

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 381**

FINAL READING

Introduced by Hansen, B., 16.

Read first time January 17, 2019

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 1-110,  
2 2-1201, 2-1803, 2-2306, 2-3405, 2-3619, 2-3751, 2-4008, 2-4208,  
3 2-4901, 2-5003, 7-205, 21-2307, 23-1215, 24-1003, 24-1103, 24-1203,  
4 25-2907, 29-2259, 29-3925, 30-4108, 37-105, 37-106, 39-2304,  
5 43-1302, 43-1903, 43-3342.05, 43-3401, 43-4001, 45-603, 46-538,  
6 48-1116, 49-233, 50-415, 51-402, 53-112, 53-113, 58-228, 66-1335,  
7 68-953, 68-1105, 70-719, 71-219.03, 71-222, 71-702, 71-808, 71-1799,  
8 71-2605, 71-3406, 71-4504, 71-4723, 71-4728.05, 71-5657, 71-6227,  
9 71-6303, 71-6321, 71-7012, 71-8236, 71-8251, 71-8604, 71-8803,  
10 72-201, 72-224.03, 72-1239, 72-2007, 72-2103, 75-104, 77-27,157,  
11 77-5004, 77-5206, 79-317, 79-546, 79-808, 79-861, 79-863,  
12 79-1104.04, 79-1816, 80-318, 80-401.02, 80-401.08, 81-175,  
13 81-502.02, 81-829.53, 81-829.54, 81-885.07, 81-8,189, 81-8,267,  
14 81-1108.32, 81-1120.18, 81-1174, 81-1180, 81-11,104, 81-1409,  
15 81-1421, 81-1449, 81-1505.03, 81-15,171, 81-15,211, 81-1805,  
16 81-2105, 81-2506, 81-3521, 82-310, 83-4,124, 84-931, 84-1204,  
17 85-104, 85-301, 85-1408, 86-461, 86-515, and 86-571, Reissue Revised  
18 Statutes of Nebraska, sections 2-3951.01, 9-1004, 29-2252, 39-2106,  
19 43-2411, 49-14,120, 54-191, 55-604, 57-904, 58-819, 79-760.03,  
20 79-760.07, 79-1217, 79-2204, 81-1348, 81-1430, 83-1212.01, 84-1501,  
21 86-1025.01, and 86-1102, Revised Statutes Cumulative Supplement,  
22 2018, and sections 3-104, 43-4202, 53-302, 53-502, 70-1003, 76-2222,

1           81-5,212, 81-1503, 81-1504, 81-15,175, 81-15,245, 84-1502, 85-1509,  
2           and 86-570, Revised Statutes Supplement, 2019; to change provisions  
3           relating to reimbursement for expenses as prescribed; to eliminate  
4           obsolete provisions; to harmonize provisions; to provide an  
5           operative date; to repeal the original sections; and to outright  
6           repeal section 81-1181, Reissue Revised Statutes of Nebraska.

7   Be it enacted by the people of the State of Nebraska,

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

3 1-110 Each member of the board shall be paid one hundred dollars for  
4 each day or portion thereof spent in the discharge of his or her official  
5 duties and shall be reimbursed for ~~his or her actual and necessary~~  
6 expenses incurred in the discharge of his or her official duties as  
7 provided in sections 81-1174 to 81-1177. Such compensation and expenses  
8 shall be paid from the Certified Public Accountants Fund.

9 Sec. 2. Section 2-1201, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 2-1201 (1) There hereby is created a State Racing Commission.

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

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

25 (a) The member representing the second congressional district who is  
26 appointed on or after April 1, 2010, shall serve until March 31, 2014,  
27 and until his or her successor is appointed and qualified. Thereafter the  
28 term of the member representing such district shall be four years and  
29 until his or her successor is appointed and qualified;

30 (b) The member representing the third congressional district who is  
31 appointed on or after April 1, 2011, shall serve until March 31, 2015,

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 (c) The member representing the first congressional district who is  
5 appointed on or after April 1, 2012, shall serve until March 31, 2016,  
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 (d) Not later than sixty days after July 15, 2010, the Governor  
10 shall appoint one at-large member who shall serve until March 31, 2013,  
11 and until his or her successor is appointed and qualified. Thereafter the  
12 term of such member shall be four years and until his or her successor is  
13 appointed and qualified; and

14 (e) Not later than sixty days after July 15, 2010, the Governor  
15 shall appoint one at-large member who shall serve until March 31, 2014,  
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.

