1           (3)(a) ~~The (b) Beginning January 1, 2018,~~ the commission shall  
2 advise the Director-State Engineer relative to the appointment of the  
3 Director of Aeronautics, and the commission shall report to the Director-  
4 State Engineer whenever the commission feels that the Director of  
5 Aeronautics is not properly fulfilling his or her duties. The commission  
6 shall also advise the Governor on the general status and state of  
7 aviation in Nebraska.

8           **(b)** ~~(c)~~ The commission shall further act in an advisory capacity to  
9 the Director of Aeronautics and Director-State Engineer.

10           (4) The commission shall have, in addition, the following specific  
11 duties: (a) To allocate state funds and approve the use of federal funds  
12 to be spent for the construction or maintenance of airports; (b) to  
13 designate the locations and approve sites of airports; (c) to arrange and  
14 authorize the purchase of aircraft upon behalf of the state; (d) to  
15 select and approve pilots to be employed by the state, if any; and (e) to  
16 assist the Director of Aeronautics in formulating the regulations and  
17 policies to be carried out by the division under the terms of the State  
18 Aeronautics Act. The commission may allocate state funds for the  
19 promotion of aviation as defined for the purpose of this section by the  
20 division by rule and regulation. The director may designate one or more  
21 members of the commission to represent the division in conferences with  
22 officials of the federal government, of other states, of other agencies  
23 or municipalities of this state, or of persons owning privately owned  
24 public use airports.

25           Sec. 15. Section 7-205, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27           7-205 The board shall select one of its members to be chairperson.  
28 The board shall meet as necessary to carry out its duties, but shall meet  
29 at least annually. The members shall serve without compensation but shall  
30 be reimbursed for ~~their actual and necessary~~ expenses as provided in  
31 sections 81-1174 to 81-1177.

1           Sec. 16. Section 9-1004, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3           9-1004 (1) The commission shall appoint one of its members as  
4 chairperson and such other officers as it deems appropriate. Members  
5 shall be reimbursed for ~~their actual and necessary~~ expenses in carrying  
6 out their duties as members of the commission as provided in sections  
7 81-1174 to 81-1177.

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

11           (3) The commission shall appoint a director of the program, provide  
12 for office space and equipment, and support and facilitate the work of  
13 the program. The director may hire, terminate, and supervise commission  
14 and program staff, shall be responsible for the duties of the office and  
15 the administration of the program, and shall electronically provide an  
16 annual report to the General Affairs Committee of the Legislature which  
17 includes issues and policy concerns that relate to problem gambling in  
18 Nebraska. All documents, files, equipment, effects, and records belonging  
19 to the State Committee on Problem Gambling on June 30, 2013, shall become  
20 the property of the commission on July 1, 2013.

21           (4) The commission shall (a) provide for a process for the  
22 evaluation and approval of provider applications and contracts for  
23 treatment and other services funded from the Compulsive Gamblers  
24 Assistance Fund and (b) develop standards and guidelines for training and  
25 certification of problem gambling counselors.

26           (5) The commission shall provide for (a) the review and use of  
27 evaluation data, (b) the use and expenditure of funds for education  
28 regarding problem gambling and prevention of problem gambling, and (c)  
29 the creation and implementation of outreach and educational programs  
30 regarding problem gambling for Nebraska residents.

31           (6) The commission may adopt and promulgate rules and regulations

1 and engage in other activities it finds necessary to carry out its duties  
2 under sections 9-1001 to 9-1007.

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

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

10 21-2307 The corporation shall have a board of directors in which all  
11 powers of the corporation shall be vested and which shall consist of any  
12 number of directors, not less than three, all of whom shall be duly  
13 qualified electors of and taxpayers in the local political subdivision.  
14 The directors shall serve without compensation, except that they shall be  
15 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
16 performance of their duties under the Nebraska Industrial Development  
17 Corporation Act pursuant to sections 81-1174 to 81-1177. The directors  
18 shall be elected by the governing body of the local political  
19 subdivision. Any meeting held by the board of directors for any purpose  
20 shall be open to the public.

21 Sec. 18. Section 23-1215, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 23-1215 Members of the council shall serve without compensation, but  
24 they shall be entitled to reimbursement for ~~actual and necessary~~ expenses  
25 incident to such service on the council as provided in sections ~~section~~  
26 81-1174 to 81-1177, ~~for state employees.~~

27 Sec. 19. Section 24-1003, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 24-1003 The Supreme Court shall provide by rule for the recording  
30 and preservation of evidence in all cases in the district and separate  
31 juvenile courts and for the preparation of transcripts and bills of

1 exceptions. Court reporters and other persons employed to perform the  
2 duties required by such rules shall be appointed by the judge under whose  
3 direction they work. The Supreme Court shall prescribe uniform salary  
4 schedules for such employees, based on their experience and training and  
5 the methods used by them in recording and preserving evidence and  
6 preparing transcripts and bills of exceptions. Salaries and ~~actual and~~  
7 ~~necessary~~ expenses of such employees shall be paid by the State of  
8 Nebraska from funds appropriated to the Supreme Court. Such employees  
9 shall be reimbursed for ~~their~~ expenses as provided in sections 81-1174 to  
10 81-1177 ~~for state employees.~~

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

13 24-1103 (1) The Chief Justice of the Supreme Court may call active  
14 judges of the district court to serve on the Court of Appeals in case of  
15 incapacity or absence for any reason whatsoever or temporary vacancy in  
16 the office of a judge of the Court of Appeals. Any active judge  
17 designated to serve on the Court of Appeals shall be reimbursed for ~~his~~  
18 ~~or her actual and necessary~~ expenses as provided in sections 81-1174 to  
19 81-1177.

20 (2) The number of retired judges assigned to serve pursuant to  
21 subdivision (1) of section 24-729 may not at any one time exceed three,  
22 and no panel of the Court of Appeals may contain a majority of retired  
23 judges so assigned. Payments to a retired judge shall be made in the  
24 manner prescribed in sections 24-730 to 24-733.

25 Sec. 21. Section 24-1203, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 24-1203 Members of the Judicial Resources Commission shall be  
28 reimbursed for ~~their actual and necessary~~ expenses as provided in  
29 sections 81-1174 to 81-1177.

30 Sec. 22. Section 25-2907, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

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

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

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

10          Sec. 23. Section 29-2252, Revised Statutes Cumulative Supplement,  
11 2018, is amended to read:

12          29-2252 The administrator shall:

13           (1) Supervise and administer the office;

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

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

19           (4) Establish minimum qualifications for employment as a probation  
20 officer in this state and establish and maintain such additional  
21 qualifications as he or she deems appropriate for appointment to the  
22 system. Qualifications for probation officers shall be established in  
23 accordance with subsection (4) of section 29-2253. An ex-offender  
24 released from a penal complex or a county jail may be appointed to a  
25 position of deputy probation or parole officer. Such ex-offender shall  
26 maintain a record free of arrests, except for minor traffic violations,  
27 for one year immediately preceding his or her appointment;

28           (5) Establish and maintain advanced periodic inservice training  
29 requirements for the system;

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

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

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

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

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

22 (11) Adopt and promulgate such rules and regulations as may be  
23 necessary or proper for the operation of the office or system. The  
24 administrator shall adopt and promulgate rules and regulations for  
25 transitioning individuals on probation across levels of supervision and  
26 discharging them from supervision consistent with evidence-based  
27 practices. The rules and regulations shall ensure supervision resources  
28 are prioritized for individuals who are high risk to reoffend, require  
29 transitioning individuals down levels of supervision intensity based on  
30 assessed risk and months of supervision without a reported major  
31 violation, and establish incentives for earning discharge from



1 supervision based on compliance;

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

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

12 (14) Use the funds provided under section 29-2262.07 to augment  
13 operational or personnel costs associated with the development,  
14 implementation, and evaluation of enhanced probation-based programs and  
15 non-probation-based programs and services in which probation personnel or  
16 probation resources are utilized pursuant to an interlocal agreement  
17 authorized by subdivision (16) of this section and to purchase services  
18 to provide such programs aimed at enhancing adult probationer or non-  
19 probation-based program participant supervision in the community and  
20 treatment needs of probationers and non-probation-based program  
21 participants. Enhanced probation-based programs include, but are not  
22 limited to, specialized units of supervision, related equipment purchases  
23 and training, and programs that address a probationer's vocational,  
24 educational, mental health, behavioral, or substance abuse treatment  
25 needs;

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

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

1 (17) Collaborate with the Community Corrections Division of the  
2 Nebraska Commission on Law Enforcement and Criminal Justice and the  
3 Division of Parole Supervision to develop rules governing the  
4 participation of parolees in community corrections programs operated by  
5 the Office of Probation Administration;

6 (18) Develop a matrix of rewards for compliance and positive  
7 behaviors and graduated administrative sanctions and custodial sanctions  
8 for use in responding to and deterring substance abuse violations and  
9 technical violations. As applicable under sections 29-2266.02 and  
10 29-2266.03, custodial sanctions of up to thirty days in jail shall be  
11 designated as the most severe response to a violation in lieu of  
12 revocation and custodial sanctions of up to three days in jail shall be  
13 designated as the second most severe response;

14 (19) Adopt and promulgate rules and regulations for the creation of  
15 individualized post-release supervision plans, collaboratively with the  
16 Department of Correctional Services and county jails, for probationers  
17 sentenced to post-release supervision; and

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

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

23 Sec. 24. Section 29-2259, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 29-2259 (1) The salaries, ~~actual and necessary expenses,~~ and  
26 expenses incident to the conduct and maintenance of the office shall be  
27 paid by the state. Other Actual and necessary expenses shall be paid by  
28 the state as provided in sections 81-1174 to 81-1177.

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

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

4           (4) The expenses incident to the conduct and maintenance of the  
5 principal office within each probation district shall in the first  
6 instance be paid by the county in which it is located, but such county  
7 shall be reimbursed for such expenses by all other counties within the  
8 probation district to the extent and in the proportions determined by the  
9 Supreme Court based upon population, number of investigations, and  
10 probation cases handled or upon such other basis as the Supreme Court  
11 deems fair and equitable.

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

17          (6) The cost of interpreter services for deaf and hard of hearing  
18 persons and for persons unable to communicate the English language shall  
19 be paid by the state with money appropriated to the Supreme Court for  
20 that purpose or from other funds, including grant money, made available  
21 to the Supreme Court for such purpose. Interpreter services shall include  
22 auxiliary aids for deaf and hard of hearing persons as defined in section  
23 20-151 and interpreters to assist persons unable to communicate the  
24 English language as defined in section 25-2402. Interpreter services  
25 shall be provided under this section for the purposes of conducting a  
26 presentence investigation and for ongoing supervision by a probation  
27 officer of such persons placed on probation.

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

1           Sec. 25. Section 29-3925, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           29-3925 The Governor shall designate one of the members of the  
4 commission as the chairperson. The members of the commission shall be  
5 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
6 performance of their duties as provided in sections 81-1174 to 81-1177.

7           Sec. 26. Section 30-4108, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9           30-4108 (1) The council shall advise the Public Guardian on the  
10 administration of public guardianship and public conservatorship.

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

15           Sec. 27. Section 37-105, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17           37-105 The members of the Game and Parks Commission, other than the  
18 secretary, shall be reimbursed for ~~all actual and necessary traveling and~~  
19 ~~other~~ expenses incurred in the discharge of their official duties as  
20 provided in sections 81-1174 to 81-1177 and shall be allowed a per diem  
21 of thirty-five dollars for days actually away from home on business of  
22 the commission, not exceeding forty-five days in any one year.

23           Sec. 28. Section 37-106, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           37-106 The Game and Parks Commission shall appoint a secretary, who  
26 will act as its director and chief conservation officer and be in charge  
27 of its activities. He or she shall be a person with knowledge of and  
28 experience in the requirements of the protection, propagation,  
29 conservation, and restoration of the wildlife resources of the state. The  
30 secretary shall serve for a term of six years. The secretary shall not  
31 hold any other public office and shall devote his or her entire time to

1 the service of the state in the discharge of his or her official duties.  
2 The secretary shall receive such compensation as the commission may  
3 determine and shall be reimbursed for ~~all actual and necessary traveling~~  
4 ~~and other~~ expenses incurred by him or her in the discharge of his or her  
5 official duties as provided in sections 81-1174 to 81-1177. Before  
6 entering upon the duties of his or her office, the secretary shall take  
7 and subscribe to the constitutional oath of office, and shall, in  
8 addition thereto, swear or affirm that he or she holds no other public  
9 office, nor any position under any political committee or party. Such  
10 oath or affirmation shall be filed in the office of the Secretary of  
11 State. Under the direction of the commission, the secretary shall have  
12 general supervision and control of all activities and functions of the  
13 commission, shall enforce all the provisions of the law of the state  
14 relating to wild animals, birds, fish, parks, and recreational areas, and  
15 shall exercise all necessary powers incident thereto not specifically  
16 conferred on the commission. The secretary may be removed by the  
17 commission for inefficiency, neglect of duty, or misconduct in office,  
18 but only by a majority vote of the commissioners after delivering to the  
19 secretary a copy of the charges and affording him or her an opportunity  
20 of being publicly heard in person or by counsel in his or her own  
21 defense. If the secretary is removed, the commission shall place in its  
22 minutes a complete statement of all charges made against the secretary  
23 and its findings thereon, together with a complete record of the  
24 proceedings and the recorded vote thereon.

25 Sec. 29. Section 39-2106, Revised Statutes Cumulative Supplement,  
26 2018, is amended to read:

27 39-2106 To assist in developing the functional classification  
28 system, there is hereby established the Board of Public Roads  
29 Classifications and Standards which shall consist of eleven members to be  
30 appointed by the Governor with the approval of the Legislature. Of the  
31 members of such board, two shall be representatives of the Department of

1 Transportation, three shall be representatives of the counties, one of  
2 whom shall be a licensed county highway superintendent in good standing  
3 and two of whom shall be county board members, three shall be  
4 representatives of the municipalities who shall be either public works  
5 directors or licensed city street superintendents in good standing, and  
6 three shall be lay citizens who shall represent the three congressional  
7 districts of the state. The county members on the board shall represent  
8 the various classes of counties, as defined in section 23-1114.01, in the  
9 following manner: One shall be a representative from either a Class 1 or  
10 Class 2 county; one shall be a representative from either a Class 3 or  
11 Class 4 county; and one shall be a representative from either a Class 5,  
12 Class 6, or Class 7 county. The municipal members of the board shall  
13 represent municipalities of the following sizes by population: One shall  
14 be a representative from a municipality of less than two thousand five  
15 hundred inhabitants as determined by the most recent federal decennial  
16 census or the most recent revised certified count by the United States  
17 Bureau of the Census; one shall be a representative from a municipality  
18 of two thousand five hundred to fifty thousand inhabitants as determined  
19 by the most recent federal decennial census or the most recent revised  
20 certified count by the United States Bureau of the Census; and one shall  
21 be a representative from a municipality of over fifty thousand  
22 inhabitants as determined by the most recent federal decennial census or  
23 the most recent revised certified count by the United States Bureau of  
24 the Census. In making such appointments, the Governor shall consult with  
25 the Director-State Engineer and with the appropriate county and municipal  
26 officials and may consult with organizations representing such officials  
27 or representing counties or municipalities as may be appropriate. At the  
28 expiration of the existing term, one member from the county  
29 representatives, the municipal representatives, and the lay citizens  
30 shall be appointed for a term of two years; and two members from the  
31 county representatives, the municipal representatives, and the lay

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

11 Sec. 30. Section 39-2304, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 39-2304 The Board of Examiners for County Highway and City Street  
14 Superintendents is created. The board shall consist of seven members to  
15 be appointed by the Governor, four of whom shall be county  
16 representatives, and three of whom shall be municipal representatives.

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

28 In making such appointments, the Governor may give consideration to  
29 a list of licensed county highway engineers, county highway  
30 superintendents, and county surveyors submitted by the Nebraska  
31 Association of County Officials and to a list of licensed city street

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

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

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

21 Sec. 31. Section 43-1302, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 43-1302 (1) The Foster Care Review Office is hereby established. The  
24 purpose of the office is to provide information and direct reporting to  
25 the courts, the Department of Health and Human Services, the Office of  
26 Probation Administration, and the Legislature regarding the foster care  
27 system in Nebraska; to provide oversight of the foster care system; and  
28 to make recommendations regarding foster care policy to the Legislature.  
29 The executive director of the Foster Care Review Office shall provide  
30 information and reporting services, provide analysis of information  
31 obtained, and oversee foster care file audit case reviews and tracking of



1 cases of children in the foster care system. The executive director of  
2 the office shall, through information analysis and with the assistance of  
3 the Foster Care Advisory Committee, (a) determine key issues of the  
4 foster care system and ways to resolve the issues and to otherwise  
5 improve the system and (b) make policy recommendations.

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

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

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

31 (d) The Foster Care Advisory Committee shall meet at least four

1 times each calendar year. Each member shall attend at least two meetings  
2 each calendar year and shall be subject to removal for failure to attend  
3 at least two meetings unless excused by a majority of the members of the  
4 committee. Members shall be reimbursed for ~~their actual and necessary~~  
5 expenses as provided in sections 81-1174 to 81-1177.

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

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

9 (ii) Support and facilitate the work of the office, including the  
10 tracking of children in foster care and reviewing foster care file audit  
11 case reviews.

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

17 Sec. 32. Section 43-1903, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 43-1903 (1) There is hereby created within the department the  
20 Nebraska Child Abuse Prevention Fund Board which shall be composed of  
21 nine members as follows: Two representatives of the Department of Health  
22 and Human Services appointed by the chief executive officer and seven  
23 members to be appointed by the Governor with the approval of the  
24 Legislature. The Governor shall appoint two members from each of the  
25 three congressional districts and one member from the state at large. As  
26 a group, the appointed board members (a) shall demonstrate knowledge in  
27 the area of child abuse and neglect prevention, (b) shall be  
28 representative of the demographic composition of this state, and (c) to  
29 the extent practicable, shall be representative of all of the following  
30 categories (i) the business community, (ii) the religious community,  
31 (iii) the legal community, (iv) professional providers of child abuse and

1 neglect prevention services, and (v) volunteers in child abuse and  
2 neglect prevention services.

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

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

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

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

26 Sec. 33. Section 43-2411, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 43-2411 (1) The Nebraska Coalition for Juvenile Justice is created.  
29 Coalition members who are members of the judicial branch of government  
30 shall be nonvoting members of the coalition. The coalition members shall  
31 be appointed by the Governor and shall include the members required under

1 subsection (2) or (3) of this section.

2 (2) Before June 15, 2018:

3 (a) As provided in the federal act, there shall be no less than  
4 fifteen nor more than thirty-three members of the coalition;

5 (b) The coalition shall include:

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

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

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

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

12 (v) The executive director of the Nebraska Association of County  
13 Officials or his or her designee;

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

16 (vii) One county commissioner or supervisor;

17 (viii) One person with data analysis experience;

18 (ix) One police chief;

19 (x) One sheriff;

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

21 (xii) One separate juvenile court judge;

22 (xiii) One county court judge;

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

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

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

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

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

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

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

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

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

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

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

15 (xxv) One county attorney; and

16 (xxvi) One public defender;

17 (c) A majority of the coalition members, including the chairperson,  
18 shall not be full-time employees of federal, state, or local government.  
19 At least one-fifth of the coalition members shall be under the age of  
20 twenty-four years at the time of appointment; and

21 (d) Except as provided in subsection (4) of this section, the terms  
22 of members appointed pursuant to subdivisions (2)(b)(vii) through (2)(b)  
23 (xxvi) of this section shall be three years, except that the terms of the  
24 initial appointments of members of the coalition shall be staggered so  
25 that one-third of the members are appointed for terms of one year, one-  
26 third for terms of two years, and one-third for terms of three years, as  
27 determined by the Governor.

28 (3) On and after June 15, 2018, the coalition shall include:

29 (a) The chief executive officer of the Department of Health and  
30 Human Services or his or her designee;

31 (b) The Commissioner of Education or his or her designee;

1 (c) The executive director of the Nebraska Commission on Law  
2 Enforcement and Criminal Justice or his or her designee;

3 (d) The executive director of the Nebraska Association of County  
4 Officials or his or her designee;

5 (e) The probation administrator of the Office of Probation  
6 Administration or his or her designee;

7 (f) One county commissioner or supervisor;

8 (g) One representative from law enforcement;

9 (h) The executive director of the Foster Care Review Office;

10 (i) One separate juvenile court judge;

11 (j) One county court judge;

12 (k) Three representatives, one from each congressional district,  
13 from community-based, private nonprofit organizations who work with  
14 juvenile offenders and their families;

15 (l) The director or his or her designee from a secure juvenile  
16 detention facility or a staff secure youth confinement facility;

17 (m) At least one member who is under twenty-four years of age when  
18 appointed, with juvenile justice experience preferred;

19 (n) One at-large member;

20 (o) One member of a regional behavioral health authority established  
21 under section 71-808;

22 (p) One county attorney; and

23 (q) One juvenile public defender or defense attorney.

