

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1038

Introduced by DeKay, 40; DeBoer, 10.

Read first time January 08, 2024

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Nebraska Information Technology
2 Commission; to amend section 86-515, Revised Statutes Cumulative
3 Supplement, 2022; to change the membership of the commission as
4 prescribed; to repeal the original section; and to declare an
5 emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-515, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 86-515 (1) The Nebraska Information Technology Commission is
4 created. The commission shall consist of (a) one member representing
5 elementary and secondary education, (b) one member representing
6 postsecondary education, (c) the Governor or his or her designee, (d) one
7 member representing communities, and (e) five members representing the
8 general public who have experience in developing strategic plans and
9 making high-level business decisions. Of the members representing the
10 general public, the principal business or occupation of at least one such
11 member shall be agriculture. A member of the Transportation and
12 Telecommunications Committee of the Legislature shall be appointed by the
13 Executive Board of the Legislative Council to serve as an ex officio,
14 nonvoting member of the commission. The Executive Board shall make the
15 initial appointment of such member after January 5, 2011, and shall
16 appoint a member every two years after the initial appointment. At any
17 time that there is not a member of the Educational Service Unit
18 Coordinating Council serving on the Nebraska Information Technology
19 Commission, the technical panel established pursuant to section 86-521,
20 or any working groups established pursuant to sections 86-512 to 86-524
21 that establish, coordinate, or prioritize needs for education, the
22 Governor shall appoint to the commission one member who serves on the
23 Educational Service Unit Coordinating Council.

24 (2) The Governor or a designee of the Governor shall serve as
25 chairperson of the commission.

26 (3) The members of the commission other than the legislative member
27 shall be appointed by the Governor with the approval of a majority of the
28 Legislature. Members of the commission shall serve for terms of four
29 years, except that two members initially appointed to represent the
30 general public shall be appointed for a term of two years and any member
31 appointed to represent the Educational Service Unit Coordinating Council

1 shall be appointed for a term of one year. Members shall be limited to
2 two consecutive terms. The Governor or his or her designee shall serve on
3 the commission for his or her term. The legislative member of the
4 commission shall serve until he or she is reappointed or a successor is
5 appointed. Each member shall serve until the appointment and
6 qualification of his or her successor. In case of a vacancy occurring
7 prior to the expiration of the term of a member, the appointment shall be
8 made only for the remainder of the term.

9 (4) Members shall be reimbursed for expenses as provided in sections
10 81-1174 to 81-1177.

11 (5) The commission may employ or designate an executive director to
12 provide administrative and operational support for the commission. The
13 Department of Administrative Services and Nebraska Educational
14 Telecommunications Commission shall assist with administrative and
15 operational support for the Nebraska Information Technology Commission as
16 necessary to carry out its duties.

17 Sec. 2. Original section 86-515, Revised Statutes Cumulative
18 Supplement, 2022, is repealed.

19 Sec. 3. Since an emergency exists, this act takes effect when
20 passed and approved according to law.