19 (4) Not more than three members of the commission shall belong to  
20 the same political party. No more than two of the members shall reside,  
21 when appointed, in the same congressional district. No more than two of  
22 the members shall reside in any one county. Any vacancy shall be filled  
23 by appointment by the Governor for the unexpired term. The members shall  
24 serve without compensation but shall be reimbursed for ~~their actual~~  
25 expenses incurred in the performance of their duties as provided in  
26 sections 81-1174 to 81-1177. The members of the commission shall be  
27 bonded or insured as required by section 11-201.

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

30 2-1803 With the exception of the ex officio member, the Governor  
31 shall appoint an advisory committee to be known as the Nebraska Potato

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

14 Sec. 4. Section 2-2306, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 2-2306 All voting members of the board shall be entitled to ~~actual~~  
17 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,  
18 while attending meetings of the board or while engaged in the performance  
19 of official responsibilities as determined by the board.

20 Sec. 5. Section 2-3405, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 2-3405 Members of the committee shall receive no salary, but shall  
23 be paid a per diem of twenty-five dollars for each day they are actually  
24 and necessarily engaged in the transaction of business, together with  
25 ~~their actual and necessary~~ expenses incurred while on official business  
26 as provided in sections 81-1174 to 81-1177.

27 Sec. 6. Section 2-3619, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 2-3619 The voting members of the board, while engaged in the  
30 performance of their official duties, shall receive compensation at the  
31 rate of twenty-five dollars per day while so serving, including travel

1 time. In addition, members of the board shall receive reimbursement for  
2 ~~actual and necessary~~ expenses on the same basis and subject to the same  
3 conditions as provided in sections 81-1174 to 81-1177 ~~for state~~  
4 ~~employees.~~

5 Sec. 7. Section 2-3751, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 2-3751 The commission shall elect from its members a chairperson and  
8 such other officers as may be necessary. The commission shall meet at  
9 least once every three months and at such other times as called by the  
10 chairperson or by any three members of the commission. The members shall  
11 receive no compensation for their services, but appointed members shall  
12 receive reimbursement for ~~actual, necessary, and reasonable~~ expenses  
13 incurred in the discharge of their official duties as provided in  
14 sections 81-1174 to 81-1177 ~~for state employees.~~

15 Sec. 8. Section 2-3951.01, Revised Statutes Cumulative Supplement,  
16 2018, is amended to read:

17 2-3951.01 (1) Members of the board shall, as nearly as possible, be  
18 representative of all first purchasers of milk and individual producer-  
19 processors in the state and, to the extent practicable, result in  
20 equitable representation of the various interests of milk producers both  
21 in terms of the manner in which milk is marketed and geographic  
22 distribution of milk production units in the state.

23 (2) The terms of the members of the board shall be three years,  
24 except that the first term of the initial and additional members of the  
25 board shall be staggered so that one-third of the members are appointed  
26 each year. The number of years for the first term of new and additional  
27 members shall be determined by the Governor. Once duly appointed and  
28 qualified, no member's term shall be shortened or terminated by any  
29 subsequent certification by the Department of Agriculture of milk  
30 production units from which a first purchaser of milk purchases milk.

31 (3) The Director of Agriculture or his or her designee shall be an

1 ex officio member of the board but shall have no vote in board matters.

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

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

7 Sec. 9. Section 2-4008, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 2-4008 All voting members of the board shall be entitled to ~~actual~~  
10 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177  
11 ~~for state employees,~~ while attending meetings of the board, or while  
12 engaged in the performance of official responsibilities as determined by  
13 the board.

