

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 860

Introduced by Hughes, 44.

Read first time January 09, 2020

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Game and Parks Commission; to amend
- 2 sections 37-101 and 37-102, Reissue Revised Statutes of Nebraska; to
- 3 change provisions relating to the term and appointment of commission
- 4 members; to change commission districts and district assignments as
- 5 prescribed; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-101, Reissue Revised Statutes of Nebraska, is
2 amended to read:

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

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

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

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

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

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

24 (2)(a) When the term of a member of the commission representing a
25 district provided for by section 37-102 expires, a successor shall be
26 appointed as provided in subsection (1) of this section from the same
27 district as the member whose term has expired. ~~The terms of the members~~
28 ~~-serving district numbers 4, 6, and 8 on January 1, 2009, shall be~~
29 ~~extended to January 15 of the year following the expiration of their~~
30 ~~current terms. Members appointed for terms expiring prior to January 1,~~
31 ~~2012, shall be appointed for five-year terms. Members appointed for terms~~

1 ~~expiring on or after January 1, 2012,~~ shall be appointed for four-year
2 terms. The terms of all members ~~shall begin on January 15, and the term~~
3 ~~of the at-large member shall begin on~~ January 15, ~~2009.~~

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

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

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

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

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

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

25 37-102 (1) For purposes of section 37-101, the state is hereby
26 divided into eight districts.

27 (2) Until January 15, 2021, the The limits and designations of the
28 eight districts shall be as follows:

29 (a) ~~(1)~~ District No. 1. The counties of Richardson, Pawnee, Nemaha,
30 Johnson, Otoe, Cass, Sarpy, Saunders, Butler, Gage, Seward, Saline, and
31 Jefferson;

1 **(b) ~~(2)~~** District No. 2. Douglas County;

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

5 **(d) ~~(4)~~** District No. 4. The counties of Thayer, Nuckolls, Webster,
6 Adams, Clay, Fillmore, York, Polk, Hamilton, Hall, Buffalo, Kearney, and
7 Franklin;

8 **(e) ~~(5)~~** District No. 5. The counties of Harlan, Furnas, Red Willow,
9 Hitchcock, Dundy, Chase, Hayes, Frontier, Gosper, Phelps, Dawson,
10 Lincoln, and Perkins;

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

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

18 **(h) ~~(8)~~** District No. 8. Lancaster County.

19 (3) Beginning on January 15, 2021, the limits and designations of
20 the eight districts shall be as follows:

21 (a) District No. 1. The counties of Butler, Cass, Fillmore, Gage,
22 Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Polk, Richardson,
23 Saline, Seward, Thayer, and York;

24 (b) District No. 2. The counties of Antelope, Burt, Cedar, Colfax,
25 Cuming, Dakota, Dixon, Dodge, Douglas, Knox, Madison, Pierce, Platte,
26 Sarpy, Saunders, Stanton, Thurston, Washington, and Wayne;

27 (c) District No. 3. The counties of Blaine, Boyd, Brown, Custer,
28 Holt, Keya Paha, Loup, and Rock;

29 (d) District No. 4. The counties of Adams, Boone, Buffalo, Clay,
30 Garfield, Greeley, Hall, Hamilton, Howard, Merrick, Nance, Nuckolls,
31 Sherman, Valley, Webster, and Wheeler;

1 (e) District No. 5. The counties of Arthur, Deuel, Garden, Keith,
2 Lincoln, Logan, McPherson, Perkins, and Thomas;

3 (f) District No. 6. The counties of Cherry, Grant, Hooker, and
4 Sheridan;

5 (g) District No. 7. The counties of Banner, Box Butte, Cheyenne,
6 Dawes, Kimball, Morrill, Scotts Bluff, and Sioux; and

7 (h) District No. 8. The counties of Chase, Dawson, Dundy, Franklin,
8 Frontier, Furnas, Gosper, Harlan, Hayes, Hitchcock, Kearney, Phelps, and
9 Red Willow.

10 (4) Beginning on January 15, 2021: (a) The member serving former
11 District No. 1 will assume the role of serving new District No. 5, and
12 his or her term shall expire on January 15, 2024; (b) the member serving
13 former District No. 2 will assume the role of serving new District No. 2,
14 and his or her term shall expire on January 15, 2024; (c) the term of the
15 member serving former District No. 3 shall expire, his or her successor
16 will assume the role of serving new District No. 6, and the term of such
17 successor shall expire on January 15, 2025; (d) the member serving former
18 District No. 4 will assume the role of serving new District No. 4, and
19 his or her term shall expire on January 15, 2023; (e) the member serving
20 former District No. 5 will assume the role of serving new District No. 8,
21 and his or her term shall expire on January 15, 2023; (f) the term of the
22 member serving former District No. 6 shall expire, his or her successor
23 will assume the role of serving new District No. 3, and the term of such
24 successor shall expire on January 15, 2025; (g) the member serving former
25 District No. 7 will assume the role of serving new District No. 7, and
26 his or her term shall expire on January 15, 2022; and (h) the term of the
27 member serving former District No. 8 shall expire, his or her successor
28 will assume the role of serving new District No. 1, and the term of such
29 successor shall expire on January 15, 2025.

30 Sec. 3. Original sections 37-101 and 37-102, Reissue Revised
31 Statutes of Nebraska, are repealed.