24 (4)(a) Except as provided in subdivisions (c) through (e) of this  
25 subsection, members of the coalition serving prior to June 15, 2018,  
26 shall continue to serve on the coalition as representatives of the entity  
27 they were appointed to represent until their current terms of office  
28 expire and their successors are appointed and confirmed.

29 (b) The terms of the members appointed pursuant to subdivisions (3)  
30 (f) through (3)(q) of this section shall be three years.

31 (c) The positions created pursuant to subdivisions (2)(b)(i),

1 (viii), (x), (xiv), (xvi), (xvii), (xviii), (xx), (xxii), and (xxiii) of  
2 this section shall cease to exist on June 15, 2018.

3 (d) The police chief appointed pursuant to subdivision (2)(b)(ix) of  
4 this section shall continue to serve until the representative from law  
5 enforcement under subdivision (3)(g) of this section is appointed.

6 (e) The director or his or her designee from a secure juvenile  
7 detention facility appointed pursuant to subdivision (2)(b)(xix) of this  
8 section shall continue to serve until the member under subdivision (3)(l)  
9 of this section is appointed.

10 (5) Any vacancy on the coalition shall be filled by appointment by  
11 the Governor. The coalition shall select a chairperson, a vice-  
12 chairperson, and such other officers as it deems necessary.

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

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

19 Sec. 34. Section 43-3342.05, Reissue Revised Statutes of Nebraska,  
20 is amended to read:

21 43-3342.05 (1) The Child Support Advisory Commission is created.  
22 Commission members shall include:

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

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

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

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

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

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

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

5 (h) The chairperson of the Health and Human Services Committee of  
6 the Legislature;

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

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

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

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

14 (b) Each time the commission meets pursuant to subdivision (2)(a) of  
15 this section, the Supreme Court shall make appointments to fill the  
16 membership under subdivision (1)(a) of this section and the chairperson  
17 of the Executive Board shall make appointments to fill each membership  
18 under subdivisions (1)(b) through (f) of this section. The terms of these  
19 members shall expire after the commission has fulfilled its duties  
20 pursuant to subsection (3) of this section.

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

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

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

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



1 (a) Reviewing the child support guidelines adopted by the Supreme  
2 Court and recommending, if appropriate, any changes to the guidelines.  
3 Whenever practicable, the commission shall base its recommendations on  
4 economic data and statistics collected in the State of Nebraska. In  
5 reviewing the guidelines and formulating recommendations, the commission  
6 may conduct public hearings around the state; and

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

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

13 Sec. 35. Section 43-3401, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 43-3401 The Early Childhood Interagency Coordinating Council is  
16 created. The council shall advise and assist the collaborating agencies  
17 in carrying out the provisions of the Early Intervention Act, the Quality  
18 Child Care Act, sections 79-1101 to 79-1104, and other early childhood  
19 care and education initiatives under state supervision. Membership and  
20 activities of the council shall comply with all applicable provisions of  
21 federal law. Members of the council shall be appointed by the Governor  
22 and shall include, but not be limited to:

23 (1) Parents of children who require early intervention services,  
24 early childhood special education, and other early childhood care and  
25 education services; and

26 (2) Representatives of school districts, social services, health and  
27 medical services, family child care and center-based early childhood care  
28 and education programs, agencies providing training to staff of child  
29 care programs, resource and referral agencies, mental health services,  
30 developmental disabilities services, educational service units, Head  
31 Start, higher education, physicians, the Legislature, business persons,

1 and the collaborating agencies.

2 Terms of the members shall be for three years, and a member shall  
3 not serve more than two consecutive three-year terms. Members shall be  
4 reimbursed for ~~their actual and necessary expenses~~ as provided in  
5 sections 81-1174 to 81-1177, including child care expenses, with funds  
6 provided for such purposes through the Early Intervention Act, the  
7 Quality Child Care Act, and sections 79-1101 to 79-1104.

8 Members of the Nebraska Interagency Coordinating Council serving on  
9 July 13, 2000, shall constitute the Early Childhood Interagency  
10 Coordinating Council and shall serve for the remainder of their terms.  
11 The Governor shall make additional appointments as required by this  
12 section and to fill vacancies as needed. The Governor shall set the  
13 initial terms of additional appointees to result in staggered terms for  
14 members of the council. The Department of Health and Human Services and  
15 the State Department of Education shall provide and coordinate staff  
16 assistance to the council.

17 Sec. 36. Section 43-4001, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 43-4001 (1) The Children's Behavioral Health Task Force is created.  
20 The task force shall consist of the following members:

21 (a) The chairperson of the Health and Human Services Committee of  
22 the Legislature or another member of the committee as his or her  
23 designee;

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

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

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

1 (e) Two representatives of organizations advocating on behalf of  
2 consumers of children's behavioral health services and their families,  
3 appointed by the chairperson of the Health and Human Services Committee  
4 of the Legislature;

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

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

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

11 (3) The chairperson of the Health and Human Services Committee of  
12 the Legislature or his or her designee shall serve as chairperson of the  
13 task force. Administrative and staff support for the task force shall be  
14 provided by the Health and Human Services Committee of the Legislature  
15 and the Appropriations Committee of the Legislature.

16 Sec. 37. Section 43-4202, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 43-4202 (1) The Nebraska Children's Commission is created as a high-  
19 level leadership body to (a) create a statewide strategic plan for reform  
20 of child welfare and juvenile justice programs and services in the State  
21 of Nebraska, (b) review the operations of the Department of Health and  
22 Human Services regarding child welfare programs and services and  
23 recommend, as a part of the statewide strategic plan, options for  
24 attaining the legislative intent stated in section 43-4201, either by the  
25 establishment of a new division within the department or the  
26 establishment of a new state agency to provide all child welfare programs  
27 and services which are the responsibility of the state, and (c) monitor  
28 and evaluate the child welfare and juvenile justice systems. The  
29 commission shall provide a permanent forum for collaboration among state,  
30 local, community, public, and private stakeholders in child welfare and  
31 juvenile justice programs and services.

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

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

3 (b) Seventeen members appointed by the Governor. The members  
4 appointed pursuant to this subdivision shall represent stakeholders in  
5 the child welfare and juvenile justice systems and shall include: (i) A  
6 director of a child advocacy center; (ii) an administrator of a  
7 behavioral health region established pursuant to section 71-807; (iii) a  
8 community representative from each of the service areas designated  
9 pursuant to section 81-3116. In the eastern service area designated  
10 pursuant to such section, the representative may be from a lead agency of  
11 a pilot project established under section 68-1212 or a collaborative  
12 member; (iv) a prosecuting attorney who practices in juvenile court; (v)  
13 a guardian ad litem; (vi) a biological parent currently or previously  
14 involved in the child welfare system or juvenile justice system; (vii) a  
15 foster parent; (viii) a court appointed special advocate volunteer; (ix)  
16 a member of a local foster care review board; (x) a child welfare service  
17 agency that directly provides a wide range of child welfare services and  
18 is not a member of a lead agency collaborative; (xi) a young adult  
19 previously in foster care; (xii) a representative of a child advocacy  
20 organization that deals with legal and policy issues that include child  
21 welfare; and (xiii) a representative of a federally recognized Indian  
22 tribe residing within the State of Nebraska and appointed within thirty  
23 days after June 5, 2013, from a list of three nominees submitted by the  
24 Commission on Indian Affairs.

25 (3) The Nebraska Children's Commission shall have the following  
26 nonvoting, ex officio members: (a) The chairperson of the Health and  
27 Human Services Committee of the Legislature or a committee member  
28 designated by the chairperson; (b) the chairperson of the Judiciary  
29 Committee of the Legislature or a committee member designated by the  
30 chairperson; (c) the chairperson of the Appropriations Committee of the  
31 Legislature or a committee member designated by the chairperson; (d)

1 three persons appointed by the State Court Administrator; (e) the chief  
2 executive officer of the Department of Health and Human Services or his  
3 or her designee; (f) the Director of Children and Family Services of the  
4 Division of Children and Family Services of the Department of Health and  
5 Human Services or his or her designee; (g) the Commissioner of Education  
6 or his or her designee; and (h) the Inspector General of Nebraska Child  
7 Welfare. The nonvoting, ex officio members may attend commission meetings  
8 and participate in the discussions of the commission, provide information  
9 to the commission on the policies, programs, and processes of each of  
10 their respective bodies, gather information for the commission, and  
11 provide information back to their respective bodies from the commission.  
12 The nonvoting, ex officio members shall not vote on decisions by the  
13 commission or on the direction or development of the statewide strategic  
14 plan pursuant to section 43-4204.

15 (4) The commission shall meet within sixty days after April 12,  
16 2012, and shall select from among its members a chairperson and vice-  
17 chairperson and conduct any other business necessary to the organization  
18 of the commission. The commission shall meet not less often than once  
19 every three months, and meetings of the commission may be held at any  
20 time on the call of the chairperson. The commission may hire staff to  
21 carry out the responsibilities of the commission. For administrative  
22 purposes, the offices of the staff of the commission shall be located in  
23 the Foster Care Review Office. The commission may hire a consultant with  
24 experience in facilitating strategic planning to provide neutral,  
25 independent assistance in updating the statewide strategic plan. The  
26 commission shall terminate on June 30, 2019, unless continued by the  
27 Legislature.

28 (5) The commission, with assistance from the executive director of  
29 the Foster Care Review Office, shall employ a policy analyst to provide  
30 research and expertise to the commission relating to the child welfare  
31 system. The policy analyst shall work in conjunction with the staff of

1 the commission. His or her responsibilities may include, but are not  
2 limited to: (a) Monitoring the Nebraska child welfare system and juvenile  
3 justice system to provide information to the commission; (b) analyzing  
4 child welfare and juvenile justice public policy through research and  
5 literature reviews and drafting policy reports when requested; (c)  
6 managing or leading projects or tasks and providing resource support to  
7 commission members and committees as determined by the chairperson of the  
8 commission; (d) serving as liaison among child welfare and juvenile  
9 justice stakeholders and the public and responding to information  
10 inquiries as required; and (e) other duties as assigned by the  
11 commission.

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

17 Sec. 38. Section 45-603, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 45-603 (1) There is hereby created the Collection Agency Licensing  
20 Board which shall consist of the Secretary of State, who shall be  
21 chairperson of the board, and four members appointed by the Governor.  
22 Three of the members appointed by the Governor shall be licensees  
23 actively engaged in the collection business in this state, one of whom  
24 shall reside in each of the state's three congressional districts. The  
25 remaining member shall be appointed at large as a representative of the  
26 public. Such person shall not be a licensee actively engaged in the  
27 collection business in this state.

28 (2) The term of office of each appointed member shall be for four  
29 years, except that of the members of the first board appointed under this  
30 section, two shall be appointed for a term of two years. Before a  
31 member's term expires, the Governor shall appoint a successor to take

1 office on the expiration of the member's term. A member shall continue to  
2 serve after the expiration of his or her term until a successor is  
3 appointed and qualified. A vacancy in the office of a member shall be  
4 filled by appointment for the unexpired term.

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

7 (4) The board may employ such persons as may be necessary to carry  
8 out the Collection Agency Act, fix the salaries of such employees, and  
9 make such other expenditures as are necessary to properly carry out the  
10 act, except that all remuneration, expenses, salaries, and expenditures  
11 provided for in the act shall be paid out of the Nebraska Collection  
12 Agency Fund.

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

17 Sec. 39. Section 46-538, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 46-538 Each director shall receive from the board a per diem of not  
20 to exceed seventy dollars per day for each day that such director attends  
21 a board meeting or is engaged in matters concerning the district, but no  
22 director shall receive more than two thousand eight hundred dollars in  
23 any one year. Each director shall also be entitled to ~~any necessary~~  
24 ~~traveling~~ expenses ~~actually expended while engaged~~ in the performance of  
25 his or her duties as provided in sections 81-1174 to 81-1177.

26 Sec. 40. Section 48-1116, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 48-1116 There is hereby established an Equal Opportunity Commission  
29 to consist of seven members to be appointed by the Governor. Terms of  
30 members shall be three years. As the terms of the members expire, the  
31 Governor shall appoint or reappoint the members of the commission for

1 terms of three years to succeed the members whose terms expire. The  
2 commission shall elect one member to serve as chairperson of the  
3 commission.

4 Four members of the commission shall constitute a quorum for the  
5 purpose of conducting the business thereof. Any action of the commission  
6 shall require at least four votes. A vacancy in the commission shall not  
7 impair the right of the remaining members to exercise all the powers of  
8 the commission.

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

18 The commission shall establish and maintain its principal office in  
19 the city of Lincoln and such other offices within the state as it may  
20 deem necessary. The commission may meet and function at any place within  
21 the state. The commission shall appoint an executive director who shall  
22 be directly responsible to the commission. The executive director may  
23 appoint such assistants, clerks, agents, and other employees as such  
24 executive director may deem necessary, fix their compensation within the  
25 limitations provided by law, and prescribe duties of such employees. The  
26 executive director may appoint additional staff as the commission deems  
27 necessary.

28 The Attorney General shall represent and appear for the commission  
29 in all actions and proceedings involving any question under the Nebraska  
30 Fair Employment Practice Act, the Nebraska Fair Housing Act, or section  
31 20-123, 20-124, or 20-132 and shall aid in any investigation or hearing



1 had under either act or any of such sections. The commission shall have  
2 an official seal which shall be judicially noticed.

3 Sec. 41. Section 48-2503, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 48-2503 (1) The Conveyance Advisory Committee is created. One member  
6 shall be the state elevator inspector appointed pursuant to section  
7 48-2512.01. One member shall be the State Fire Marshal or his or her  
8 designee. The Governor shall appoint the remaining members of the  
9 committee as follows: One representative from a major elevator  
10 manufacturing company; one representative from an elevator servicing  
11 company; one representative who is a building manager; one representative  
12 who is an elevator mechanic; and one representative of the general public  
13 from each county that has a population of more than one hundred thousand  
14 inhabitants. The committee shall be appointed within ninety days after  
15 January 1, 2008.

16 (2) The members of the committee appointed by the Governor shall  
17 serve for terms of three years, except that of the initial members  
18 appointed, two shall serve for terms of one year and three shall serve  
19 for terms of two years. The state elevator inspector and the State Fire  
20 Marshal or his or her designee shall serve continuously. The appointed  
21 members shall be reimbursed for ~~their actual and necessary~~ expenses for  
22 service on the committee as provided in sections 81-1174 to 81-1177. The  
23 members of the committee shall elect a chairperson who shall be the  
24 deciding vote in the event of a tie vote.

25 (3) The committee shall meet and organize within thirty days after  
26 the appointment of the members. The committee shall meet quarterly at a  
27 time and place to be fixed by the committee for the consideration of code  
28 regulations and for the transaction of such other business as properly  
29 comes before it. Special meetings may be called by the chairperson or at  
30 the request of two or more members of the committee. Any appointed  
31 committee member absent from three consecutive meetings shall be

1 dismissed.

2 Sec. 42. Section 49-233, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 49-233 The members of the preliminary survey committee shall be paid  
5 ~~their travel expenses and actual expenses for food and lodging~~ while they  
6 ~~are away from home and are~~ engaged in the duties provided for by section  
7 49-232 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

8 Sec. 43. Section 49-14,120, Revised Statutes Cumulative Supplement,  
9 2018, is amended to read:

10 49-14,120 All members of the commission shall be reimbursed for  
11 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

12 Sec. 44. Section 50-415, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 50-415 The members of the council shall be compensated for ~~actual~~  
15 expenses incurred while attending sessions of the council and the members  
16 of any committee of the council shall be compensated for ~~actual~~ expenses  
17 incurred while on business of the committee as provided in sections  
18 81-1174 to 81-1177 ~~for state employees.~~

19 Sec. 45. Section 50-505, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

21 50-505 (1) The Water Funding Task Force is created. The task force  
22 shall consist of the members of the Nebraska Natural Resources Commission  
23 and eleven additional members to be appointed by the Governor. The  
24 Director of Natural Resources or his or her designee, the chairperson of  
25 the Natural Resources Committee of the Legislature or his or her  
26 designee, and five additional members of the Legislature appointed by the  
27 Executive Board of the Legislative Council shall be nonvoting, ex officio  
28 members of the task force. In appointing members to the task force, the  
29 Governor:

30 (a) Shall seek to create a broad-based task force with knowledge of  
31 and experience with and representative of Nebraska's water use and

1 economy;

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

4 (c) Shall appoint one member from each of the following categories:  
5 Public power; public power and irrigation districts; irrigation  
6 districts; a metropolitan utilities district; municipalities;  
7 agriculture; wildlife conservation; livestock producers; agribusiness;  
8 manufacturing; and outdoor recreation users; and

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

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

18 Sec. 46. Section 51-402, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 51-402 The members of the Nebraska Library Commission shall serve  
21 without pay. They shall receive remuneration for ~~traveling and actual~~  
22 expenses incurred while engaged in the business of the commission as  
23 provided in sections 81-1174 to 81-1177 ~~for state employees~~. These  
24 expenses shall be paid out of the funds of the Nebraska Library  
25 Commission.

26 Sec. 47. Section 53-112, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 53-112 Each member of the commission shall receive an annual salary  
29 of not to exceed twelve thousand five hundred dollars, to be fixed by the  
30 Governor, payable monthly, and in addition ~~actual and necessary~~ expenses  
31 authorized in section 53-113 incurred on behalf of the commission. The

1 salary of the executive director of the commission shall be fixed by the  
2 commission, payable monthly.

3 Sec. 48. Section 53-113, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 53-113 The commissioners, the executive director of the commission,  
6 and all employees of the commission shall be reimbursed for ~~all actual~~  
7 ~~and necessary traveling~~ expenses and ~~disbursements~~ incurred or ~~made by~~  
8 ~~them~~ in the discharge of their official duties as provided in sections  
9 81-1174 to 81-1177. The commission may also incur necessary expenses for  
10 office furniture and other incidental expenses. No commissioner,  
11 executive director, or employee of the commission shall request or be  
12 allowed mileage or other traveling expenses unless such sections are  
13 strictly complied with.

14 Sec. 49. Section 53-302, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 53-302 (1) Within thirty days after the appointment of the initial  
17 members of the Nebraska Grape and Winery Board, such board shall conduct  
18 its first regular meeting. During that meeting, the board members shall  
19 elect from among themselves, by majority vote, a chairperson, vice-  
20 chairperson, secretary, and treasurer, all to serve for terms of one year  
21 from the date of election. Subsequent board meetings shall take place at  
22 least once every six months and at such times as called by the  
23 chairperson or by any three board members.

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

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

31 (4) A board member shall be removable by the Governor for cause. The

1 board member shall first be given a written copy of the charges against  
2 him or her and also an opportunity to be heard publicly. In addition to  
3 all other causes, the failure of a board member to continue to meet any  
4 of the requirements for eligibility set out in section 53-301 shall be  
5 deemed sufficient cause for removal from office.

6 Sec. 50. Section 53-502, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8 53-502 (1) Within thirty days after the appointment of the initial  
9 members of the Nebraska Craft Brewery Board, such board shall conduct its  
10 first regular meeting. During that meeting, the board members shall elect  
11 from among themselves, by majority vote, a chairperson, vice-chairperson,  
12 secretary, and treasurer, all to serve for terms of one year from the  
13 date of election. Subsequent board meetings shall take place at least  
14 once every six months and at such times as called by the chairperson or  
15 by any three board members.

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

18 (3) All voting members of the board shall be reimbursed for ~~their~~  
19 ~~actual and necessary~~ expenses incurred while engaged in the performance  
20 of official responsibilities as members of such board pursuant to  
21 sections 81-1174 to 81-1177.

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

26 Sec. 51. Section 54-191, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 54-191 (1) The Nebraska Brand Committee is hereby created. Beginning  
29 August 28, 2007, the brand committee shall consist of five members  
30 appointed by the Governor. At least three appointed members shall be  
31 active cattlemen and at least one appointed member shall be an active

1 cattle feeder. The Secretary of State and the Director of Agriculture, or  
2 their designees, shall be nonvoting, ex officio members of the brand  
3 committee. The appointed members shall be owners of cattle within the  
4 brand inspection area, shall reside within the brand inspection area,  
5 shall be owners of Nebraska-recorded brands, and shall be persons whose  
6 principal business and occupation is the raising or feeding of cattle  
7 within the brand inspection area.

8 (2) The members of the brand committee shall elect a chairperson and  
9 vice-chairperson from among its appointed members during the first  
10 meeting held after September 1 each calendar year. A member may be  
11 reelected to serve as chairperson or vice-chairperson.

12 (3) The terms of the members shall be four-year, staggered terms,  
13 beginning on August 28 of the year of initial appointment or  
14 reappointment and concluding on August 27 of the year of expiration. At  
15 the expiration of the term of an appointed member, the Governor shall  
16 appoint a successor. If there is a vacancy on the brand committee, the  
17 Governor shall fill such vacancy by appointing a member to serve during  
18 the unexpired term of the member whose office has become vacant.

