

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 310

Introduced by Davis, 43.

Read first time January 15, 2015

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend
- 2 section 72-2007, Reissue Revised Statutes of Nebraska; to change
- 3 membership of the Niobrara Council; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 72-2007, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 72-2007 (1) The Niobrara Council is created. The council membership
4 shall include:

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

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

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

13 (d) The regional director for the National Park Service or his or
14 her designee and the regional director for the United States Fish and
15 Wildlife Service or his or designee ~~A representative of the United States~~
16 ~~Fish and Wildlife Service and a representative of the National Park~~
17 ~~Service chosen by the Governor from lists of at least three individuals,~~
18 ~~or fewer if there are not at least three qualified individuals, submitted~~
19 ~~by the federal services.~~ The members appointments under this subdivision
20 shall be nonvoting members unless and until the agencies represented by
21 these members appointees formally authorize such members appointees to
22 vote on all matters before the council by notifying the council and the
23 Governor in writing;

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

30 (f) A representative from a recreational business operating within
31 the Niobrara scenic river corridor chosen by the Governor from a list of

1 at least three individuals, or fewer if there are not at least three
2 qualified individuals, submitted by the county board members
3 ~~representatives~~ on the council;

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

9 (h) A representative of a recognized, nonprofit environmental,
10 conservation, or wildlife organization chosen by the Governor from a list
11 of at least three individuals, or fewer if there are not at least three
12 qualified individuals, submitted by the county board members
13 ~~representatives~~ on the council.

14 ~~The council members shall be selected within ninety days after July~~
15 ~~13, 2000.~~ The council members shall hold office for three-year terms and
16 until a successor is appointed and qualified. The council members shall
17 serve at the pleasure of the appointing board or the Governor.

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

24 (3) A quorum shall be present at a meeting before any action may be
25 taken by the council. A quorum shall be a majority of the members who are
26 selected and serving and who vote on issues before the council. All
27 actions of the council require a majority vote of the quorum present at
28 any meeting, except that any vote to reject or adopt any zoning
29 regulation or variance under section 72-2010 requires a vote of two-
30 thirds of all the council members who are selected and serving and who
31 vote on issues before the council. ~~A council member may not participate~~

1 ~~or vote on any matter on which he or she participated or voted as a~~
2 ~~member of a county board, county planning commission, or natural~~
3 ~~resources district board, and in such a case such council member shall~~
4 ~~not be counted for purposes of determining whether quorum or vote~~
5 ~~requirements have been satisfied.~~

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

9 Sec. 2. Original section 72-2007, Reissue Revised Statutes of
10 Nebraska, is repealed.