

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 624

Introduced by McDonnell, 5.

Read first time January 17, 2023

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to
- 2 amend sections 81-3710 and 81-3711, Revised Statutes Cumulative
- 3 Supplement, 2022; to provide for the administration of the Nebraska
- 4 Tourism Commission as prescribed; to provide duties for the Director
- 5 of Economic Development; to eliminate obsolete provisions; to change
- 6 commission duties; to harmonize provisions; and to repeal the
- 7 original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-3710, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-3710 (1) The Nebraska Tourism Commission is created. For
4 administrative purposes, the commission shall be located and staffed
5 within the Department of Economic Development. The Director of Economic
6 Development shall appoint the executive director of the commission at a
7 salary fixed by the Director of Economic Development. The executive
8 director shall conduct the day-to-day operations of the commission and
9 serve at the pleasure of the Director of Economic Development. The terms
10 of the members serving pursuant to subsection (2) of this section
11 terminate thirty days after August 24, 2017. The terms of the members
12 serving pursuant to subsection (3) of this section begin thirty days
13 after August 24, 2017.

14 ~~(2) Until thirty days after August 24, 2017, the commission shall~~
15 ~~consist of the following members:~~

16 ~~(a) One representative from the Game and Parks Commission;~~

17 ~~(b) One representative from the Nebraska Travel Association;~~

18 ~~(c) One representative from the Nebraska Hotel and Motel~~
19 ~~Association;~~

20 ~~(d) One representative from a tourism attraction that records at~~
21 ~~least two thousand out-of-state visitors per year;~~

22 ~~(e) One representative from the Nebraska Association of Convention~~
23 ~~and Visitors Bureaus;~~

24 ~~(f) One representative from the Western Nebraska Tourism Coalition;~~

25 ~~(g) One representative who resides in eastern Nebraska and is~~
26 ~~employed by a business that derives a majority of its revenue from out-~~
27 ~~of-state visitors;~~

28 ~~(h) One representative from the Central Nebraska Tourism~~
29 ~~Partnership; and~~

30 ~~(i) One representative of a business that derives a majority of its~~
31 ~~revenue from out-of-state visitors.~~

1 ~~(2)(a)~~ ~~(3)(a)~~ The Governor shall, within thirty days after August
2 24, 2017, appoint the members of the commission to begin serving at such
3 time, prior to approval by the Legislature. The members shall consist of
4 eleven residents of the State of Nebraska. Four of the members shall have
5 professional, volunteer, or public service experience that contributes to
6 the fiduciary and governance duties of the commission. Seven of the
7 members shall be affiliated with the tourism industry. One member shall
8 be appointed from each of the eleven districts designated in subdivision
9 (b) of this subsection.

10 (b) For purposes of this section, the state is hereby divided into
11 eleven districts. The limits and designations of the eleven districts
12 shall be as follows:

13 (i) District No. 1. Douglas County;

14 (ii) District No. 2. Lancaster County;

15 (iii) District No. 3. The counties of Richardson, Pawnee, Nemaha,
16 Johnson, Otoe, Gage, Saline, and Jefferson;

17 (iv) District No. 4. The counties of Cass and Sarpy;

18 (v) District No. 5. The counties of Saunders, Washington, Dodge,
19 Colfax, Stanton, Cuming, Burt, Thurston, Wayne, Cedar, Dixon, and Dakota;

20 (vi) District No. 6. The counties of Butler, Polk, Platte, Merrick,
21 Nance, Boone, Madison, Pierce, Antelope, Knox, Holt, and Boyd;

22 (vii) District No. 7. The counties of Thayer, Nuckolls, Webster,
23 Adams, Clay, Fillmore, Seward, York, Hamilton, Franklin, and Harlan;

24 (viii) District No. 8. The counties of Kearney, Phelps, Hall,
25 Howard, Greeley, Wheeler, Buffalo, Sherman, Valley, and Garfield;

26 (ix) District No. 9. The counties of Lincoln, Keya Paha, Rock,
27 Brown, Loup, Blaine, Custer, Logan, McPherson, Arthur, Grant, Hooker,
28 Thomas, and Cherry;

29 (x) District No. 10. The counties of Furnas, Red Willow, Hitchcock,
30 Dundy, Chase, Hayes, Frontier, Gosper, Dawson, Perkins, and Keith; and

31 (xi) District No. 11. The counties of Deuel, Garden, Sheridan,

1 Cheyenne, Morrill, Box Butte, Dawes, Sioux, Scotts Bluff, Banner, and
2 Kimball.

3 (c) The Governor shall appoint members representing district numbers
4 1, 6, 8, and 11 to serve for terms ending April 1, 2019; members
5 representing district numbers 2, 5, 7, and 10 to serve for terms ending
6 April 1, 2021; and members representing district numbers 3, 4, and 9 to
7 serve for terms ending April 1, 2023. The terms of their successors shall
8 be four years. The Governor shall appoint their successors with the
9 approval of the majority of the members of the Legislature. A person
10 appointed to serve pursuant to this subsection may serve only two
11 successive terms.

12 Sec. 2. Section 81-3711, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 81-3711 The commission shall:

15 (1) Administer the Nebraska Visitors Development Act;

16 (2) Advise the executive director in preparing a budget ~~Prepare and~~
17 approve such a budget;

18 (3) Elect a chairperson and vice-chairperson;

19 (4) Procure and evaluate data and information necessary for the
20 proper administration of the act;

21 (5) Recommend ~~Appoint~~ an executive director for appointment by the
22 Director of Economic Development at a salary to be fixed by the
23 ~~commission to conduct the day-to-day operations of the commission;~~

24 (6) Approve the employment of ~~Employ~~ personnel and contracts
25 ~~contract~~ for services ~~which are~~ necessary for the proper operation of the
26 commission;

27 (7) Establish a means by which any interested person has the
28 opportunity at least annually to offer ~~his or her~~ ideas and suggestions
29 relative to the commission's duties for the upcoming year;

30 (8) Authorize the expenditure of funds and contracting of
31 expenditures to carry out the act;

1 (9) Keep minutes of its meetings and other books and records which
2 clearly reflect all of the actions and transactions of the commission and
3 keep such records open to examination during normal business hours;

4 (10) Prohibit any funds appropriated to the commission from being
5 expended directly or indirectly to promote or oppose any candidate for
6 public office or to influence state or federal legislation;

7 (11) Have authority to mark significant tourism attractions as
8 provided in section 81-3711.01;

9 (12) Have authority to develop and approve state marketing
10 campaigns;

11 (13) Adopt and promulgate rules and regulations to carry out the act
12 ~~Nebraska Visitors Development Act~~;

13 (14) Develop and administer a program to provide promotional
14 services, technical assistance, and state aid to local governments and
15 the tourism industry;

16 (15) Establish written policies and procedures governing the
17 executive director and the personnel of the commission, as approved by
18 the Director of Economic Development, in the expenditure and use of funds
19 appropriated to the commission;

20 (16) Cooperate with federal, state, and local governments and
21 private individuals and organizations to carry out any of the functions
22 of the commission and the purposes of the act ~~Nebraska Visitors~~
23 ~~Development Act~~; and

24 (17) Actively coordinate and develop working partnerships with other
25 state agencies, including, but not limited to, the Commission on Indian
26 Affairs, the Department of Economic Development, the Game and Parks
27 Commission, the Nebraska Arts Council, the Nebraska State Historical
28 Society, and the University of Nebraska.

29 Sec. 3. Original sections 81-3710 and 81-3711, Revised Statutes
30 Cumulative Supplement, 2022, are repealed.