19 (4) The action of a majority of the members shall be deemed the  
20 action of the brand committee. No appointed member shall hold any  
21 elective or appointive state or federal office while serving as a member  
22 of the brand committee. Each member and each brand committee employee who  
23 collects or who is the custodian of any funds shall be bonded or insured  
24 as required under section 11-201. The appointed members of the brand  
25 committee shall be reimbursed for ~~paid their actual and necessary~~  
26 ~~traveling~~ expenses in attending meetings of the brand committee or in  
27 performing any other duties that are prescribed in the Livestock Brand  
28 Act or section 54-415, as provided for in sections 81-1174 to 81-1177.

29 The purpose of the Nebraska Brand Committee is to protect Nebraska  
30 brand and livestock owners from the theft of livestock through  
31 established brand recording, brand inspection, and livestock theft

1 investigation.

2       Sec. 52. Section 55-604, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4       55-604   ~~(1)~~—Members of the Commission on Military and Veteran  
5 Affairs shall receive no compensation for their services as members of  
6 the commission other than their salary, but shall be reimbursed for  
7 ~~actual and necessary expenses.~~ ~~(2) Reimbursement for expenses shall be as~~  
8 provided in sections 81-1174 to 81-1177.

9       Sec. 53. Section 57-904, Revised Statutes Cumulative Supplement,  
10 2018, is amended to read:

11       57-904 There is hereby established the Nebraska Oil and Gas  
12 Conservation Commission. The commission shall consist of three members to  
13 be appointed by the Governor. The director of the state geological survey  
14 shall serve the commission in the capacity as its technical advisor, but  
15 with no power to vote. Any two commissioners shall constitute a quorum  
16 for all purposes. At least one member of the commission shall have had  
17 experience in the production of oil or gas and shall have resided in the  
18 State of Nebraska for at least one year. Each of the other members of the  
19 commission shall have resided in the State of Nebraska for at least three  
20 years. Initially, two of said members shall be appointed for a term of  
21 two years each; and one shall be appointed for a term of four years. At  
22 the expiration of the initial terms all members thereafter appointed  
23 shall serve for a term of four years. The Governor may at any time remove  
24 any appointed member of the commission for cause, and by appointment,  
25 with the approval of the Legislature, shall fill any vacancy on the  
26 commission.

27       The members of the commission shall receive as compensation for  
28 their services not more than four hundred dollars per day for each day  
29 actually devoted to the business of the commission, except that they  
30 shall not receive a sum in any one year in excess of four thousand  
31 dollars each. In addition, each member of the commission shall be

1   reimbursed for ~~his or her actual and necessary traveling and other~~  
2   expenses incurred in connection with the carrying out of his or her  
3   duties as provided in sections 81-1174 to 81-1177.

4       Sec. 54. Section 58-228, Reissue Revised Statutes of Nebraska, is  
5   amended to read:

6       58-228 The Director of Economic Development shall be the chairperson  
7   of the authority. The members shall elect from among the membership a  
8   vice-chairperson and such other officers as they may determine. Members  
9   shall receive no compensation for their services but shall be reimbursed  
10  for ~~actual, necessary, and reasonable~~ expenses incurred in the discharge  
11  of their official duties as provided in sections 81-1174 to 81-1177.

12       Sec. 55. Section 58-819, Revised Statutes Cumulative Supplement,  
13  2018, is amended to read:

14       58-819 The members of the authority shall receive no compensation  
15  for the performance of their duties as members, but each such member  
16  shall be reimbursed for ~~paid his or her actual and necessary~~ expenses  
17  while engaged in the performance of such duties as provided in sections  
18  81-1174 to 81-1177 from any funds legally available therefor.

19       Sec. 56. Section 66-1335, Reissue Revised Statutes of Nebraska, is  
20  amended to read:

21       66-1335 (1) The Nebraska Ethanol Board is hereby established. The  
22  board shall consist of seven members to be appointed by the Governor with  
23  the approval of a majority of the Legislature. The Governor shall make  
24  the initial appointments within thirty days after September 1, 1993. Four  
25  members shall be actually engaged in farming in this state, one in  
26  general farming and one each in the production of corn, wheat, and  
27  sorghum. One member shall be actively engaged in business in this state.  
28  One member shall represent labor interests in this state. One member  
29  shall represent Nebraska petroleum marketers in this state.

30       (2) Members shall be appointed for terms of four years, except that  
31  of the initial appointees the terms of the member representing labor



1 interests and the member engaged in general farming shall expire on  
2 August 31, 1994, the terms of the member engaged in sorghum production  
3 and the member engaged in wheat production shall expire on August 31,  
4 1995, the term of the member representing petroleum marketers shall  
5 expire on August 31, 1996, and the terms of the member engaged in  
6 business and the member engaged in corn production shall expire on August  
7 31, 1997. A member shall serve until a successor is appointed and  
8 qualified. Not more than four members shall be members of the same  
9 political party.

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

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

18 (5) The members shall be reimbursed for ~~their actual and necessary~~  
19 expenses as provided in sections 81-1174 to 81-1177. The members shall  
20 receive twenty-five dollars for each day while engaged in the performance  
21 of board duties.

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

24 68-953 (1) No later than July 1, 2010, the department shall  
25 establish and maintain a preferred drug list for the medical assistance  
26 program. The department shall establish a pharmaceutical and therapeutics  
27 committee to advise the department on all matters relating to the  
28 establishment and maintenance of such list.

29 (2) The pharmaceutical and therapeutics committee shall include at  
30 least fifteen but no more than twenty members. The committee shall  
31 consist of at least (a) eight physicians, (b) four pharmacists, (c) a

1 university professor of pharmacy or a person with a doctoral degree in  
2 pharmacology, and (d) two public members. No more than twenty-five  
3 percent of the committee shall be state employees.

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

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

12 (5) The committee shall elect a chairperson and a vice-chairperson  
13 from among its members. Members of the committee shall be reimbursed for  
14 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
15 81-1177.

16 (6) The department, in consultation with the committee, shall adopt  
17 and publish policies and procedures relating to the preferred drug list,  
18 including (a) guidelines for the presentation and review of drugs for  
19 inclusion on the preferred drug list, (b) the manner and frequency of  
20 audits of the preferred drug list for appropriateness of patient care and  
21 cost effectiveness, (c) an appeals process for the resolution of  
22 disputes, and (d) such other policies and procedures as the department  
23 deems necessary and appropriate.

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

26 68-1105 The members of the Division of Medicaid and Long-Term Care  
27 Advisory Committee on Aging, and noncommittee members serving on special  
28 committees, shall receive no compensation for their services other than  
29 reimbursement for ~~actual and necessary~~ expenses as provided in sections  
30 81-1174 to 81-1177. Committee expenses and any office expenses shall be  
31 paid from funds made available to the committee by the Legislature.

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

3           70-719 The directors, other than those named in the certificate of  
4 incorporation to serve until the first annual meeting of members, shall  
5 be elected annually, or as otherwise provided in the bylaws, by the  
6 members. The directors shall be members of the corporation and shall be  
7 entitled to such compensation and reimbursement for expenses ~~actually and~~  
8 ~~necessarily~~ incurred by them as provided in sections 81-1174 to 81-1177  
9 ~~for state employees~~. The bylaws may provide for the election of alternate  
10 directors, who shall be elected and serve in the same manner as members  
11 elected to the board of directors. Such alternate directors shall serve  
12 in the event of the absence, disability, disqualification, or death of an  
13 elected director.

14          Sec. 60. Section 70-1003, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16          70-1003 (1) There is hereby established an independent board to be  
17 known as the Nebraska Power Review Board to consist of five members, one  
18 of whom shall be an engineer, one an attorney, one an accountant, and two  
19 laypersons. No person who is or who has within four years preceding his  
20 or her appointment been either a director, officer, or employee of any  
21 electric utility or an elective state officer shall be eligible for  
22 membership on the board. Members of the board shall be appointed by the  
23 Governor subject to the approval of the Legislature. Upon expiration of  
24 the terms of the members first appointed, the successors shall be  
25 appointed for terms of four years. No member of the board shall serve  
26 more than two consecutive terms. Any vacancy on the board arising other  
27 than from the expiration of a term shall be filled by appointment for the  
28 unexpired portion of the term, and any person appointed to fill a vacancy  
29 on the board shall be eligible for reappointment for two more consecutive  
30 terms. No more than three members of the board shall be registered  
31 members of that political party represented by the Governor.

1           (2) Each member of the board shall receive sixty dollars per day for  
2 each day actually and necessarily engaged in the performance of his or  
3 her duties, but not to exceed six thousand dollars in any one year,  
4 except for the member designated to represent the board on the Southwest  
5 Power Pool Regional State Committee or its equivalent successor, who  
6 shall receive two hundred fifty dollars for each day actually and  
7 necessarily engaged in the performance of his or her duties, not to  
8 exceed twenty thousand dollars in any one year. If the member designated  
9 to represent the board on the Southwest Power Pool Regional State  
10 Committee should for any reason no longer serve in that capacity during a  
11 year, the pay received while serving in such capacity shall not be used  
12 for purposes of calculating the six-thousand-dollar limitation for board  
13 members not serving in that capacity. When another board member acts as  
14 the proxy for the designated Southwest Power Pool Regional State  
15 Committee member, he or she shall receive the same pay as the designated  
16 member would have for that activity. Pay received while serving as proxy  
17 for such designated member shall not be used for purposes of determining  
18 whether the six-thousand-dollar limitation has been met for board members  
19 not serving as such designated member. Total pay to board members for  
20 activities related to the Southwest Power Pool shall not exceed an  
21 aggregate total of twenty-five thousand dollars in any one year. Each  
22 member shall be reimbursed for his or her ~~actual and necessary~~ expenses  
23 while so engaged as provided in sections 81-1174 to 81-1177. The board  
24 shall have jurisdiction as provided in Chapter 70, article 10.

25           (3) The board shall elect from their members a chairperson and a  
26 vice-chairperson. Decisions of the board shall require the approval of a  
27 majority of the members of the board.

28           (4) The board shall employ an executive director and may employ such  
29 other staff necessary to carry out the duties pursuant to Chapter 70,  
30 article 10. The executive director shall serve at the pleasure of the  
31 board and shall be solely responsible to the board. The executive

1 director shall be responsible for the administrative operations of the  
2 board and shall perform such other duties as may be delegated or assigned  
3 to him or her by the board. The board may obtain the services of experts  
4 and consultants necessary to carry out the board's duties pursuant to  
5 Chapter 70, article 10.

6 (5) The board shall publish and submit a biennial report with annual  
7 data to the Governor, with copies to be filed with the Clerk of the  
8 Legislature and with the State Energy Office. The report submitted to the  
9 Clerk of the Legislature shall be submitted electronically. The State  
10 Energy Office shall consider the information in the Nebraska Power Review  
11 Board's report when the State Energy Office prepares its own reports  
12 pursuant to sections 81-1606 and 81-1607. The report of the board shall  
13 include:

14 (a) The assessments for the fiscal year imposed pursuant to section  
15 70-1020;

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

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

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

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

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

28 (g) A statistical summary of board activities and an expenditure  
29 summary;

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

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

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

12 (7) The board may, at any time deemed beneficial by the board,  
13 submit a report to the Governor with copies to be filed with the Clerk of  
14 the Legislature and the Natural Resources Committee of the Legislature.  
15 The report filed with the Clerk of the Legislature and the committee  
16 shall be filed electronically. The report may include:

17 (a) Whether or not a viable regional transmission organization and  
18 adequate transmission exist in Nebraska or in a region which includes  
19 Nebraska;

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

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

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

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

30 (8) The board may establish working groups of interested parties to  
31 assist the board in carrying out the powers set forth in subsections (6)

1 and (7) of this section.

2 Sec. 61. Section 71-219.03, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 71-219.03 The Board of Barber Examiners shall set the fees at a  
5 level sufficient to provide for all ~~actual and necessary~~ expenses and  
6 salaries of the board authorized in section 71-222 and in such a manner  
7 that unnecessary surpluses are avoided. The board shall annually file a  
8 report with the Attorney General and the Legislative Fiscal Analyst  
9 stating the amount of the fees set by the board. Such report shall be  
10 submitted on or before July 1 of each year. The report submitted to the  
11 Legislative Fiscal Analyst shall be submitted electronically.

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

14 71-222 The board shall annually elect a president and vice  
15 president, and the board shall appoint a director who shall serve as  
16 secretary of the board. The board shall be furnished with suitable  
17 quarters in the State Capitol or elsewhere. It shall adopt and use a  
18 common seal for the authentication of its orders and records. The  
19 secretary of the board shall keep a record of all proceedings of the  
20 board. A majority of the board, in a meeting duly assembled, may perform  
21 and exercise all the duties and powers devolving upon the board. Each  
22 member of the board shall receive a compensation of seventy-five dollars  
23 per diem and shall be reimbursed for ~~his or her actual and necessary~~  
24 expenses incurred in the discharge of his or her duties as provided in  
25 sections 81-1174 to 81-1177, not to exceed two thousand dollars per  
26 annum. Salaries and expenses shall be paid only from the fund created by  
27 fees collected in the administration of the Barber Act, and no other  
28 funds or state money except as collected in the administration of the act  
29 shall be drawn upon to pay the expense of administration. The board shall  
30 report each year to the Governor a full statement of its receipts and  
31 expenditures and also a full statement of its work during the year,

1 together with such recommendations as it may deem expedient. The board  
2 may employ one field inspector and such other inspectors, clerks, and  
3 other assistants as it may deem necessary to carry out the act and  
4 prescribe their qualifications. No owner, agent, or employee of any  
5 barber school shall be eligible to membership on the board.

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

8 71-702 (1) The Women's Health Initiative Advisory Council is created  
9 and shall consist of not more than thirty members, at least three-fourths  
10 of whom are women. At least one member shall be appointed from the  
11 following disciplines: (a) An obstetrician/gynecologist; (b) a nurse  
12 practitioner or physician's assistant from a rural community; (c) a  
13 geriatrics physician or nurse; (d) a pediatrician; (e) a community public  
14 health representative from each congressional district; (f) a health  
15 educator; (g) an insurance industry representative; (h) a mental health  
16 professional; (i) a representative from a statewide health volunteer  
17 agency; (j) a private health care industry representative; (k) an  
18 epidemiologist or a health statistician; (l) a foundation representative;  
19 and (m) a woman who is a health care consumer from each of the following  
20 age categories: Eighteen to thirty; thirty-one to forty; forty-one to  
21 sixty-five; and sixty-six and older. The membership shall also include a  
22 representative of the University of Nebraska Medical Center, a  
23 representative from Creighton University Medical Center, the chief  
24 medical officer if one is appointed under section 81-3115, and the Title  
25 V Administrator of the Department of Health and Human Services.

26 (2) The Governor shall appoint advisory council members and shall  
27 consider and attempt to balance representation based on political party  
28 affiliation, race, and different geographical areas of Nebraska when  
29 making appointments. The Governor shall appoint the first chairperson and  
30 vice-chairperson of the advisory council. There shall be two ex officio,  
31 nonvoting members from the Legislature, one of which shall be the



1 chairperson of the Health and Human Services Committee.

2 (3) The terms of the initial members shall be as follows: One-third  
3 shall serve for one-year terms, one-third shall serve for two-year terms,  
4 and one-third shall serve for three-year terms including the members  
5 designated chairperson and vice-chairperson. Thereafter members shall  
6 serve for three-year terms. Members may not serve more than two  
7 consecutive three-year terms.

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

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

14 (6) The members of the advisory council shall be reimbursed for  
15 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
16 81-1177 and pursuant to policies of the advisory council. Funds for  
17 reimbursement for expenses shall be from the Women's Health Initiative  
18 Fund.

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

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

24 71-808 (1) A regional behavioral health authority shall be  
25 established in each behavioral health region by counties acting under  
26 provisions of the Interlocal Cooperation Act. Each regional behavioral  
27 health authority shall be governed by a regional governing board  
28 consisting of one county board member from each county in the region.  
29 Board members shall serve for staggered terms of three years and until  
30 their successors are appointed and qualified. Board members shall serve  
31 without compensation but shall be reimbursed for ~~their actual and~~

1 necessary expenses as provided in sections 81-1174 to 81-1177.

2 (2) The regional governing board shall appoint a regional  
3 administrator who shall be responsible for the administration and  
4 management of the regional behavioral health authority. Each regional  
5 behavioral health authority shall encourage and facilitate the  
6 involvement of consumers in all aspects of service planning and delivery  
7 within the region and shall coordinate such activities with the office of  
8 consumer affairs within the division. Each regional behavioral health  
9 authority shall establish and utilize a regional advisory committee  
10 consisting of consumers, providers, and other interested parties and may  
11 establish and utilize such other task forces, subcommittees, or other  
12 committees as it deems necessary and appropriate to carry out its duties  
13 under this section.

14 (3) Each county in a behavioral health region shall provide funding  
15 for the operation of the behavioral health authority and for the  
16 provision of behavioral health services in the region. The total amount  
17 of funding provided by counties under this subsection shall be equal to  
18 one dollar for every three dollars from the General Fund. The division  
19 shall annually certify the total amount of county matching funds to be  
20 provided. At least forty percent of such amount shall consist of local  
21 and county tax revenue, and the remainder shall consist of other  
22 nonfederal sources. The regional governing board of each behavioral  
23 health authority, in consultation with all counties in the region, shall  
24 determine the amount of funding to be provided by each county under this  
25 subsection. Any General Funds transferred from regional centers for the  
26 provision of community-based behavioral health services after July 1,  
27 2004, and funds received by a regional behavioral health authority for  
28 the provision of behavioral health services to children under section  
29 71-826 shall be excluded from any calculation of county matching funds  
30 under this subsection.

31 Sec. 65. Section 71-1799, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 71-1799 (1) The Nebraska Center for Nursing Board is created. The  
3 board shall be a policy-setting board for the Nebraska Center for  
4 Nursing. The board shall be appointed by the Governor as follows:

5 (a) Ten members, at least three of whom shall be registered nurses,  
6 one of whom shall be a licensed practical nurse, one of whom shall be a  
7 representative of the hospital industry, and one of whom shall be a  
8 representative of the long-term care industry;

9 (b) One nurse educator recommended by the Board of Regents of the  
10 University of Nebraska;

11 (c) One nurse educator recommended by the Nebraska Community College  
12 Association;

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

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

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

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

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

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

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

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

28 The initial appointments shall be made within sixty days after July  
29 13, 2000. After the initial terms expire, the terms of all of the members  
30 shall be three years with no member serving more than two consecutive  
31 terms.

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

3 (a) To determine operational policy;

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

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

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

9 (e) To implement the major functions of the Nebraska Center for  
10 Nursing; and

11 (f) To seek and accept nonstate funds for carrying out center  
12 policy.

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

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

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

20 71-2605 The members of the State Board of Health shall receive the  
21 sum of twenty dollars per diem, while actually engaged in the business of  
22 the board, and shall be reimbursed for ~~the necessary~~ expenses incurred in  
23 the performance of their duties as provided in sections 81-1174 to  
24 81-1177 ~~for state employees.~~

25 Sec. 67. Section 71-3406, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 71-3406 (1) The chief executive officer of the Department of Health  
28 and Human Services shall appoint a minimum of twelve and a maximum of  
29 fifteen members to the State Child and Maternal Death Review Team. The  
30 core members shall be (a) a physician employed by the department, who  
31 shall be a permanent member and shall serve as the chairperson of the

1 team, (b) a senior staff member with child protective services of the  
2 department, (c) a forensic pathologist, (d) a law enforcement  
3 representative, (e) the Inspector General of Nebraska Child Welfare, and  
4 (f) an attorney. The remaining members appointed may be, but shall not be  
5 limited to, the following: A county attorney; a Federal Bureau of  
6 Investigation agent responsible for investigations on Native American  
7 reservations; a social worker; and members of organizations which  
8 represent hospitals or physicians. The department shall be responsible  
9 for the general administration of the activities of the team and shall  
10 employ or contract with a team coordinator to provide administrative  
11 support for the team.

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

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

20 Sec. 68. Section 71-4504, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 71-4504 (1) The Palliative Care and Quality of Life Advisory Council  
23 is created. The council shall consult with and advise the Department of  
24 Health and Human Services on matters relating to palliative care  
25 initiatives. The council shall:

26 (a) Survey palliative care providers regarding best practices and  
27 recommendations;

28 (b) Work with the department; and

29 (c) Make recommendations to the department regarding information on  
30 the web site pursuant to section 71-4503 as standards of care change.

31 (2) The council shall be composed of nine members appointed by the

1 Governor for three-year terms. At least two of the members shall be  
2 physicians or nurses certified under the Hospice and Palliative Medicine  
3 Certification Program administered by the American Board of Internal  
4 Medicine. One member shall be an employee of the department familiar with  
5 hospice and palliative medicine. The remaining members shall (a) have  
6 palliative care work experience, (b) have experience with palliative care  
7 delivery models in a variety of settings, such as acute care, long-term  
8 care, and hospice care, and with a variety of populations, including  
9 pediatric patients, youth patients, and adult patients, or (c) be  
10 representatives of palliative care patients and their family caregivers.

11 (3) The council shall meet at least twice each calendar year. The  
12 members shall elect a chairperson and vice-chairperson. The members shall  
13 be reimbursed for ~~their actual and necessary~~ expenses as provided in  
14 sections 81-1174 to 81-1177 but shall not receive any other compensation  
15 for such services.

16 (4) The department shall provide a place and time for the council to  
17 meet and provide staffing assistance as necessary for the meetings.

18 Sec. 69. Section 71-4723, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 71-4723 The members of the commission shall receive no compensation  
21 for their services as such but shall be reimbursed for ~~their actual and~~  
22 ~~necessary~~ expenses in attending meetings of the commission and in  
23 carrying out their official duties as provided in sections 81-1174 to  
24 81-1177, ~~for state employees.~~

25 Sec. 70. Section 71-4728.05, Reissue Revised Statutes of Nebraska,  
26 is amended to read:

27 71-4728.05 (1) The commission shall appoint the Interpreter Review  
28 Board as required in section 20-156.

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

30 (a) A representative of the Department of Health and Human Services  
31 and the executive director of the commission or his or her designee, both

1 of whom shall serve continuously and without limitation;

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

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

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

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

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

12 (g) One representative of local government, appointed for a term to  
13 expire on June 30, 2010.

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

21 (4) The commission may remove a member of the board for  
22 inefficiency, neglect of duty, or misconduct in office after delivering  
23 to such member a copy of the charges and a public hearing in accordance  
24 with the Administrative Procedure Act. If a vacancy occurs on the board,  
25 the commission shall appoint another member with the same qualifications  
26 as the vacating member to serve the remainder of the term. The members of  
27 the board shall receive no compensation but shall be reimbursed for ~~their~~  
28 ~~actual and necessary~~ expenses, as provided in sections 81-1174 to  
29 81-1177, in attending meetings of the commission and in carrying out  
30 their official duties as provided in this section and section 20-156.

31 (5) The board shall establish policies, standards, and procedures

1 for evaluating and licensing interpreters, including, but not limited to,  
2 testing, training, issuance, renewal, and denial of licenses, continuing  
3 education and continuing competency assessment, investigation of  
4 complaints, and disciplinary actions against a license pursuant to  
5 section 20-156.

6 Sec. 71. Section 71-5657, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 71-5657 Members of the commission shall be reimbursed for ~~their~~  
9 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177  
10 from funds appropriated for the Rural Health Systems and Professional  
11 Incentive Act.

12 Sec. 72. Section 71-6227, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 71-6227 (1) The director may, with the advice of the board, adopt  
15 and promulgate rules and regulations necessary to carry out the Nebraska  
16 Regulation of Health Professions Act.

17 (2) The director shall provide all necessary professional and  
18 clerical services to assist the committees and the board. Records of all  
19 official actions and minutes of all business coming before the committees  
20 and the board shall be kept. The director shall be the custodian of all  
21 records, documents, and other property of the committees and the board.

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

25 Sec. 73. Section 71-6303, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 71-6303 (1) The department shall administer the Asbestos Control  
28 Act.

29 (2) The department shall adopt and promulgate rules and regulations  
30 necessary to carry out the act. The department shall adopt state  
31 standards governing asbestos projects and may adopt or incorporate part



1 or all of any federal standards in the state standards so long as state  
2 standards are no less stringent than federal standards.

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

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

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

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

12 (iv) For approval of an initial training course, not less than one  
13 thousand dollars or more than two thousand five hundred dollars, which  
14 fee shall include one onsite inspection if the inspection is required by  
15 the department;

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

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

25 (vii) For a project review of each asbestos project of a licensed  
26 business entity which is equal to or greater than two hundred sixty  
27 linear feet or any combination which is equal to or greater than one  
28 hundred sixty square feet and linear feet, including any initial onsite  
29 inspection, not less than two hundred dollars or more than five hundred  
30 dollars.

31 (b) Any business applicant whose application is rejected shall be

1 allowed the return of the application fee, except that an administrative  
2 charge of three hundred dollars for a license and one hundred dollars for  
3 approval of a training course shall be retained by the department.

4 (c) All fees shall be based on the costs of administering the  
5 Asbestos Control Act. In addition to the fees prescribed in this section,  
6 the department may charge and receive reimbursement ~~the actual costs~~ for  
7 board, room, and travel by employees in excess of three hundred dollars,  
8 which reimbursement ~~costs~~ shall not exceed the amounts allowable in  
9 sections 81-1174 to 81-1177. All such fees collected by the department  
10 shall be remitted to the State Treasurer for credit to the Health and  
11 Human Services Cash Fund. Money credited to the fund pursuant to this  
12 section shall be used by the department for the purpose of administering  
13 the act.

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

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

19 (6) The department shall adopt and promulgate rules and regulations  
20 defining work practices for asbestos projects. The department may provide  
21 for alternatives to specific work practices when the health, safety, and  
22 welfare of all classes of asbestos occupations and the general public are  
23 adequately protected.

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

27 Sec. 74. Section 71-6321, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 71-6321 (1) The department shall administer the Residential Lead-  
30 Based Paint Professions Practice Act.

31 (2) The department shall adopt and promulgate rules and regulations

1 necessary to carry out such act. The department shall adopt state  
2 standards governing abatement projects and may adopt or incorporate part  
3 or all of any federal standards in such state standards so long as state  
4 standards are no less stringent than federal standards.

5 (3) The department shall prescribe fees based upon the following  
6 schedule:

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

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

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

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

22 (e) For a project review of each abatement project of a licensed  
23 firm, not less than two hundred dollars or more than five hundred  
24 dollars.

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

29 All fees shall be based on the costs of administering the act. In  
30 addition to the fees prescribed in this section, the department may  
31 charge and receive reimbursement ~~the actual costs~~ for board, room, and

1 travel by employees in excess of three hundred dollars, which  
2 reimbursement ~~costs~~ shall not exceed the amounts allowable in sections  
3 81-1174 to 81-1177. All such fees collected by the department shall be  
4 remitted to the State Treasurer for credit to the Health and Human  
5 Services Cash Fund. Money credited to the fund pursuant to this section  
6 shall be used by the department for the purpose of administering the act.

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

10 (5) The department may enter into agreements or contracts with  
11 public agencies to conduct any inspections required under the act if such  
12 agencies have the appropriate licensure or accreditation as described in  
13 the act.

14 (6) The department shall adopt and promulgate rules and regulations  
15 defining work practices for abatement projects, for the licensure of  
16 lead-based paint professions, for the accreditation of training programs,  
17 for the accreditation of training program providers, for the  
18 dissemination of prerenovation information to homeowners and occupants,  
19 for the facilitation of compliance with federal lead-based paint hazard  
20 control grant programs, and for the implementation of lead-based paint  
21 compliance monitoring and enforcement activities. The department may  
22 provide for alternatives to specific work practices when the health,  
23 safety, and welfare of all classes of lead-based paint professions and  
24 the general public are adequately protected.

25 (7) The department may apply for and receive funds from the federal  
26 government and any other public or private entity for the purposes of  
27 administering the act. Any funds applied for, received, or used by the  
28 department or any political subdivision from the federal government or  
29 any public entity may be used only to abate lead-based paint hazards and  
30 for the administration of lead-based paint programs which address health  
31 and environmental hazards caused by lead-based paint.

1           Sec. 75. Section 71-7012, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-7012 The Breast and Cervical Cancer Advisory Committee is  
4 established. The committee consists of the members of the Mammography  
5 Screening Committee serving immediately prior to September 9, 1995, and  
6 eight additional members appointed by the chief executive officer of the  
7 department or his or her designee who have expertise or a personal  
8 interest in cervical cancer. The committee shall consist of not more than  
9 twenty-four volunteer members, at least eight of whom are women,  
10 appointed by the chief executive officer or his or her designee. Members  
11 of the committee shall be persons interested in health care, the  
12 promotion of breast cancer screening, and cervical cancer and shall be  
13 drawn from both the private sector and the public sector. At least one  
14 member shall be a person who has or who has had breast cancer.

15           Of the initial members of the committee, four shall be appointed for  
16 terms of one year and four shall be appointed for terms of two years.  
17 Thereafter all appointments shall be for terms of two years. All members  
18 shall serve until their successors are appointed. No member shall serve  
19 more than two successive two-year terms. Vacancies in the membership of  
20 the committee for any cause shall be filled by appointment by the chief  
21 executive officer or his or her designee for the unexpired term.

22           Duties of the committee shall include, but not be limited to,  
23 encouraging payment of public and private funds to the Breast and  
24 Cervical Cancer Cash Fund, researching and recommending to the department  
25 reimbursement limits, planning and implementing outreach and educational  
26 programs to Nebraska women, advising the department on its operation of  
27 the early detection of breast and cervical cancer grant from the United  
28 States Department of Health and Human Services, and encouraging payment  
29 of public and private funds to the fund. Members of the committee shall  
30 be reimbursed for ~~their actual and necessary~~ expenses as provided in  
31 sections 81-1174 to 81-1177.

1           Sec. 76. Section 71-8236, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-8236 The State Trauma Advisory Board is created. The board shall  
4 be composed of representatives knowledgeable in emergency medical  
5 services and trauma care, including emergency medical providers such as  
6 physicians, nurses, hospital personnel, prehospital or out-of-hospital  
7 providers, local government officials, state officials, consumers, and  
8 persons affiliated professionally with health science schools. The  
9 Director of Public Health or his or her designee shall appoint the  
10 members of the board for staggered terms of three years each. The  
11 department shall provide administrative support to the board. All members  
12 of the board may be reimbursed for ~~their actual and necessary~~ expenses  
13 incurred in the performance of their duties as such members as provided  
14 in sections 81-1174 to 81-1177. The terms of members representing the  
15 same field shall not expire at the same time.

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

19           Sec. 77. Section 71-8251, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           71-8251 The department shall establish a regional trauma advisory  
22 board within each trauma care region. The department shall appoint  
23 members, to be comprised of a balance of hospital representatives and  
24 out-of-hospital emergency services providers, local elected officials,  
25 consumers, local law enforcement representatives, and local government  
26 agencies involved in the delivery of emergency medical services and  
27 trauma care recommended by the local emergency medical services providers  
28 and medical facilities located within the region. All members of the  
29 board may be reimbursed for ~~their actual and necessary~~ expenses incurred  
30 in the performance of their duties as such members pursuant to sections  
31 81-1174 to 81-1177.

1           Sec. 78. Section 71-8604, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-8604 (1) The Commission for the Blind and Visually Impaired is  
4 created. The governing board of the commission shall consist of five  
5 members appointed by the Governor with the approval of a majority of the  
6 members of the Legislature. All board members shall have reasonable  
7 knowledge or experience in issues related to blindness which may include,  
8 but is not limited to, reasonable knowledge or experience acquired  
9 through membership in consumer organizations of the blind. No board  
10 member or his or her immediate family shall be a current employee of the  
11 commission. At least three board members shall be blind persons: One  
12 member shall be a member or designee of the National Federation of the  
13 Blind of Nebraska; one member shall be a member or designee of the  
14 American Council of the Blind of Nebraska; and one member may be a member  
15 of another consumer organization of the blind.

16           (2) Board members shall be appointed for staggered terms with the  
17 initial members appointed for terms as follows: Two members for terms  
18 ending on December 31, 2001, and three members for terms ending December  
19 31, 2003. Subsequent appointments shall be for terms of four years with  
20 no board member appointed to more than two consecutive terms. Board  
21 members whose terms have expired shall continue to serve until their  
22 successors have been appointed. In the case of a vacancy, the Governor  
23 shall appoint a successor for the unexpired term. Board members may be  
24 removed for cause.

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

28           (4) Board members shall receive a per diem of seventy dollars for  
29 each day spent in the performance of their official duties and shall be  
30 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
31 performance of their official duties as provided in sections 81-1174 to

1 81-1177. Aside from the provisions of this subsection, a board member  
2 shall not receive other compensation, perquisites, or allowances for the  
3 performance of official duties.

4 Sec. 79. Section 71-8803, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 71-8803 (1) The Stem Cell Research Advisory Committee is created.  
7 The committee shall consist of the dean of every medical school in  
8 Nebraska that is accredited by the Liaison Committee on Medical Education  
9 or his or her designee and additional members appointed as follows: (a)  
10 The dean of every medical school in Nebraska shall nominate three  
11 scientists from outside Nebraska conducting human stem cell research with  
12 funding from the National Institutes of Health of the United States  
13 Department of Health and Human Services; and (b) the chief medical  
14 officer as designated in section 81-3115 shall select two of such  
15 scientists from each set of nominations to serve on the committee.  
16 Appointments by the chief medical officer pursuant to this subsection  
17 shall be approved by the Legislature. Members appointed by the chief  
18 medical officer shall serve for staggered terms of three years each and  
19 until their successors are appointed and qualified. Such members may be  
20 reappointed for additional three-year terms.

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

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

28 Sec. 80. Section 72-201, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 72-201 (1) The Board of Educational Lands and Funds shall consist of  
31 five members to be appointed by the Governor with the consent of a



1 majority of the members elected to the Legislature. One member shall be  
2 appointed from each of the congressional districts as the districts were  
3 constituted on January 1, 1961, and a fifth member shall be appointed  
4 from the state at large. One member of the board shall be competent in  
5 the field of investments. The initial members shall be appointed to take  
6 office on October 1, 1955, and shall hold office for the following  
7 periods of time: The member from the first congressional district for one  
8 year; the member from the second congressional district for two years;  
9 the member from the third congressional district for three years; the  
10 member from the fourth congressional district for four years; and the  
11 member from the state at large for five years. As the terms of the  
12 members expire, the Governor shall appoint or reappoint a member of the  
13 board for a term of five years, except members appointed to fill  
14 vacancies whose tenures shall be the unexpired terms for which they are  
15 appointed. If the Legislature is not in session when such members, or  
16 some of them, are appointed by the Governor, such members shall take  
17 office and act as recess appointees until the Legislature next thereafter  
18 convenes. The compensation of the members shall be fifty dollars per day  
19 for each day's time actually engaged in the performance of the duties of  
20 their office. Each member shall be reimbursed for ~~paid his or her~~  
21 ~~necessary traveling~~ expenses incurred while upon business of the board as  
22 provided in sections 81-1174 to 81-1177. The board shall cause all  
23 school, university, agricultural college, and state college lands, owned  
24 by or the title to which may hereafter vest in the state, to be  
25 registered, leased, and sold as provided in sections 72-201 to 72-251 and  
26 shall have the general management and control of such lands and make  
27 necessary rules not provided by law. The funds arising from these lands  
28 shall be disposed of in the manner provided by the Constitution of  
29 Nebraska, sections 72-201 to 72-251, and other laws of Nebraska not  
30 inconsistent herewith.

31 (2) No person shall be eligible to membership on the board who is

1 actively engaged in the teaching profession, who holds or has any  
2 financial interest in a school land lease, who is a holder of or a  
3 candidate for any state office or a member of any state board or  
4 commission, or who has not resided in this state for at least three  
5 years.

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

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

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

19 Sec. 81. Section 72-224.03, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 72-224.03 Except as otherwise provided in section 72-222.02, any  
22 public body that has or hereafter shall be granted by the Legislature the  
23 authority to acquire educational lands for public use shall be required  
24 to condemn the interest of the state, as trustee for the public schools,  
25 in educational lands in the following manner:

26 (1) The proceedings shall be had before a board consisting of (a)  
27 the superintendent of a school district offering instruction in grades  
28 kindergarten through twelve, (b) a certified public accountant, and (c) a  
29 credentialed real property appraiser, all appointed by the Governor for a  
30 term of six years, except that of the initial appointees one shall serve  
31 for a term of two years, one for a term of four years, and one for a term

1 of six years as designated by the Governor. The members of the board  
2 shall each receive fifty dollars for each day actually engaged in the  
3 performance of official duties and shall be reimbursed for ~~actual~~ and  
4 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 to be paid  
5 by the Board of Educational Lands and Funds;

6 (2) The condemnation proceedings shall be commenced by the filing of  
7 a plat and complete description of the lands to be acquired together with  
8 an application for that purpose with the secretary of the Board of  
9 Educational Lands and Funds. Notice of the pendency of such application  
10 and the date of hearing shall be given by serving a copy of the  
11 application, together with notice of the date of hearing, upon the  
12 Governor and the Attorney General. The date of hearing shall be not less  
13 than ten days from the date of the filing of the application;

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

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

22 (5) Upon payment of the amount of the award by the condemner, it  
23 shall be the duty of the secretary of the Board of Educational Lands and  
24 Funds to transmit a certified copy of the award to the condemner for  
25 filing in the office of the register of deeds in the county or counties  
26 where the land is located. The filing of such certified copy of the award  
27 shall have the force and effect of a deed of conveyance of the real  
28 estate and shall constitute a transfer of the title thereto.

29 Sec. 82. Section 72-1239, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 72-1239 The purpose of the council is to formulate and establish

1 such policies as it may deem necessary and proper which shall govern the  
2 methods, practices, and procedures followed by the state investment  
3 officer for the investment or reinvestment of state funds and funds  
4 described in section 83-133 and the purchase, sale, or exchange of  
5 securities as provided by the Nebraska State Funds Investment Act. The  
6 council shall meet from time to time as directed by the Governor or the  
7 chairperson or as requested by the state investment officer. The members  
8 of the council, except the State Treasurer, the director of the Nebraska  
9 Public Employees Retirement Systems, and beginning January 1, 2017, each  
10 administrator of a retirement system provided for under the Class V  
11 School Employees Retirement Act, shall be paid seventy-five dollars per  
12 diem. The members shall be reimbursed for ~~their actual and necessary~~  
13 expenses incurred in connection with the performance of their duties as  
14 members as provided in sections 81-1174 to 81-1177.

15 Sec. 83. Section 72-2007, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 72-2007 (1) The Niobrara Council is created. The council membership  
18 shall include:

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

22 (b) A representative of the Middle Niobrara Natural Resources  
23 District and the Lower Niobrara Natural Resources District chosen by the  
24 board of the respective district;

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

27 (d) The regional director for the National Park Service or his or  
28 her designee and the regional director for the United States Fish and  
29 Wildlife Service or his or designee. The members under this subdivision  
30 shall be nonvoting members unless and until the agencies represented by  
31 these members formally authorize such members to vote on all matters

1 before the council by notifying the council and the Governor in writing;

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

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

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

17 (h) A representative of a recognized, nonprofit environmental,  
18 conservation, or wildlife organization chosen by the Governor from a list  
19 of at least three individuals, or fewer if there are not at least three  
20 qualified individuals, submitted by the county board members on the  
21 council.

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

27 (2) The council shall elect a chairperson, a vice-chairperson, a  
28 secretary, and a treasurer who shall jointly serve as the executive  
29 committee for the council. The council shall meet on a regular basis with  
30 a minimum of six meetings per year. Special meetings may be called by any  
31 member of the executive committee or at the request of a simple majority

1 of the members of the council.

2 (3) A quorum shall be present at a meeting before any action may be  
3 taken by the council. A quorum shall be a majority of the members who are  
4 selected and serving and who vote on issues before the council. All  
5 actions of the council require a majority vote of the quorum present at  
6 any meeting, except that any vote to reject or adopt any zoning  
7 regulation or variance under section 72-2010 requires a vote of two-  
8 thirds of all the council members who are selected and serving and who  
9 vote on issues before the council.

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

13 Sec. 84. Section 72-2103, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 72-2103 The members of the Governor's Residence Advisory Commission  
16 shall serve without compensation. The members shall be reimbursed for  
17 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
18 81-1177.

19 Sec. 85. Section 75-104, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 75-104 (1) Until January 4, 2007, the annual salary of each  
22 commissioner shall be fifty thousand dollars. Commencing January 4, 2007,  
23 the annual salary of each commissioner shall be seventy-five thousand  
24 dollars.

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

29 (a) The Public Service Commission has adopted and promulgated rules  
30 and regulations establishing guidelines for allowable reimbursement of  
31 such mileage expenses, except that such mileage rate shall not exceed the

1 mileage rate established by the Department of Administrative Services  
2 pursuant to section 81-1176;

3 (b) The request for such reimbursement falls within such guidelines;  
4 and

5 (c) The total amounts authorized for such reimbursement of mileage  
6 expenses in any fiscal year does not cause the total expenses to exceed  
7 the total funds appropriated to the program established for  
8 commissioners' expenses. In addition thereto, the commissioners,  
9 executive director, clerks, and other employees of the commission shall  
10 be reimbursed for ~~entitled to receive from the state their actual~~  
11 ~~necessary traveling~~ expenses, including the cost of transportation while  
12 traveling on the business of the commission, to be paid in the same  
13 manner as other requests for payment or reimbursement from the state. In  
14 computing the cost of transportation for the commissioners, executive  
15 director, clerks, and other employees, no mileage or other traveling  
16 expense shall be requested or allowed unless sections 81-1174 to 81-1177  
17 are strictly complied with.

18 Sec. 86. Section 76-2222, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 76-2222 (1) The Real Property Appraiser Board is hereby created. The  
21 board shall consist of five members. One member who is a certified real  
22 property appraiser shall be selected from each of the three congressional  
23 districts, and two members shall be selected at large. The two members  
24 selected at large shall include one representative of financial  
25 institutions and one licensed real estate broker who also holds a  
26 credential as a licensed or certified real property appraiser. The  
27 Governor shall appoint the members of the board.

28 (2) The term of each member of the board shall be five years. Upon  
29 the expiration of his or her term, a member of the board shall continue  
30 to hold office until the appointment and qualification of his or her  
31 successor. No person shall serve as a member of the board for consecutive

1 terms. Any vacancy shall be filled in the same manner as the original  
2 appointment. The Governor may remove a member for cause.

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

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

6 (5) Each member of the board shall receive a per diem of one hundred  
7 dollars per day (a) for each scheduled meeting of the board or a  
8 committee of the board at which the member is present and (b) actually  
9 spent in traveling to and from and attending meetings and conferences of  
10 the Association of Appraiser Regulatory Officials and its committees and  
11 subcommittees or of The Appraisal Foundation and its committees and  
12 subcommittees, board committee meetings, or other business as authorized  
13 by the board.

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

18 Sec. 87. Section 77-27,157, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 77-27,157 The Nebraska Economic Forecasting Advisory Board shall  
21 consist of nine members, five of whom shall be appointed by and serve at  
22 the pleasure of the Executive Board of the Legislative Council and four  
23 of whom shall be appointed by and serve at the pleasure of the Governor.  
24 The original gubernatorial appointees shall serve for two-year terms.  
25 Successive gubernatorial appointees and all legislative appointees shall  
26 serve for four-year terms. After appointments are made, the board shall  
27 select a chairperson and a vice-chairperson from its membership. The  
28 chairperson and vice-chairperson shall serve for two-year terms. The  
29 chairperson of the board on September 6, 1985, shall serve until his or  
30 her successor is selected. Each member of the board shall have  
31 demonstrated expertise in the field of tax policy, economics, or economic



1 forecasting. A majority of the members of the board shall constitute a  
2 quorum for the purpose of transacting business and every act of a  
3 majority of the members shall be deemed an act of the board. Board  
4 members shall serve without compensation but may be reimbursed for ~~actual~~  
5 ~~and necessary expenses as provided in sections 81-1174 to 81-1177~~. Board  
6 members appointed by the Legislative Council shall receive such  
7 reimbursement out of the appropriation made to the Legislature's Fiscal  
8 and Program Analysis Program. Board members appointed by the Governor  
9 shall receive such reimbursement out of the appropriation made to the  
10 Department of Revenue for administration.

11 Sec. 88. Section 77-5004, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

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

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

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

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

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

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

31 (e) At least thirty hours of successfully completed class hours in

1 courses of study, approved by the Real Property Appraiser Board, which  
2 relate to appraisal and which include the fifteen-hour National Uniform  
3 Standards of Professional Appraisal Practice Course. If a commissioner  
4 has not received such training prior to his or her appointment, such  
5 training shall be completed within one year after appointment; and

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

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

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

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

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

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

30 (b) Pertaining to management, law, civil or administrative  
31 procedure, or other knowledge or skill necessary for performing the

1 duties of the office.

2 (7) Each commissioner shall within two years after his or her  
3 appointment attend at least thirty hours of instruction that constitutes  
4 training for judges or administrative law judges.

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

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

11 Sec. 89. Section 77-5206, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 77-5206 Once every two years, the members of the board shall elect a  
14 chairperson and a vice-chairperson. A member of the board may be  
15 reelected to the position of chairperson or vice-chairperson upon the  
16 discretion of the board. Members of the board shall be reimbursed for  
17 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
18 81-1177.

19 Sec. 90. Section 79-317, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

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

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

1 at all meetings except when the order of business for the board is the  
2 selection of a Commissioner of Education.

3 (3) The members of the State Board of Education shall receive no  
4 compensation for their services but shall be reimbursed for ~~actual and~~  
5 ~~essential~~ expenses incurred in attending meetings or incurred in the  
6 performance of duties as directed by the board as provided in sections  
7 81-1174 to 81-1177.

8 Sec. 91. Section 79-546, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 79-546 Except as provided in section 79-1217, all members of a  
11 school board, board of education, or other governing board created  
12 pursuant to Chapter 79 shall not receive a per diem. Each such board may  
13 provide or reimburse members for ~~their actual and necessary~~ expenses  
14 incurred while carrying out their duties. Mileage expenses shall be  
15 computed at the rate provided in section 81-1176. Sections 81-1174,  
16 81-1175, and 81-1177 shall serve as guidelines for such boards when  
17 determining allowable expenses and reimbursement for such expenses.

18 Sec. 92. Section 79-760.03, Revised Statutes Cumulative Supplement,  
19 2018, is amended to read:

20 79-760.03 (1) For school year 2009-10 and each school year  
21 thereafter, the State Board of Education shall implement a statewide  
22 system for the assessment of student learning and for reporting the  
23 performance of school districts and learning communities pursuant to this  
24 section. The assessment and reporting system shall measure student  
25 knowledge of subject matter materials covered by measurable academic  
26 content standards selected by the state board.

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

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

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

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

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

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

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

30 (4) Through school year 2016-17, the state board shall prescribe a  
31 statewide assessment of writing that relies on writing samples in each of

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

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

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

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

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

1 electronically.

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

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

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

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

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

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

29 The department may determine appropriate accommodations for the  
30 assessment of students with disabilities or any student receiving special  
31 education programs and services pursuant to section 79-1139. Alternate

1 academic achievement standards in reading, mathematics, and science and  
2 alternate assessment instruments aligned with the standards may be among  
3 the accommodations for students with severe cognitive disabilities.

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

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

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

13 Sec. 93. Section 79-760.07, Revised Statutes Cumulative Supplement,  
14 2018, is amended to read:

15 79-760.07 (1) For each school designated as a priority school, the  
16 Commissioner of Education shall appoint an intervention team. The  
17 intervention team shall assist the school district with diagnosing issues  
18 that negatively affect student achievement in the priority school,  
19 designing and implementing strategies to address such issues through the  
20 progress plan, and developing measurable indicators of progress.

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



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

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

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

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

30 (6) The Commissioner of Education shall annually report to the  
31 Governor and electronically to the Clerk of the Legislature and the

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

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

9 79-808 (1) The board shall establish, adopt, and promulgate  
10 appropriate rules, regulations, and procedures governing the issuance,  
11 renewal, conversion, suspension, and revocation of certificates and  
12 permits to teach, provide special services, and administer based upon (a)  
13 earned college credit in humanities, social and natural sciences,  
14 mathematics, or career and technical education, (b) earned college  
15 credit, or its equivalent in professional education, for particular  
16 teaching, special services, or administrative assignments, (c) criminal  
17 history record information if the applicant has not been a continuous  
18 Nebraska resident for five years immediately preceding application for  
19 the first issuance of a certificate, (d) human relations training, (e)  
20 successful teaching, administration, or provision of special services,  
21 and (f) moral, mental, and physical fitness for teaching, all in  
22 accordance with sound educational practices. Such rules, regulations, and  
23 procedures shall also provide for endorsement requirements to indicate  
24 areas of specialization on such certificates and permits.

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

28 (3) Members of any advisory committee established by the board to  
29 assist the board in teacher education and certification matters shall be  
30 reimbursed for ~~their actual and necessary~~ expenses as provided in  
31 sections 81-1174 to 81-1177. Each school district which has an employee

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

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

10 79-861 (1) The Governor shall appoint a Professional Practices  
11 Commission of twelve members nominated by the teaching profession and  
12 existing teachers professional organizations. Members shall be  
13 representative of elementary classroom teachers, secondary classroom  
14 teachers, school administrators, and postsecondary education. Members  
15 shall be appointed for staggered terms of three years. No member may  
16 succeed himself or herself more than once. Members shall be reimbursed  
17 for ~~their actual and necessary~~ expenses as provided in sections 81-1174  
18 to 81-1177. Compensation of members who are public employees shall not be  
19 reduced by the agency or body by which they are regularly employed for  
20 any absence from service occasioned by attendance upon the business of  
21 the commission or any panel, committee, or subcommittee of the  
22 commission. Each school district which employs a member of the commission  
23 and which is required to employ a person to replace such member during  
24 his or her attendance at meetings of the commission or any panel,  
25 committee, or subcommittee of the commission shall be reimbursed from the  
26 Professional Practices Commission Fund for the expense the district  
27 incurs from employing a replacement.

28 (2) The members of the commission shall elect a chairperson pursuant  
29 to the working rules of the commission. The chairperson shall call  
30 meetings of the commission, preside at all meetings of the commission en  
31 banc, assign the work of the commission to the members, and perform such

1 other supervisory duties as required.

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

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

11 79-863 The clerk of the commission shall receive such salary as the  
12 commission with the approval of the Governor determines. Such salary  
13 shall be payable in the same manner as the salaries of other state  
14 employees, and the clerk shall be reimbursed for ~~his or her~~ actual  
15 expenses incurred in the performance of his or her duties as provided in  
16 sections 81-1174 to 81-1177.

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

19 79-1104.04 (1) The board of trustees shall include the following six  
20 members:

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

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

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

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

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

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

31 (2) The terms of office for members initially appointed under

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

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

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

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

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

31 Sec. 98. Section 79-1217, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 79-1217 (1) All educational service units shall be governed by a  
3 board to be known as the Board of Educational Service Unit No. . . . .  
4 Until the first Thursday after the first Tuesday in January 2009, the  
5 educational service unit board, except the board of an educational  
6 service unit with only one member school district, shall be composed of  
7 one member from each county and four members at large, all of whom shall  
8 reside within the geographical boundaries of the educational service  
9 unit, but no more than two of the members at large shall be appointed or  
10 elected from the same county unless any one county within the educational  
11 service unit has a population in excess of one hundred fifty thousand  
12 inhabitants or the educational service unit consists of only one county.  
13 Beginning on the first Thursday after the first Tuesday in January 2009,  
14 the educational service unit board, except the board of an educational  
15 service unit with only one member school district, shall be composed of  
16 one member elected to represent each election district established  
17 pursuant to section 79-1217.01. Successors to the members initially  
18 appointed pursuant to section 79-1212 shall be elected pursuant to  
19 section 32-515.

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

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

5 (4) Any joint school district located in two or more counties shall  
6 be considered a part of the educational service unit in which the greater  
7 number of school-age children of such joint school district reside.

8 (5) The administrator of each educational service unit, prior to  
9 July 1 of each year in which a statewide primary election is to be held,  
10 shall certify to the election commissioner or county clerk of each county  
11 located within the unit the corporate name of each school district, as  
12 described in section 79-405, located within the county. If a school  
13 district is a joint school district located in two or more counties, the  
14 administrator shall certify to each election commissioner or county clerk  
15 the educational service unit of which the school district is considered  
16 to be a part.

17 (6) An educational service unit may consist of a single school  
18 district if the single school district is either a Class IV or Class V  
19 school district. An educational service unit with only one member school  
20 district shall be governed by the school board of such school district  
21 and shall participate in one or more of the statewide projects managed by  
22 the Educational Service Unit Coordinating Council.

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

25 79-1816 The members of the authority shall receive no compensation  
26 for the performance of their duties as members, but each such member  
27 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses  
28 while engaged in the performance of such duties as provided in sections  
29 81-1174 to 81-1177 from any funds legally available therefor.

30 Sec. 100. Section 79-2204, Revised Statutes Cumulative Supplement,  
31 2018, is amended to read:

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

4           (a) The following ex officio members:

5           (i) The Commissioner of Education;

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

8           (iii) The compact commissioner appointed pursuant to section  
9 79-2205; and

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

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

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

16           (ii) A representative of a military installation located in this  
17 state.

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

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

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

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

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



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

3           80-318 For the purpose of determining continued eligibility of  
4 members to remain in one of the Nebraska veterans homes and for the  
5 purpose of recommending matters of policy, rules and regulations,  
6 administration, and maintenance pertaining to each of the Nebraska  
7 veterans homes, the Veterans' Homes Board is established. The board shall  
8 be composed of two members selected by each of the recognized veterans  
9 organizations in Nebraska identified in subdivision (1) of section  
10 80-401.01, and the Director of Veterans' Affairs who shall serve as the  
11 permanent board secretary. Such members shall be selected in the manner  
12 and serve for such term as the veterans organization may prescribe. If a  
13 member selected by any such veterans organization is unavailable to  
14 attend a meeting of the board or unable to serve for any reason, the  
15 incumbent department commander of such organization may appoint some  
16 other member of his or her organization to serve on the board. The  
17 chairperson shall be selected from among the members of the board. No  
18 salary shall be paid to any member of the board, but ~~actual~~ expenses of  
19 the members of the board when attending regularly called meetings of that  
20 board shall be paid as provided in sections 81-1174 to 81-1177 from the  
21 administrative funds of the Department of Veterans' Affairs.

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

24           80-401.02 There is hereby created a department of government to be  
25 known as the Department of Veterans' Affairs. The chief administrative  
26 officer of the department shall be the director to be known as the  
27 Director of Veterans' Affairs. He or she shall be appointed by the  
28 Governor, subject to confirmation by the Legislature. No person shall be  
29 eligible to receive appointment as director unless such person has the  
30 following qualifications: (1) Resident of the State of Nebraska for at  
31 least five years immediately prior to his or her appointment; (2) citizen

1 of the United States; and (3) served in the armed forces of the United  
2 States during any of the periods identified in section 80-401.01 and  
3 discharged or otherwise separated with a characterization of honorable  
4 from such service. The director shall serve until a new director to  
5 succeed him or her is appointed and has qualified. If a vacancy occurs in  
6 the office of director when the Legislature is not in session, the  
7 Governor shall make a temporary appointment until the next meeting of the  
8 Legislature, when the Governor shall present to the Legislature a  
9 recommendation for the office. The director shall receive an annual  
10 salary to be fixed by the Governor, payable in equal monthly  
11 installments. He or she shall be reimbursed for ~~entitled to the necessary~~  
12 ~~and actual~~ expenses involved in the performance of his or her official  
13 duties as provided in sections 81-1174 to 81-1177. He or she shall be  
14 bonded or insured as required by section 11-201. The director shall  
15 appoint state service officers and assistants, whose appointments shall  
16 be approved by the Veterans' Advisory Commission.

17 The department shall be the designated state agency to advocate on  
18 behalf of veterans.

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

21 80-401.08 The members of the Veterans' Advisory Commission shall  
22 annually appoint one of its members as chairperson and one as secretary.  
23 The members of the commission shall each qualify by taking and  
24 subscribing an oath of office. No member shall receive any salary for his  
25 or her services, but each shall be reimbursed for ~~his or her actual and~~  
26 ~~necessary~~ expenses incurred by him or her in performing his or her duties  
27 as provided in sections 81-1174 to 81-1177 ~~for state employees~~.

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

30 81-175 The compensation of the members of the task force shall be  
31 established by the Governor on a per diem basis, and they shall work the

1 days and hours required to accomplish the task. Members of the task force  
2 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in  
3 the performance of their duties as provided in sections 81-1174 to  
4 81-1177 ~~for state employees~~.

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

7 81-502.02 The board shall select from among its members a  
8 chairperson and adopt and promulgate rules and regulations to govern its  
9 procedures. Any vacancy occurring in the board shall be filled in the  
10 manner in which original appointments are made. No person shall receive  
11 any compensation for services rendered as a member of the board. Each  
12 member of the board shall be reimbursed for ~~his or her actual and~~  
13 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~  
14 ~~employees~~. The board shall meet at such times as the business of the  
15 board requires and at such places as may be established by its  
16 chairperson. When requested to do so by the State Fire Marshal, it shall  
17 be the duty of the board to make a study of the specific problems,  
18 questions, or appeals presented to the board. No member of the board  
19 shall sit in hearing upon any question in which such member or any  
20 corporation of which he or she is a shareholder or employee is a party.

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

23 81-829.53 Personnel of state emergency response teams while on duty,  
24 whether within or without the state, shall: (1) If they are employees of  
25 the state, have the powers, duties, rights, privileges, and immunities  
26 and receive the compensation incidental to their employment; (2) if they  
27 are employees of a political subdivision of the state, and whether  
28 serving within or without such political subdivision, have the powers,  
29 duties, rights, privileges, and immunities and receive the compensation  
30 incidental to their employment; and (3) if they are not employees of the  
31 state or a political subdivision thereof, be entitled to compensation by

1 the state at rates to be established by the Governor and shall be  
2 entitled to the same rights and immunities as are provided by law for the  
3 employees of this state. State emergency response teams shall, while on  
4 duty, be subject to the operational control of the authority in charge of  
5 emergency management activities in the area in which they are serving and  
6 shall be reimbursed for ~~all actual and necessary travel and subsistence~~  
7 expenses in accordance with sections 81-1174 to 81-1177.

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

10 81-829.54 (1) The state shall reimburse a political subdivision for  
11 (a) the compensation paid and ~~actual and necessary travel, subsistence,~~  
12 ~~and maintenance~~ expenses of employees of such political subdivision while  
13 serving as members of a state emergency response team as provided in  
14 sections 81-1174 to 81-1177, (b) all payments for death, disability, or  
15 injury of such employees incurred in the course of such duty as provided  
16 in the Nebraska Workers' Compensation Act, and (c) all losses of or  
17 damage to supplies and equipment of such political subdivision resulting  
18 from the operation of such state emergency response team.

19 (2) The state shall pay a fee for rental of privately owned  
20 equipment used in the operation of a state emergency response team and  
21 shall also pay for any loss or damage to privately owned equipment used  
22 in emergency response. The fee for rental of such privately owned  
23 equipment shall be fixed, and any loss or damage to such equipment shall  
24 be assessed by a board consisting of three persons to be appointed by the  
25 Governor, one of whom shall be the materiel administrator of the materiel  
26 division of the Department of Administrative Services.

27 Sec. 108. Section 81-885.07, Reissue Revised Statutes of Nebraska,  
28 is amended to read:

29 81-885.07 (1) There is hereby created the State Real Estate  
30 Commission which shall consist of the Secretary of State, who shall be  
31 chairperson of the commission, and six members appointed by the Governor.

1 Three of the members of the commission appointed by the Governor shall be  
2 active and licensed real estate brokers who have engaged in the real  
3 estate business as brokers or associate brokers for not less than five  
4 years, which members shall be appointed by the Governor, one from each of  
5 the three congressional districts as the districts were constituted on  
6 January 1, 2006. The remaining members shall be appointed at large, one  
7 of whom shall be representative of the public, one of whom shall be a  
8 licensed real estate salesperson who has engaged in the real estate  
9 business as a salesperson for not less than three years, and one of whom  
10 shall be an active and licensed real estate broker who has engaged in the  
11 real estate business as a broker or associate broker for not less than  
12 five years. The member representing the former congressional district 1  
13 on July 14, 2006, shall represent congressional district 1 for the  
14 balance of his or her term. The member representing the former  
15 congressional district 2 on July 14, 2006, shall represent congressional  
16 district 2 for the balance of his or her term. The member representing  
17 the former congressional district 3 on July 14, 2006, shall become an at-  
18 large member for the balance of his or her term. The member representing  
19 the former congressional district 4 on July 14, 2006, shall represent  
20 congressional district 3 for the balance of his or her term.

21 (2) At the expiration of the term of any member of the commission,  
22 the Governor shall appoint a successor for a term of six years. Any  
23 appointed member shall be limited to one six-year term, in addition to  
24 any partial term served. In the event of a vacancy on the commission, the  
25 Governor shall fill such vacancy by appointing a member to serve during  
26 the unexpired term of the member whose office has become vacant. In the  
27 absence of the chairperson, the senior member of the commission in point  
28 of service present shall serve as presiding officer. Not less than four  
29 members of the commission must be present at any official meeting of the  
30 commission. The action of the majority of the members of the commission  
31 shall be deemed the action of the commission. No appointed person may act

1 as a member of the commission while holding any other elective or  
2 appointive state or federal office.

3 (3) Each member of the commission shall receive as compensation for  
4 each day actually spent on official duties at scheduled meetings the sum  
5 of one hundred dollars and ~~actual and necessary~~ expenses incurred in the  
6 performance of his or her official duties as provided in sections 81-1174  
7 to 81-1177.

8 (4) The commission shall employ a director who shall keep a record  
9 of all the proceedings, transactions, communications, and official acts  
10 of the commission, be custodian of all the records of the commission, and  
11 perform such other duties as the commission may require. The director  
12 shall call a meeting of the commission at his or her discretion or upon  
13 the direction of the chairperson or upon a written request of two or more  
14 members of the commission. The commission may employ such other employees  
15 as may be necessary to properly carry out the Nebraska Real Estate  
16 License Act, fix the salaries of such employees, and make such other  
17 expenditures as are necessary to properly carry out the act. The office  
18 of the commission shall be maintained in Lincoln and all files, records,  
19 and property of the commission shall remain in such office. Neither the  
20 director nor any employee of the commission may be an officer or paid  
21 employee of any real estate association or group of real estate dealers  
22 or brokers.

23 (5) The commission may adopt and promulgate rules and regulations  
24 relating to the administration of but not inconsistent with the act.

25 (6) The commission may conduct or assist in conducting real estate  
26 institutes and seminars and incur and pay the necessary expenses in  
27 connection therewith, which institutes or seminars shall be open to all  
28 licensees.

29 (7) The commission may charge reasonable fees for services it  
30 renders, not to exceed the actual costs thereof, except as otherwise  
31 provided in the act. The fees established by the commission pursuant to

1 the act shall be established at the level necessary to meet expenditures  
2 of the commission as approved by the Legislature and to provide a  
3 sufficient cash fund balance.

4 Sec. 109. Section 81-8,189, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 81-8,189 Members of the board shall serve without compensation  
7 except that they shall be reimbursed for ~~their actual and necessary~~  
8 expenses incurred in the discharge of their duties pursuant to the  
9 Professional Landscape Architects Act as provided in sections 81-1174 to  
10 81-1177.

11 Sec. 110. Section 81-8,267, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 81-8,267 Members shall receive thirty-five dollars per day for each  
14 day spent in the performance of their official duties. Members shall  
15 receive reimbursement for ~~actual and necessary~~ expenses as provided in  
16 sections 81-1174 to 81-1177 ~~for state employees~~.

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

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

1 three-year term.

2 The Governor shall serve as the chairperson of the Nebraska Capitol  
3 Commission, the Speaker of the Legislature shall serve as the vice-  
4 chairperson of the commission, and the State Capitol Administrator or his  
5 or her representative shall serve as the nonvoting secretary of the  
6 commission.

7 In the absence of the Governor, he or she may designate the  
8 Lieutenant Governor as his or her representative. In the absence of the  
9 Speaker of the Legislature, he or she may designate the chairperson of  
10 the Executive Board of the Legislative Council or the Clerk of the  
11 Legislature as his or her representative. In the absence of the Chief  
12 Justice of the Supreme Court, he or she may designate the State Court  
13 Administrator as his or her representative. Representatives of the  
14 Governor, the Speaker of the Legislature, and the Chief Justice shall  
15 have full voting privileges for the meeting in attendance.

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

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

22 81-1120.18 The division of communications may form temporary  
23 advisory boards to provide advice in the development, management,  
24 administration, and operation of a consolidated communications system to  
25 meet the communications requirements of all departments and agencies of  
26 state government. Board members shall be selected by the division and  
27 shall receive no compensation for duties performed as members of a board,  
28 but shall be reimbursed for ~~actual~~ expenses incurred while engaged in the  
29 performance of their duties under the provisions of sections ~~23-1715,~~  
30 81-1108.02, 81-1120.01 to 81-1120.03, 81-1120.15 to 81-1120.28, and  
31 81-1423 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~



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

3           81-1174 (1) Whenever any state officer, state employee, or member  
4 of any commission, council, committee, or board of the state is seeking  
5 reimbursement for ~~actual~~ expenses incurred by him or her in the line of  
6 duty, he or she shall be required to present a request for payment or  
7 reimbursement to the Director of Administrative Services not later than  
8 sixty days after the final day on which expenses were incurred for which  
9 reimbursement is sought.

10           (2)(a) Each request for reimbursement of travel and lodging expenses  
11 shall be fully itemized, including the amount, date, place, and essential  
12 character of the expense incurred.

13           (b) Each request for any meal or incidental expense incurred during  
14 travel status shall be paid or reimbursed pursuant to a percentage of the  
15 per diem rates of the federal General Services Administration for travel  
16 within the contiguous United States, the United States Department of  
17 Defense for travel within Alaska, Hawaii, or a United States territory or  
18 possession, and the United States Department of State for foreign travel,  
19 as determined by and in accordance with policies established by the  
20 Director of Administrative Services. Such percentage shall not exceed one  
21 hundred percent nor be less than seventy-five percent of the federal per  
22 diem rate. Any meal expense charged directly to and paid for by the state  
23 shall be identified on the request for reimbursement and deducted from  
24 the per diem based on the percentage established for the meal provided.

25           (3) When reimbursement is requested for mileage by automobile, air  
26 travel by commercial carrier, air travel in airplanes chartered by the  
27 department or agency, or air travel by personally rented airplane, the  
28 points between which such travel occurred, the times of arrival and  
29 departure, and the necessity and purpose of such travel shall be stated  
30 on such request. When reimbursement is requested for mileage by  
31 automobile, the motor vehicle license plate number, the total miles

1 traveled, and the rate per mile being requested shall also be shown on  
2 each request.

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

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

16 (6) The statement of expenses shall be duly verified and supported  
17 by receipts for all of such expenditures, ~~except immaterial items~~  
18 ~~identified by the director,~~ for which reimbursement is requested except  
19 for (a) items reimbursed through a per diem payment and (b) immaterial  
20 items identified by the director.

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

23 (8) No personal maintenance expenses shall be allowed to any state  
24 officer, state employee, or member of any commission, council, committee,  
25 or board of the state when such expenses are incurred in the city or  
26 village town in which the residence or primary work location of such  
27 individual is located, except that individuals required to attend  
28 official functions, conferences, or hearings within such location, not to  
29 include normal day-to-day operations of the department, agency,  
30 commission, council, committee, or board, may be paid or reimbursed in  
31 accordance with policies established by the Director of Administrative

1 Services. The approval to attend a function, conference, or hearing shall  
2 be obtained from the director of the department, agency, commission,  
3 council, committee, or board prior to an individual's attendance at such  
4 function, conference, or hearing.

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

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

10 81-1180 Any member of any state commission, council, committee, or  
11 board who is not entitled to reimbursement under ~~the provisions of~~  
12 section 81-1178 or 81-1179 shall be entitled to be reimbursed for ~~his or~~  
13 ~~her necessary and actual~~ expenses as provided in sections 81-1174 to  
14 81-1177 if an appropriation is made for such purpose and if the  
15 reimbursement is approved by the Governor or, in cases in which the  
16 commission, council, committee, or board has been created to assist the  
17 Legislature in the performance of its duties, by the Executive Board of  
18 the Legislative Council.

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

21 81-11,104 (1) The Department of Administrative Services shall  
22 establish an annual performance evaluation process for the administrative  
23 head of each state agency that is not created by the Constitution of  
24 Nebraska and that has an administrative head who is not appointed by the  
25 Governor and who has an annual base salary in excess of thirty thousand  
26 dollars. The first evaluation of an administrative head pursuant to this  
27 section shall not occur prior to the completion of one year of service by  
28 the administrative head. The results of the evaluation shall be provided  
29 to the governing body which appoints the administrative head unless the  
30 evaluation is waived under subsection (3) of this section.

31 (2) The department shall establish and maintain a pool of

1 individuals who are qualified to conduct performance evaluations of  
2 administrative heads and shall schedule annual performance evaluations  
3 for each administrative head who is subject to evaluation. The pool shall  
4 consist of not less than twenty qualified individuals. Each evaluation  
5 shall be conducted by a panel of not less than three and not more than  
6 five individuals as determined by the Director of Administrative Services  
7 and selected at random from the pool by the director or his or her  
8 designee. Each member of the panel shall be paid a daily or hourly fee  
9 set by the department at a level necessary to keep qualified individuals  
10 in the pool. The panel shall also be reimbursed for ~~actual and necessary~~  
11 expenses as provided in sections 81-1174 to 81-1177.

12 (3) The department shall provide staff support and model procedures  
13 and processes for the evaluations. After conducting an evaluation, the  
14 panel shall recommend one of the following to the governing body: (a)  
15 Retain; (b) no comments; (c) retain with qualifications; or (d)  
16 discharge. The rest of the evaluation shall be kept confidential, except  
17 that the governing body may discuss the evaluation with the panel in  
18 executive session and the administrative head may make any part of the  
19 evaluation results public. Evaluation work product and results shall not  
20 be deemed public records and may be withheld from the public pursuant to  
21 section 84-712.05. Each agency shall pay for the cost of the annual  
22 performance evaluation of its administrative head. If a governing body  
23 conducts an annual performance evaluation of the administrative head  
24 using procedures which meet the approval of the department, the annual  
25 performance evaluation under this section may be waived by the director.

26 Sec. 116. Section 81-1348, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 81-1348 There is hereby created the Suggestion Award Board. The  
29 membership of such board shall consist of the Director of Personnel, the  
30 Director of Administrative Services, the Auditor of Public Accounts or  
31 his or her designee, and three persons, each to serve a term of three

1 years, selected and appointed by the Governor from the bargaining units  
2 listed in section 81-1373, except that the first three appointments made  
3 after February 23, 2000, shall be for terms of one year, two years, and  
4 three years, as designated by the Governor. Of the persons selected from  
5 such bargaining units, one person shall be selected from each of such  
6 bargaining units as follows:

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

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

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

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

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

17 Whenever a vacancy occurs on the board for any reason, the Governor  
18 shall appoint an individual to fill such vacancy from the same bargaining  
19 unit in which the vacancy exists.

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

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

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

26 81-1409 The members of the council shall serve without compensation,  
27 but they shall be entitled to receive reimbursement for ~~any actual~~  
28 expenses incurred ~~as a necessary~~ incident to such service as provided in  
29 sections 81-1174 to 81-1177 ~~for state employees~~.

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

1           81-1421 The members of the commission shall serve without  
2 compensation, but they shall be entitled to receive reimbursement for ~~any~~  
3 ~~actual~~ expenses incurred as ~~necessary~~ incident to such service as  
4 provided in sections 81-1174 to 81-1177 ~~for state employees.~~

5           Sec. 119. Section 81-1430, Revised Statutes Cumulative Supplement,  
6 2018, is amended to read:

7           81-1430 (1) A task force is hereby established within the Nebraska  
8 Commission on Law Enforcement and Criminal Justice for the purposes of  
9 investigating and studying human trafficking, the methods for advertising  
10 human trafficking services, and the victimization of individuals coerced  
11 to participate in human trafficking.

12           (2) The task force shall examine the extent to which human  
13 trafficking is prevalent in this state, the scope of efforts being taken  
14 to prevent human trafficking from occurring, and the services available  
15 to victims of human trafficking in this state. The task force shall  
16 utilize information and research available from the Innocence Lost  
17 National Initiative. The task force shall research and recommend a model  
18 of rehabilitative services for victims of human trafficking that includes  
19 input from the areas of law enforcement, social services, the legal  
20 profession, the judiciary, mental health, and immigration. The task force  
21 shall also investigate the limitations upon victims who wish to come  
22 forward and seek medical attention; investigate the potential to stop  
23 human trafficking; and investigate the potential to promote recovery, to  
24 protect families and children who may be profoundly impacted by such  
25 abuse, and to save lives.

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

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

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

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

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

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

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

15 (e) The chief of police or director of public safety of a city of  
16 two hundred thousand inhabitants or more as determined by the most recent  
17 federal decennial census or the most recent revised certified count by  
18 the United States Bureau of the Census;

19 (f) The chief of police or director of public safety of a city of  
20 less than two hundred thousand inhabitants as determined by the most  
21 recent federal decennial census or the most recent revised certified  
22 count by the United States Bureau of the Census;

23 (g) A county sheriff;

24 (h) A county attorney;

25 (i) A county commissioner;

26 (j) A mayor or city manager;

27 (k) A person involved with the control or prevention of juvenile  
28 delinquency;

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

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

31 (n) The director of the Commission on Latino-Americans or his or her

1 designee; and

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

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

11 (6) The members of the task force appointed by the Governor shall  
12 serve six-year terms, except that of the members first appointed, four  
13 shall serve initial two-year terms, four shall serve initial four-year  
14 terms, and six shall serve initial six-year terms from January 1 next  
15 succeeding their appointments. Thereafter, all members shall serve six-  
16 year terms. A member may be reappointed at the expiration of his or her  
17 term. Any vacancy occurring otherwise than by expiration of a term shall  
18 be filled for the balance of the unexpired term in the same manner as the  
19 original appointment.

20 (7) No member shall serve beyond the time when he or she holds the  
21 office, employment, or status by reason of which he or she was initially  
22 eligible for appointment. Any member of the task force appointed by the  
23 Governor may be removed from the task force for cause upon notice and an  
24 opportunity to be heard at a public hearing. One of the causes for  
25 removal shall be absence from three regularly scheduled meetings of the  
26 task force during any six-month period when the member has failed to  
27 advise the task force in advance of such meeting that he or she will be  
28 absent and stating a reason therefor.

29 (8) The chairperson of the task force shall be designated by the  
30 Governor to serve at the pleasure of the Governor. The chairperson shall  
31 be the chief executive officer of the task force but may delegate such of



1 his or her duties to other members of the task force as may be authorized  
2 by the task force.

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

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

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

15 (12) Every July 1 and December 1, the task force shall report  
16 electronically to the Clerk of the Legislature the results of its  
17 investigation and study and its recommendations, if any, together with  
18 drafts of legislation necessary to carry its recommendations into effect  
19 by filing the report with the clerk.

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

22 81-1449 Members of the advisory council to the Office of Violence  
23 Prevention shall serve without compensation but may be reimbursed for  
24 ~~their actual and necessary~~ expenses incurred in the performance of their  
25 duties as provided in sections 81-1174 to 81-1177.

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

28 81-1503 (1)(a) The Environmental Quality Council is hereby created.

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

- 1 (i) One representative of the food products manufacturing industry;
  - 2 (ii) One representative of conservation;
  - 3 (iii) One representative of the agricultural processing industry;
  - 4 (iv) One representative of the automotive or petroleum industry;
  - 5 (v) One representative of the chemical industry;
  - 6 (vi) One representative of heavy industry;
  - 7 (vii) One representative of the power generating industry;
  - 8 (viii) One representative of agriculture actively engaged in crop  
9 production;
  - 10 (ix) One representative of labor;
  - 11 (x) One professional engineer experienced in control of air and  
12 water pollution and solid wastes;
  - 13 (xi) One physician knowledgeable in the health aspects of air,  
14 water, and land pollution;
  - 15 (xii) One representative from county government;
  - 16 (xiii) Two representatives from municipal government, one of whom  
17 shall represent cities other than those of the primary or metropolitan  
18 class;
  - 19 (xiv) One representative of the livestock industry; and
  - 20 (xv) One representative of the public at large.
- 21 (c) On and after April 28, 2005, the council shall consist of  
22 seventeen members to be appointed by the Governor with the advice and  
23 consent of the Legislature as follows:
- 24 (i) One representative of the food products manufacturing industry;
  - 25 (ii) One representative of conservation;
  - 26 (iii) One representative of the agricultural processing industry;
  - 27 (iv) One representative of the automotive or petroleum industry;
  - 28 (v) One representative of the chemical industry;
  - 29 (vi) One representative of heavy industry;
  - 30 (vii) One representative of the power generating industry;
  - 31 (viii) One representative of agriculture actively engaged in crop

1 production;

2 (ix) One representative of labor;

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

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

7 (xii) One representative from county government;

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

11 (xiv) One representative of the livestock industry;

12 (xv) One representative of minority populations; and

13 (xvi) One biologist.

14 (d)(i) Except as otherwise provided in this subdivision, members of  
15 the council serving on April 28, 2005, shall continue to serve on the  
16 council as representatives of the entity they were appointed to represent  
17 until their current terms of office expire and their successors are  
18 appointed and confirmed. The member representing the public at large  
19 shall serve until the member representing minority populations is  
20 appointed.

21 (ii) The Governor shall appoint members pursuant to subdivisions (1)  
22 (c)(xv) and (1)(c)(xvi) of this section within ninety days after April  
23 28, 2005.

24 (2) Members shall serve for terms of four years. All appointments  
25 shall be subject to confirmation by the Legislature when initially made.  
26 As the term of an appointee to the council expires, the succeeding  
27 appointee shall be a representative of the same segment of the public as  
28 the previous appointee. In the case of appointees to vacancies occurring  
29 from unexpired terms, each successor shall serve out the term of his or  
30 her predecessor. Members whose terms have expired shall continue to serve  
31 until their successors have been appointed. All members shall be citizens

1 and residents of the State of Nebraska.

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

11 (4) The council shall elect from its members a chairperson and a  
12 vice-chairperson, who shall hold office at the pleasure of the council.  
13 The vice-chairperson shall serve as chairperson in case of the absence or  
14 disability of the chairperson. The director shall serve as secretary of  
15 the council and shall keep all records of meetings of and actions taken  
16 by the council. He or she shall be promptly advised as to such actions by  
17 the chairperson.

18 (5) The members of the council, while engaged in the performance of  
19 their official duties, shall receive a per diem of forty dollars while so  
20 serving, including travel time. In addition, members of the council shall  
21 receive reimbursement for ~~actual and necessary~~ expenses as provided in  
22 sections 81-1174 to 81-1177.

23 (6) The council shall hold at least two regular meetings each year,  
24 at a time and place fixed by the council and shall keep a record of its  
25 proceedings which shall be open to the public for inspection. Special  
26 meetings may be called by the chairperson. Such special meetings must be  
27 called by him or her upon receipt of a written request signed by two or  
28 more members of the council. Written notice of the time and place of all  
29 meetings shall be mailed in advance to the office of each member of the  
30 council by the secretary. A majority of the members of the council shall  
31 constitute a quorum.

1           (7) The council shall submit to the Governor a list of names from  
2 which he or she shall appoint the Director of Environmental Quality who  
3 shall be experienced in air, water, and land pollution control and who  
4 may be otherwise an employee of state government. The director shall be  
5 responsible for administration of the department and all standards,  
6 rules, and regulations adopted pursuant to Chapter 81, article 15, the  
7 Integrated Solid Waste Management Act, and the Livestock Waste Management  
8 Act. All such standards, rules, and regulations shall be adopted by the  
9 council after consideration of the recommendations of the director. All  
10 grants to political subdivisions under the control of the department  
11 shall be made by the director in accordance with priorities established  
12 by the council, unless otherwise directed by statute. A majority of the  
13 members of the council shall constitute a quorum for the transaction of  
14 business. The affirmative vote of a majority of all members of the  
15 council shall be necessary for the adoption of standards, rules, and  
16 regulations.

17           (8) Before the director enters upon the duties of his or her office,  
18 he or she shall take and subscribe to the constitutional oath of office  
19 and shall, in addition thereto, swear and affirm that he or she holds no  
20 other public office nor any position under any political committee or  
21 party, that he or she has not during the two years immediately prior to  
22 his or her appointment received a significant portion of his or her  
23 income directly or indirectly from permitholders or applicants for a  
24 permit under the Environmental Protection Act, and that he or she will  
25 not receive such income during his or her term as director, except that  
26 such requirements regarding income prior to the term of office shall not  
27 apply to employees of any agency of the State of Nebraska or any  
28 political subdivision which may be a permitholder under the Environmental  
29 Protection Act. Such oath and affirmation shall be filed with the  
30 Secretary of State.

31           Sec. 122. Section 81-1505.03, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 81-1505.03 (1) There is hereby created the Small Business Compliance  
3 Advisory Panel. The panel shall consist of the following:

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

7 (b) Four members selected by the Legislature who are owners or who  
8 represent owners of small business stationary sources of air emissions;  
9 and

10 (c) One member selected by the director.

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

18 Sec. 123. Section 81-15,171, Reissue Revised Statutes of Nebraska,  
19 is amended to read:

20 81-15,171 The citizen members of the board shall be appointed for  
21 terms of six years, except that of the members first appointed, except  
22 directors of agencies, the terms of three shall expire at the end of the  
23 second year, three at the end of the fourth year, and three at the end of  
24 the sixth year, as designated at the time of appointment. Any member  
25 appointed to fill a vacancy occurring prior to the expiration of the term  
26 for which his or her predecessor was appointed shall be appointed for the  
27 remainder of such term. A vacancy on the board shall exist in the event  
28 of the death, disability, or resignation of a member. All members shall  
29 be reimbursed for ~~their actual and necessary travel~~ expenses as provided  
30 in sections 81-1174 to 81-1177.

31 Sec. 124. Section 81-15,175, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 81-15,175 (1) The board may make an annual allocation each fiscal  
3 year from the Nebraska Environmental Trust Fund to the Nebraska  
4 Environmental Endowment Fund as provided in section 81-15,174.01. The  
5 board shall make annual allocations from the Nebraska Environmental Trust  
6 Fund and may make annual allocations each fiscal year from the Nebraska  
7 Environmental Endowment Fund for projects which conform to the  
8 environmental categories of the board established pursuant to section  
9 81-15,176 and to the extent the board determines those projects to have  
10 merit. The board shall establish a calendar annually for receiving and  
11 evaluating proposals and awarding grants. To evaluate the economic,  
12 financial, and technical feasibility of proposals, the board may  
13 establish subcommittees, request or contract for assistance, or establish  
14 advisory groups. Private citizens serving on advisory groups shall be  
15 reimbursed for ~~their actual and necessary~~ expenses pursuant to sections  
16 81-1174 to 81-1177.

17 (2) The board shall establish rating systems for ranking proposals  
18 which meet the board's environmental categories and other criteria. The  
19 rating systems shall include, but not be limited to, the following  
20 considerations:

21 (a) Conformance with categories established pursuant to section  
22 81-15,176;

23 (b) Amount of funds committed from other funding sources;

24 (c) Encouragement of public-private partnerships;

25 (d) Geographic mix of projects over time;

26 (e) Cost-effectiveness and economic impact;

27 (f) Direct environmental impact;

28 (g) Environmental benefit to the general public and the long-term  
29 nature of such public benefit; and

30 (h) Applications recommended by the Director of Natural Resources  
31 and submitted by the Department of Natural Resources pursuant to

1 subsection (7) of section 61-218 shall be awarded fifty priority points  
2 in the ranking process for the 2011 grant application if the Legislature  
3 has authorized annual transfers of three million three hundred thousand  
4 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12  
5 and 2012-13 and has stated its intent to transfer three million three  
6 hundred thousand dollars to the Water Resources Cash Fund in fiscal year  
7 2013-14. Priority points shall be awarded if the proposed programs set  
8 forth in the grant application are consistent with the purposes of  
9 reducing consumptive uses of water, enhancing streamflows, recharging  
10 ground water, or supporting wildlife habitat in any river basin  
11 determined to be fully appropriated pursuant to section 46-714 or  
12 designated as overappropriated pursuant to section 46-713.

13 (3) A grant awarded under this section pursuant to an application  
14 made under subsection (7) of section 61-218 shall be paid out in the  
15 following manner:

16 (a) The initial three million three hundred thousand dollar  
17 installment shall be remitted to the State Treasurer for credit to the  
18 Water Resources Cash Fund no later than fifteen business days after the  
19 date that the grant is approved by the board;

20 (b) The second three million three hundred thousand dollar  
21 installment shall be remitted to the State Treasurer for credit to the  
22 Water Resources Cash Fund no later than May 15, 2013; and

23 (c) The third three million three hundred thousand dollar  
24 installment shall be remitted to the State Treasurer for credit to the  
25 Water Resources Cash Fund no later than May 15, 2014, if the Legislature  
26 has authorized a transfer of three million three hundred thousand dollars  
27 from the General Fund to the Water Resources Cash Fund for fiscal year  
28 2013-14.

29 (4) It is the intent of the Legislature that the Department of  
30 Natural Resources apply for an additional three-year grant from the  
31 Nebraska Environmental Trust Fund that would begin in fiscal year 2014-15



1 and a three-year grant that would begin in fiscal year 2017-18 and such  
2 application shall be awarded fifty priority points in the ranking process  
3 as set forth in subdivision (2)(h) of this section if the following  
4 criteria are met:

5 (a) The Natural Resources Committee of the Legislature has examined  
6 options for water funding and has submitted a report electronically to  
7 the Clerk of the Legislature and the Governor by December 1, 2012,  
8 setting forth:

9 (i) An outline and priority listing of water management and funding  
10 needs in Nebraska, including instream flows, residential, agricultural,  
11 recreational, and municipal needs, interstate obligations, water quality  
12 issues, and natural habitats preservation;

13 (ii) An outline of statewide funding options which create a  
14 dedicated, sustainable funding source to meet the needs set forth in the  
15 report; and

16 (iii) Recommendations for legislation;

17 (b) The projects and activities funded by the department through  
18 grants from the Nebraska Environmental Trust Fund under this section have  
19 resulted in enhanced streamflows, reduced consumptive uses of water,  
20 recharged ground water, supported wildlife habitat, or otherwise  
21 contributed towards conserving, enhancing, and restoring Nebraska's  
22 ground water and surface water resources. On or before July 1, 2014, the  
23 department shall submit electronically a report to the Natural Resources  
24 Committee of the Legislature providing demonstrable evidence of the  
25 benefits accrued from such projects and activities; and

26 (c) In addition to the grant reporting requirements of the trust, on  
27 or before July 1, 2014, the department provides to the board a report  
28 which includes documentation that:

29 (i) Expenditures from the Water Resources Cash Fund made to natural  
30 resources districts have met the matching fund requirements provided in  
31 subdivision (5)(a) of section 61-218;

1 (ii) Ten percent or less of the matching fund requirements has been  
2 provided by in-kind contributions for expenses incurred for projects  
3 enumerated in the grant application. In-kind contributions shall not  
4 include land or land rights; and

5 (iii) All other projects and activities funded by the department  
6 through grants from the Nebraska Environmental Trust Fund under this  
7 section were matched not less than forty percent of the project or  
8 activity cost by other funding sources.

9 (5) The board may establish a subcommittee to rate grant  
10 applications. If the board uses a subcommittee, the meetings of such  
11 subcommittee shall be subject to the Open Meetings Act. The subcommittee  
12 shall (a) use the rating systems established by the board under  
13 subsection (2) of this section, (b) assign a numeric value to each rating  
14 criterion, combine these values into a total score for each application,  
15 and rank the applications by the total scores, (c) recommend an amount of  
16 funding for each application, which amount may be more or less than the  
17 requested amount, and (d) submit the ranked list and recommended funding  
18 to the board for its approval or disapproval.

19 (6) The board may commit funds to multiyear projects, subject to  
20 available funds and appropriations. No commitment shall exceed three  
21 years without formal action by the board to renew the grant or contract.  
22 Multiyear commitments may be exempt from the rating process except for  
23 the initial application and requests to renew the commitment.

24 (7) The board shall adopt and promulgate rules and regulations and  
25 publish guidelines governing allocations from the fund. The board shall  
26 conduct annual reviews of existing projects for compliance with project  
27 goals and grant requirements.

28 (8) Every five years the board may evaluate the long-term effects of  
29 the projects it funds. The evaluation may assess a sample of such  
30 projects. The board may hire an independent consultant to conduct the  
31 evaluation and may report the evaluation findings to the Legislature and

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

3 Sec. 125. Section 81-15,211, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5 81-15,211 (1) The commission shall annually elect a chairperson from  
6 among its citizen members. The commission shall meet at least twice each  
7 year and may meet more often at the call of the chairperson or at the  
8 request of any three members.

9 (2) All members shall be reimbursed for ~~their actual and necessary~~  
10 expenses as provided in sections 81-1174 to 81-1177.

11 Sec. 126. Section 81-15,245, Reissue Revised Statutes of Nebraska,  
12 is amended to read:

13 81-15,245 The Private Onsite Wastewater Treatment System Advisory  
14 Committee is created. The advisory committee shall be composed of the  
15 following eleven members:

16 (1) Seven members appointed by the director as follows:

17 (a) Five private onsite wastewater treatment system professionals;  
18 and

19 (b) Two registered environmental health specialists or officials  
20 representing local public health departments which have established  
21 programs for regulating private onsite wastewater treatment systems;

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

24 (3) The Director of Environmental Quality or his or her designated  
25 representative; and

26 (4) One representative with experience in soils and geology and one  
27 representative with experience in biological engineering, both of whom  
28 shall be designated by the vice chancellor of the University of Nebraska  
29 Institute of Agriculture and Natural Resources.

30 Members shall be reimbursed for ~~their actual and necessary~~ expenses  
31 as provided in sections 81-1174 to 81-1177. The department shall provide

1 administrative support for the advisory committee.

2 Sec. 127. Section 81-1603, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4 81-1603 The office shall have the power to do such things as are  
5 necessary to carry out sections 81-1601 to 81-1605, including but not  
6 limited to the following:

7 (1) To adopt rules and regulations, pursuant to the Administrative  
8 Procedure Act, to carry out the purposes of sections 81-1601 to 81-1605;

9 (2) To make all contracts pursuant to sections 81-1601 to 81-1605  
10 and do all things to cooperate with the federal government, and to  
11 qualify for, accept, expend, and dispense public or private funds  
12 intended for the implementation of sections 81-1601 to 81-1605;

13 (3) To contract for services, if such work or services cannot be  
14 satisfactorily performed by employees of the agency or by any other part  
15 of state government;

16 (4) To enter into such agreements as are necessary to carry out  
17 energy research and development with other states;

18 (5) To carry out the duties and responsibilities relating to energy  
19 as may be requested or required of the state by the federal government;

20 (6) To cooperate and participate with the approval of the Governor  
21 in the activities of organizations of states relating to the  
22 availability, conservation, development, and distribution of energy;

23 (7) To engage in such activities as will seek to insure that the  
24 State of Nebraska and its citizens receive an equitable share of energy  
25 supplies at a fair price; and

26 (8) To form advisory committees of citizens of Nebraska to advise  
27 the director of the energy office on programs and policies relating to  
28 energy and to assist in implementing such programs. Such committees shall  
29 be of a temporary nature and no member shall receive any compensation for  
30 serving on any such committee but, with the approval of the Governor,  
31 members shall receive reimbursement for ~~actual and necessary~~ expenses as

1 provided in sections 81-1174 to 81-1177. The minutes of meetings of and  
2 actions taken by each committee shall be kept and a record shall be  
3 maintained of the name, address, and occupation or vocation of every  
4 individual serving on any committee. Such minutes and records shall be  
5 maintained in the State Energy Office and shall be available for public  
6 inspection during regular office hours.

7 Sec. 128. Section 81-1805, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 81-1805 Members of the committee shall receive no reimbursement for  
10 the performance of their duties as members of the committee, except that  
11 such members shall receive reimbursement for ~~actual and necessary~~  
12 expenses as provided in sections 81-1174 to 81-1177.

13 Sec. 129. Section 81-2105, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 81-2105 There is hereby created the Electrical Division Fund. All  
16 money received under the State Electrical Act shall be remitted to the  
17 State Treasurer for credit to the fund. Each member of the board shall be  
18 reimbursed for ~~the actual and necessary~~ expenses incurred in the  
19 performance of his or her duties pursuant to sections 81-1174 to 81-1177  
20 to be paid out of the fund. Transfers may be made from the fund to the  
21 General Fund at the direction of the Legislature.

22 Sec. 130. Section 81-2506, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 81-2506 The members of the commission shall each receive fifty  
25 dollars for each day spent in the performance of their duties and shall  
26 receive reimbursement for ~~any actual and necessary~~ expenses as provided  
27 in sections 81-1174 to 81-1177.

28 Sec. 131. Section 81-3521, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 81-3521 Each member of the board shall be a citizen of the United  
31 States and a resident of the State of Nebraska for at least one year

1 immediately preceding his or her appointment. Each professional member  
2 shall have been engaged in the active practice of geology for at least  
3 ten years, shall have had responsible charge of work for at least five  
4 years at the time of his or her appointment, and shall be licensed in  
5 geology. Each member of the board shall receive as compensation the same  
6 per diem and travel expenses as other state employees for each day  
7 actually spent in traveling to and from and while attending sessions of  
8 the board and its committees or authorized meetings of the National  
9 Association of State Boards of Geology, or its ~~their~~ subdivisions or  
10 committees, and shall be reimbursed for ~~all necessary~~ expenses incident  
11 to the performance of his or her duties under the Geologists Regulation  
12 Act as provided in sections 81-1174 to 81-1177.

13 Sec. 132. Section 82-310, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 82-310 The term of office of each member shall be three years with  
16 the terms of one-third of the members expiring every year. No member of  
17 the council who serves two consecutive three-year periods shall be  
18 eligible for reappointment during a one-year period following the  
19 expiration of his or her term. The Governor shall designate a chairperson  
20 and a vice-chairperson from the members of the council, to serve as such  
21 at the pleasure of the Governor. The chairperson shall be the chief  
22 executive officer of the council. All vacancies shall be filled for the  
23 balance of the unexpired term in the same manner as original appointments  
24 are made. The members of the council shall not receive any compensation  
25 for their services but shall be reimbursed for ~~their actual and necessary~~  
26 expenses incurred in the performance of their duties as provided in  
27 sections 81-1174 to 81-1177 ~~for state employees~~.

28 Sec. 133. Section 83-4,124, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 83-4,124 (1) It is hereby declared to be the policy of the State of  
31 Nebraska that all criminal detention facilities in this state shall

1 conform to certain minimum standards of construction, maintenance, and  
2 operation and that all juvenile detention facilities and staff secure  
3 juvenile facilities in this state shall conform to certain minimum  
4 standards relating to the operation and physical structure of such  
5 facilities and the care of, programs for, and discipline of juveniles at  
6 such facilities.

7 (2) To further such policy, the Jail Standards Board is hereby  
8 created. For administrative and budgetary purposes such board shall be  
9 within the Nebraska Commission on Law Enforcement and Criminal Justice.  
10 The board shall consist of the Director of Correctional Services or, if  
11 the Director of Correctional Services chooses not to serve on the board,  
12 a person appointed by the director to serve in lieu of the director, the  
13 State Fire Marshal or his or her designee, and ten appointive members,  
14 three of whom shall be from each of the three congressional districts, to  
15 be appointed by the Governor. The appointive members of the board shall  
16 be appointed from recommendation lists containing at least three names  
17 submitted by the Nebraska Association of County Officials, the Nebraska  
18 County Sheriffs Association, the Nebraska State Bar Association, and the  
19 Police Officers Association of Nebraska. The appointive members of the  
20 board shall consist of: (a) Two county commissioners or supervisors; (b)  
21 one county sheriff; (c) one municipal police chief; (d) one member of the  
22 Nebraska State Bar Association; (e) two lay people; (f) one person who at  
23 the time of his or her appointment is serving as an administrator  
24 responsible for the operation and maintenance of a juvenile detention  
25 facility; (g) one person who at the time of his or her appointment is  
26 serving as an administrator responsible for the operation and maintenance  
27 of a staff secure juvenile facility; and (h) one person who at the time  
28 of his or her appointment is serving as an administrator or jailer  
29 responsible for the operation and maintenance of a criminal detention  
30 facility having an average daily population of greater than fifty  
31 persons.

1           (3) The terms of office for all members initially appointed shall be  
2 three years. Upon completion of the initial term of the board, the  
3 Governor shall appoint one member from each congressional district for a  
4 term of one year, one member from each congressional district for a term  
5 of two years, and one member from each congressional district for a term  
6 of three years. Succeeding appointees shall be representative of the same  
7 congressional district and shall be appointed for terms of three years.  
8 An appointee to a vacancy occurring from an unexpired term shall serve  
9 out the term of his or her predecessor. Members whose terms have expired  
10 shall continue to serve until their successors have been appointed. The  
11 member authorized by Laws 2013, LB561, shall be appointed by the Governor  
12 within ninety days after May 30, 2013.

13           (4) The members of the board shall serve without compensation, but  
14 they shall be reimbursed for ~~their actual~~ expenses while engaged in the  
15 performance of their official duties as provided in sections 81-1174 to  
16 81-1177.

17           Sec. 134. Section 83-1212.01, Revised Statutes Cumulative  
18 Supplement, 2018, is amended to read:

19           83-1212.01 (1) There is hereby created the Advisory Committee on  
20 Developmental Disabilities. The advisory committee shall consist of a  
21 representative of a statewide advocacy organization for persons with  
22 developmental disabilities and their families, a representative of  
23 Nebraska's designated protection and advocacy organization, a  
24 representative of the Nebraska Planning Council on Developmental  
25 Disabilities, a representative of the University Center for Excellence in  
26 Developmental Disability Education, Research and Service as defined in  
27 section 68-1114, and not more than fifteen additional members. At least  
28 fifty-one percent of the members shall be persons with developmental  
29 disabilities and family members of persons with developmental  
30 disabilities.

31           (2) The members shall be appointed by the Governor for staggered



1 terms of three years. Any vacancy shall be filled by the Governor for the  
2 remainder of the term. One of the members shall be designated as  
3 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~  
4 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

5 (3) The advisory committee shall advise the department regarding all  
6 aspects of the funding and delivery of services to persons with  
7 developmental disabilities.

8 (4) The advisory committee shall (a) provide sufficient oversight to  
9 ensure that persons placed in the custody of the department under the  
10 Developmental Disabilities Court-Ordered Custody Act are receiving the  
11 least restrictive treatment and services necessary and (b) oversee the  
12 design and implementation of the quality management and improvement plan  
13 described in section 83-1216.01.

14 (5) The department shall inform the advisory committee of proposed  
15 systemic changes to services for persons with developmental disabilities  
16 at least thirty days prior to implementation of the changes so that the  
17 advisory committee may provide for a response to the proposed changes. If  
18 the director determines that circumstances require implementation of the  
19 changes prior to such notice, the department shall inform the advisory  
20 committee as soon as possible. The advisory committee, in partnership  
21 with the director, shall establish criteria for the process of providing  
22 the information and receiving the response.

23 Sec. 135. Section 84-931, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 84-931 (1) An agency may employ or enter into a contract for the  
26 services of an organization or individual to serve as a convenor or  
27 facilitator for a negotiated rulemaking committee or may use the services  
28 of a state employee to act as a convenor or facilitator for a committee.

29 (2) An agency shall determine whether a person under consideration  
30 as a convenor or facilitator of a negotiated rulemaking committee has any  
31 financial or other interest that would preclude the person from serving

1 in an impartial and independent manner. A person disqualified under this  
2 criterion shall be dropped from further consideration.

3 (3) Members of a negotiated rulemaking committee shall be  
4 responsible for their own expenses of participation. However, an agency  
5 may reimburse ~~pay for~~ a committee member for ~~member's actual and~~  
6 ~~necessary~~ expenses incurred in serving on the committee as provided in  
7 sections 81-1174 to 81-1177 and a reasonable per diem rate of  
8 compensation if:

9 (a) The committee member certifies a lack of adequate financial  
10 resources to participate in the committee; and

11 (b) The agency determines that the committee member's participation  
12 in the committee is necessary to ensure an adequate representation of the  
13 interests of the members.

14 (4) An agency may accept grants or gifts from any source to fund the  
15 negotiated rulemaking process if:

16 (a) Information on the name of the person giving the grant or gift  
17 and the amount of the grant or gift is available to the public;

18 (b) The grant or gift is given to and accepted by the agency without  
19 placing any condition on the membership of a negotiated rulemaking  
20 committee or the outcome of the negotiated rulemaking process; and

21 (c) There is consensus among the members of the negotiated  
22 rulemaking committee that the acceptance of the grant or gift will not  
23 diminish the integrity of the negotiated rulemaking process.

24 Sec. 136. Section 84-1204, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 84-1204 (1) The State Records Board is hereby established. The board  
27 shall:

28 (a) Advise and assist the administrator in the performance of his or  
29 her duties under the Records Management Act;

30 (b) Provide electronic access to public records or electronic  
31 information and services through the portal;

1 (c) Develop and maintain the portal for providing electronic access  
2 to public records or electronic information and services;

3 (d) Provide appropriate oversight of a network manager;

4 (e) Approve reasonable fees for electronic access to public records  
5 or electronic information and services pursuant to sections 84-1205.02  
6 and 84-1205.03;

7 (f) Have the authority to enter into or renegotiate agreements  
8 regarding the management of the portal in order to provide individuals,  
9 businesses, and other entities with electronic access to public records  
10 or electronic information and services;

11 (g) Explore ways and means of reducing the costs of agencies to  
12 manage record retention, expanding the amount and type of public records  
13 or electronic information and services provided through the portal, and,  
14 when appropriate, implement changes necessary to effect such purposes;

15 (h) Explore new technologies as a means of improving access to  
16 public records or electronic information and services by individuals,  
17 businesses, and other entities and, if appropriate, implement the new  
18 technologies;

19 (i) Explore options of expanding the portal and its services to  
20 individuals, businesses, and other entities;

21 (j) Have the authority to grant funds to a state or local agency for  
22 the development of programs and technology to improve electronic access  
23 to public records or electronic information and services consistent with  
24 the act; and

25 (k) Perform such other functions and duties as the act requires.

26 (2) In addition to the administrator, the board shall consist of:

27 (a) The Governor or his or her designee;

28 (b) The Attorney General or his or her designee;

29 (c) The Auditor of Public Accounts or his or her designee;

30 (d) The State Treasurer or his or her designee;

31 (e) The Director of Administrative Services or his or her designee;

1 (f) Three representatives appointed by the Governor to be broadly  
2 representative of banking, insurance, and law groups; and

3 (g) Three representatives appointed by the Governor to be broadly  
4 representative of libraries, the general public, and professional members  
5 of the Nebraska news media.

6 (3) The administrator shall be chairperson of the board. Upon call  
7 by the administrator, the board shall convene periodically in accordance  
8 with its rules and regulations or upon call by the administrator.

9 (4) Six members of the board shall constitute a quorum, and the  
10 affirmative vote of six members shall be necessary for any action to be  
11 taken by the board. No vacancy in the membership of the board shall  
12 impair the right of a quorum to exercise all the rights and perform all  
13 the duties of the board.

14 (5) The representatives appointed by the Governor shall serve  
15 staggered three-year terms as the Governor designates and may be  
16 appointed for one additional term. Members of the board shall be  
17 reimbursed for ~~actual and necessary~~ expenses as provided in sections  
18 81-1174 to 81-1177.

19 Sec. 137. Section 84-1501, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

21 84-1501 (1) The Public Employees Retirement Board is hereby  
22 established.

23 (2)(a) The board shall consist of eight appointed members as  
24 described in this subsection and the state investment officer as a  
25 nonvoting, ex officio member. Six of the appointed members shall be  
26 active or retired participants in the retirement systems administered by  
27 the board, and two of the appointed members (i) shall not be employees of  
28 the State of Nebraska or any of its political subdivisions and (ii) shall  
29 have at least ten years of experience in the management of a public or  
30 private organization or have at least five years of experience in the  
31 field of actuarial analysis or the administration of an employee benefit

1 plan.

2 (b) The six appointed members who are participants in the systems  
3 shall be as follows:

4 (i) Two of the appointed members shall be participants in the School  
5 Employees Retirement System of the State of Nebraska and shall include  
6 one administrator and one teacher;

7 (ii) One of the appointed members shall be a participant in the  
8 Nebraska Judges Retirement System as provided in the Judges Retirement  
9 Act;

10 (iii) One of the appointed members shall be a participant in the  
11 Nebraska State Patrol Retirement System;

12 (iv) One of the appointed members shall be a participant in the  
13 Retirement System for Nebraska Counties; and

14 (v) One of the appointed members shall be a participant in the State  
15 Employees Retirement System of the State of Nebraska.

16 (c) Appointments to the board shall be made by the Governor and  
17 shall be subject to the approval of the Legislature. All appointed  
18 members shall be citizens of the State of Nebraska.

19 (3)(a) Except as otherwise provided in this subsection, all members  
20 shall serve for terms of five years or until a successor has been  
21 appointed and qualified. The terms shall begin on January 1 of the  
22 appropriate year.

23 (b) To ensure an experienced and knowledgeable board, the terms of  
24 the appointed members shall be staggered as follows:

25 (i) One of the two members described in subdivisions (2)(a)(i) and  
26 (ii) of this section shall be appointed to serve for a five-year term  
27 which begins in 2017;

28 (ii) One of the two members described in subdivisions (2)(a)(i) and  
29 (ii) of this section shall be appointed to serve for a five-year term  
30 which begins in 2018;

31 (iii) The participant in the School Employees Retirement System of

1 the State of Nebraska who is a teacher shall be appointed for a five-year  
2 term which begins in 2019;

3 (iv) The participant in the School Employees Retirement System of  
4 the State of Nebraska who is an administrator and the participant in the  
5 State Employees Retirement System of the State of Nebraska shall be  
6 appointed for a five-year term which begins in 2020;

7 (v) The participant in the Retirement System for Nebraska Counties  
8 and the participant in the Nebraska Judges Retirement System shall be  
9 appointed to serve for a five-year term which begins in 2021; and

10 (vi) The participant in the Nebraska State Patrol Retirement System  
11 shall be appointed to serve for a three-year term which begins in 2020,  
12 and his or her successor shall be appointed to serve for a five-year term  
13 which begins in 2023.

14 (4) In the event of a vacancy in office, the Governor shall appoint  
15 a person to serve the unexpired portion of the term subject to the  
16 approval of the Legislature.

17 (5) The appointed members of the board may be removed by the  
18 Governor for cause after notice and an opportunity to be heard.

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

21 Sec. 138. Section 84-1502, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 84-1502 (1) Within thirty days after its appointment, the Public  
24 Employees Retirement Board shall meet and select a chairperson and  
25 secretary. Thereafter, the chairperson and the secretary shall be elected  
26 in January of each year.

27 (2) The board shall meet upon call of the chairperson or upon the  
28 request of three members of the board filed with the board office.  
29 Meetings of the board shall be held in this state and may be held by  
30 telecommunication equipment if the requirements of the Open Meetings Act  
31 are met.

1           (3) The members of the board, except the state investment officer,  
2 shall be paid fifty dollars per diem, and all members shall be reimbursed  
3 for ~~their actual and necessary~~ expenses incurred in connection with the  
4 performance of their duties as board members as provided in sections  
5 81-1174 to 81-1177.

6           Sec. 139. Section 85-104, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8           85-104 All meetings of the Board of Regents shall be open to the  
9 public. The board may hold closed sessions in accordance with the Open  
10 Meetings Act. Public record shall be made and kept of all meetings and  
11 proceedings of the board. The regents shall meet at least twice each year  
12 at the administration building. They shall receive for their services no  
13 compensation, but they may be reimbursed for ~~their actual~~ expenses  
14 incurred in the performance of their official duties as provided in  
15 sections 81-1174 to 81-1177.

16           Sec. 140. Section 85-301, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18           85-301 The existing institutions known as the state colleges located  
19 at Chadron, Peru, and Wayne shall hereafter be known and designated as  
20 Chadron State College, Peru State College, and Wayne State College,  
21 respectively. The general government thereof shall be vested, under the  
22 direction of the Legislature, in a board of seven members, to be known as  
23 the Board of Trustees of the Nebraska State Colleges, six of whom shall  
24 be appointed by the Governor, with the advice and consent of the  
25 Legislature, two each for terms of two, four, and six years and two each  
26 biennium thereafter for terms of six years, and the Commissioner of  
27 Education shall be a member ex officio. The duties and powers of the  
28 board shall be prescribed by law, and the members thereof shall receive  
29 no compensation for the performance of their duties but may be reimbursed  
30 for ~~their actual~~ expenses incurred therein, except that members of the  
31 Board of Trustees of the Nebraska State Colleges shall not be entitled to

1 reimbursement for mileage or other traveling expense as part of such  
2 ~~their actual~~ expenses except on the basis provided for in sections  
3 81-1174 to 81-1177.

4 Sec. 141. Section 85-1408, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 85-1408 Members of the commission shall receive no compensation for  
7 the performance of their duties but shall be reimbursed for ~~their actual~~  
8 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

9 Sec. 142. Section 85-1509, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 85-1509 Members of a board shall not receive a per diem. The board  
12 may reimburse members for ~~their actual and necessary~~ expenses incurred  
13 while carrying out their duties. Mileage expenses shall be computed at  
14 the rate provided in section 81-1176. Sections 81-1174, 81-1175, and  
15 81-1177 shall serve as guidelines for the board when determining  
16 allowable expenses and reimbursement for such expenses.

17 Sec. 143. Section 86-461, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 86-461 (1) The Enhanced Wireless 911 Advisory Board is created to  
20 advise the commission concerning the implementation, development,  
21 administration, coordination, evaluation, and maintenance of enhanced  
22 wireless 911 service. The advisory board shall be composed of nine  
23 individuals appointed by the Governor, including:

24 (a) One sheriff;

25 (b) Two county officials or employees;

26 (c) Two municipal officials or employees;

27 (d) One representative from the state's wireless telecommunications  
28 industry;

29 (e) One manager of a public safety answering point not employed by a  
30 sheriff;

31 (f) One representative of the state's local exchange



1 telecommunications service industry; and

2 (g) One member of the public.

3 (2) The advisory board shall also include two ex officio members:

4 (a) One commissioner from the Public Service Commission or his or  
5 her designee; and

6 (b) The Chief Information Officer or his or her designee.

7 (3) Members of the board as described in subdivisions (1)(a) through  
8 (1)(g) of this section shall be appointed for a term of three years. Each  
9 succeeding member of the board shall be appointed for a term of three  
10 years. The board shall meet as often as necessary to carry out its  
11 duties. Members of the board shall be reimbursed for ~~their actual and~~  
12 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

13 Sec. 144. Section 86-515, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 86-515 (1) The Nebraska Information Technology Commission is  
16 created. The commission shall consist of (a) one member representing  
17 elementary and secondary education, (b) one member representing  
18 postsecondary education, (c) the Governor or his or her designee, (d) one  
19 member representing communities, and (e) five members representing the  
20 general public who have experience in developing strategic plans and  
21 making high-level business decisions. A member of the Transportation and  
22 Telecommunications Committee of the Legislature shall be appointed by the  
23 Executive Board of the Legislative Council to serve as an ex officio,  
24 nonvoting member of the commission. The Executive Board shall make the  
25 initial appointment of such member after January 5, 2011, and shall  
26 appoint a member every two years after the initial appointment. At any  
27 time that there is not a member of the Educational Service Unit  
28 Coordinating Council serving on the Nebraska Information Technology  
29 Commission, the technical panel established pursuant to section 86-521,  
30 or any working groups established pursuant to sections 86-512 to 86-524  
31 that establish, coordinate, or prioritize needs for education, the

1 Governor shall appoint to the commission one member who serves on the  
2 Educational Service Unit Coordinating Council.

3 (2) The Governor or a designee of the Governor shall serve as  
4 chairperson of the commission.

5 (3) The members of the commission other than the legislative member  
6 shall be appointed by the Governor with the approval of a majority of the  
7 Legislature. Members of the commission shall serve for terms of four  
8 years, except that two members initially appointed to represent the  
9 general public shall be appointed for a term of two years and any member  
10 appointed to represent the Educational Service Unit Coordinating Council  
11 shall be appointed for a term of one year. Members shall be limited to  
12 two consecutive terms. The Governor or his or her designee shall serve on  
13 the commission for his or her term. The legislative member of the  
14 commission shall serve until he or she is reappointed or a successor is  
15 appointed. Each member shall serve until the appointment and  
16 qualification of his or her successor. In case of a vacancy occurring  
17 prior to the expiration of the term of a member, the appointment shall be  
18 made only for the remainder of the term.

19 (4) Members shall be reimbursed for ~~their actual and necessary~~  
20 expenses as provided in sections 81-1174 to 81-1177.

21 (5) The commission may employ or designate an executive director to  
22 provide administrative and operational support for the commission. The  
23 Department of Administrative Services and Nebraska Educational  
24 Telecommunications Commission shall assist with administrative and  
25 operational support for the Nebraska Information Technology Commission as  
26 necessary to carry out its duties.

27 Sec. 145. Section 86-570, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 86-570 (1) The Geographic Information Systems Council is hereby  
30 created and shall consist of:

31 (a) The Chief Information Officer or his or her designee, the chief

1 executive officer or designee of the Department of Health and Human  
2 Services, and the director or designee of the Department of Environmental  
3 Quality, the Conservation and Survey Division of the University of  
4 Nebraska, the Department of Natural Resources, and the Governor's Policy  
5 Research Office;

6 (b) The Director-State Engineer or designee;

7 (c) The State Surveyor or designee;

8 (d) The Clerk of the Legislature or designee;

9 (e) The secretary of the Game and Parks Commission or designee;

10 (f) The Property Tax Administrator or designee;

11 (g) One representative of federal agencies appointed by the  
12 Governor;

13 (h) One representative of the natural resources districts nominated  
14 by the Nebraska Association of Resources Districts and appointed by the  
15 Governor;

16 (i) One representative of the public power districts appointed by  
17 the Governor;

18 (j) Two representatives of the counties nominated by the Nebraska  
19 Association of County Officials and appointed by the Governor;

20 (k) One representative of the municipalities nominated by the League  
21 of Nebraska Municipalities and appointed by the Governor;

22 (l) Two members at large appointed by the Governor; and

23 (m) Such other members as nominated by the Nebraska Information  
24 Technology Commission and appointed by the Governor.

25 (2) The appointed members shall serve terms as determined by the  
26 Nebraska Information Technology Commission.

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

29 Sec. 146. Section 86-571, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 86-571 (1) The Geographic Information Systems Council shall elect a

1 chairperson from its members and such other officers as the council deems  
2 necessary.

3 (2) As the need arises, advisory committees may be established by  
4 the council from various levels of government, industry, or the general  
5 public to assist the council. The members of advisory committees shall be  
6 reimbursed for ~~their actual and necessary~~ expenses as provided in  
7 sections 81-1174 to 81-1177.

8 (3) The council shall meet quarterly or upon the call of the  
9 chairperson.

10 Sec. 147. Section 86-1025.01, Revised Statutes Cumulative  
11 Supplement, 2018, is amended to read:

12 86-1025.01 (1) The 911 Service System Advisory Committee is created.  
13 The committee shall advise the commission concerning the implementation,  
14 coordination, operation, management, maintenance, and funding of the 911  
15 service system and provide input on technical training and quality  
16 assurance. The state 911 director and the Chief Information Officer or  
17 his or her designee shall serve as ex officio members. The committee  
18 shall include the following individuals appointed by the commission:

19 (a) Four representatives of public safety agencies within the state,  
20 including an emergency manager, a member of a law enforcement agency, a  
21 member of a fire department, and a member of an emergency medical service  
22 as defined in section 38-1207;

23 (b) Two county officials or employees;

24 (c) Two municipal officials or employees;

25 (d) Two representatives of the telecommunications industry;

26 (e) Two managers of public safety answering points, one of whom is  
27 employed by a county sheriff and one of whom is not employed by a county  
28 sheriff;

29 (f) One representative of the Nebraska Association of County  
30 Officials; and

31 (g) One representative of the League of Nebraska Municipalities.

1           (2) Of the fourteen appointed members of the committee described in  
2 subdivisions (1)(a) through (g) of this section, at least four members  
3 shall be appointed from each of the three congressional districts. The  
4 appointed members of the committee shall serve for terms of three years.  
5 A vacancy shall be filled for the remainder of the unexpired term. The  
6 committee shall annually select a chairperson and vice-chairperson and  
7 meet as often as necessary to carry out its duties. Members of the  
8 committee shall be reimbursed for ~~their actual and necessary~~ expenses as  
9 provided in sections 81-1174 to 81-1177.

10           (3) The committee shall make any recommendations to the commission  
11 regarding the exercise of the commission's duties administering the 911  
12 service system pursuant to section 86-1025, including recommending the  
13 adoption and promulgation of any rules and regulations necessary to carry  
14 out the purposes of the 911 Service System Act or the introduction of any  
15 legislation. The commission may consider and implement any such  
16 recommendations.

17           Sec. 148. Section 86-1102, Revised Statutes Cumulative Supplement,  
18 2018, is amended to read:

19           86-1102 (1) The Rural Broadband Task Force is hereby created. Task  
20 force members shall include the chairperson of the Transportation and  
21 Telecommunications Committee of the Legislature and a member of the  
22 Legislature selected by the Executive Board of the Legislative Council  
23 who shall both serve as nonvoting, ex officio members, a member of the  
24 Public Service Commission who shall be selected by the chairperson of  
25 such commission, the chairperson of the Nebraska Information Technology  
26 Commission or his or her designee who shall act as chairperson of the  
27 task force, the Director of Economic Development or his or her designee,  
28 the Director of Agriculture or his or her designee, and the following  
29 members to be appointed by the Governor: A representative of the  
30 agribusiness community, a representative of the Nebraska business  
31 community, a representative of the regulated wireline telecommunications

1 industry, a representative of the wireless telecommunications industry, a  
2 representative of the public power industry, a representative of health  
3 care providers, a representative of Nebraska postsecondary educational  
4 institutions, and a representative of rural schools offering kindergarten  
5 through grade twelve.

6 (2) The task force may appoint advisory groups to assist the task  
7 force in providing technical expertise and advice on any issue. The  
8 advisory groups may be composed of representatives of stakeholder groups  
9 which may include, but not necessarily be limited to, representatives  
10 from small and large wireline companies, wireless companies, public power  
11 districts, electric cooperative corporations, cable television companies,  
12 Internet service providers, low-income telecommunications and electric  
13 utility customers, health care providers, and representatives of  
14 educational sectors. No compensation or expense reimbursement shall be  
15 provided to any member of any advisory group appointed by the task force.

16 (3) The Nebraska Information Technology Commission shall provide  
17 staff assistance to the task force in consultation with staff from the  
18 Public Service Commission and other interested parties. The task force  
19 may hire consultants to assist in carrying out its duties. The task force  
20 shall review issues relating to availability, adoption, and affordability  
21 of broadband services in rural areas of Nebraska. In particular, the task  
22 force shall:

23 (a) Determine how Nebraska rural areas compare to neighboring states  
24 and the rest of the nation in average download and upload speeds and in  
25 subscription rates to higher speed tiers, when available;

26 (b) Examine the role of the Nebraska Telecommunications Universal  
27 Service Fund in bringing comparable and affordable broadband services to  
28 rural residents and any effect of the fund in deterring or delaying  
29 capital formation, broadband competition, and broadband deployment;

30 (c) Review the feasibility of alternative technologies and providers  
31 in accelerating access to faster and more reliable broadband service for

1 rural residents;

2 (d) Examine alternatives for deployment of broadband services to  
3 areas that remain unserved or underserved, such as reverse auction  
4 programs described in section 86-330, public-private partnerships,  
5 funding for competitive deployment, and other measures, and make  
6 recommendations to the Public Service Commission to encourage deployment  
7 in such areas;

8 (e) Recommend state policies to effectively utilize state universal  
9 service fund dollars to leverage federal universal service fund support  
10 and other federal funding;

11 (f) Make recommendations to the Governor and Legislature as to the  
12 most effective and efficient ways that federal broadband rural  
13 infrastructure funds received after July 1, 2018, should be expended if  
14 such funds become available; and

15 (g) Determine other issues that may be pertinent to the purpose of  
16 the task force.

17 (4) Task force members shall serve on the task force without  
18 compensation but shall be entitled to receive reimbursement for any  
19 actual expenses incurred for such service as provided in sections 81-1174  
20 to 81-1177.

21 (5) The task force shall meet at the call of the chairperson and  
22 shall present its findings in a report to the Executive Board of the  
23 Legislative Council no later than November 1, 2019, and by November 1  
24 every odd-numbered year thereafter. The report shall be submitted  
25 electronically.

26 (6) For purposes of this section, broadband services means high-  
27 speed telecommunications capability at a minimum download speed of  
28 twenty-five megabits per second and a minimum upload speed of three  
29 megabits per second, and that enables users to originate and receive  
30 high-quality voice, data, and video telecommunications using any  
31 technology.

1           Sec. 149. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
2 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,  
3 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,  
4 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69,  
5 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87,  
6 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104,  
7 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,  
8 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,  
9 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146,  
10 147, 148, 150, and 151 of this act become operative on January 1, 2020.

11 The other sections of this act become operative on their effective date.

12           Sec. 150. Original sections 1-110, 2-1201, 2-1803, 2-2306, 2-3405,  
13 2-3619, 2-3751, 2-4008, 2-4208, 2-4901, 2-5003, 7-205, 21-2307, 23-1215,  
14 24-1003, 24-1103, 24-1203, 25-2907, 29-2259, 29-3925, 30-4108, 37-105,  
15 37-106, 39-2304, 43-1302, 43-1903, 43-3342.05, 43-3401, 43-4001, 43-4202,  
16 45-603, 46-538, 48-1116, 48-2503, 49-233, 50-415, 51-402, 53-112, 53-113,  
17 53-302, 58-228, 66-1335, 68-953, 68-1105, 70-719, 70-1003, 71-219.03,  
18 71-222, 71-702, 71-808, 71-1799, 71-2605, 71-3406, 71-4504, 71-4723,  
19 71-4728.05, 71-5657, 71-6227, 71-6303, 71-6321, 71-7012, 71-8236,  
20 71-8251, 71-8604, 71-8803, 72-201, 72-224.03, 72-1239, 72-2007, 72-2103,  
21 75-104, 76-2222, 77-27,157, 77-5004, 77-5206, 79-317, 79-546, 79-808,  
22 79-861, 79-863, 79-1104.04, 79-1816, 80-318, 80-401.02, 80-401.08,  
23 81-175, 81-502.02, 81-829.53, 81-829.54, 81-885.07, 81-8,189, 81-8,267,  
24 81-1108.32, 81-1120.18, 81-1174, 81-1180, 81-11,104, 81-1409, 81-1421,  
25 81-1449, 81-1503, 81-1505.03, 81-15,171, 81-15,211, 81-15,245, 81-1805,  
26 81-2105, 81-2506, 81-3521, 82-310, 83-4,124, 84-931, 84-1204, 84-1502,  
27 85-104, 85-301, 85-1408, 85-1509, 86-461, 86-515, 86-570, and 86-571,  
28 Reissue Revised Statutes of Nebraska, and sections 2-3951.01, 3-104,  
29 9-1004, 29-2252, 39-2106, 43-2411, 49-14,120, 50-505, 53-502, 54-191,  
30 55-604, 57-904, 58-819, 79-760.03, 79-760.07, 79-1217, 79-2204, 81-1348,  
31 81-1430, 81-15,175, 81-1603, 83-1212.01, 84-1501, 86-1025.01, and



- 1 86-1102, Revised Statutes Cumulative Supplement, 2018, are repealed.
- 2       Sec. 151. The following section is outright repealed: Section
- 3 81-1181, Reissue Revised Statutes of Nebraska.