14 Sec. 10. Section 2-4208, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 2-4208 The board of directors shall appoint an administrator who  
17 shall be an employee of the corporation, but not a member of the board,  
18 and who shall serve at the pleasure of the board and receive such  
19 compensation and benefits as shall be fixed by the board. The  
20 administrator shall administer, manage, and direct the affairs and the  
21 activities of the corporation in accordance with policies and under the  
22 control and direction of the board. The administrator shall approve all  
23 accounts for salaries, allowable expenses of the corporation or of any  
24 employee or consultant thereof, and expenses incidental to the operation  
25 of the corporation. He or she shall perform such duties as may be  
26 directed by the members in carrying out the Conservation Corporation Act  
27 ~~sections 2-4201 to 2-4246~~. Members of the board of directors and any  
28 employees of the corporation shall be reimbursed for ~~their actual and~~  
29 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~  
30 ~~employees~~. All employees of the corporation shall be administratively  
31 responsible to the administrator.

1           Sec. 11. Section 2-4901, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           2-4901 (1) The Climate Assessment Response Committee is hereby  
4 created. The office of the Governor shall be the lead agency and shall  
5 oversee the committee and its activities. The committee shall be composed  
6 of representatives appointed by the Governor with the approval of a  
7 majority of the Legislature from livestock producers, crop producers, the  
8 Nebraska Emergency Management Agency, and the Conservation and Survey  
9 Division and Cooperative Extension Service of the University of Nebraska.  
10 The Director of Agriculture or his or her designee, the chief executive  
11 officer of the Department of Health and Human Services or his or her  
12 designee, and the Director of Natural Resources or his or her designee  
13 shall be ex officio members of the committee. Representatives from the  
14 federal Consolidated Farm Service Agency and Federal Crop Insurance  
15 Corporation may also serve on the committee at the invitation of the  
16 Governor. The chairperson of the Committee on Agriculture of the  
17 Legislature and the chairperson of the Committee on Natural Resources of  
18 the Legislature shall be nonvoting, ex officio members of the committee.  
19 The Governor may appoint a member of the Governor's Policy Research  
20 Office and any other state agency representatives or invite any other  
21 federal agencies to name representatives as he or she deems necessary.  
22 The Governor shall appoint one of the Climate Assessment Response  
23 Committee members to serve as the chairperson of the committee. Committee  
24 members shall be reimbursed for ~~actual and necessary~~ expenses as provided  
25 in sections 81-1174 to 81-1177.

26           (2) The committee shall meet at least twice each year and shall meet  
27 more frequently (a) at the call of the chairperson, (b) upon request of a  
28 majority of the committee members, and (c) during periods of drought or  
29 other severe climate situations.

30           (3) The chairperson may establish subcommittees and may invite  
31 representatives of agencies other than those with members on the



1 committee to serve on such subcommittees.

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

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

8 2-5003 There is hereby created the Nebraska Aquaculture Board. The  
9 board shall consist of (1) one employee of the commission who is familiar  
10 with aquatic disease, appointed by the secretary of the commission, (2)  
11 one employee of the department appointed by the director, (3) three  
12 aquaculturists, appointed by the Governor, and (4) a representative of an  
13 industry or product which is related to or used in aquaculture, appointed  
14 by the Governor. The board shall elect from its members a chairperson.  
15 The terms of the members of the board shall be three years, except that  
16 the terms of the initial aquaculturist members of the board appointed by  
17 the Governor shall be staggered so that one member is appointed for a  
18 term of one year, one for a term of two years, and one for a term of  
19 three years, as determined by the Governor. Members appointed under  
20 subdivisions (3) and (4) of this section shall be reimbursed for ~~their~~  
21 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

22 Sec. 13. Section 3-104, Revised Statutes Supplement, 2019, is  
23 amended to read:

24 3-104 (1) There is hereby created the Nebraska Aeronautics  
25 Commission which shall consist of five members, who shall be appointed by  
26 the Governor. The terms of office of the members of the commission  
27 initially appointed shall expire on March 1 of the years 1946, 1947,  
28 1948, 1949, and 1950, as designated by the Governor in making the  
29 respective appointments. As the terms of members expire, the Governor  
30 shall, on or before March 1 of each year, appoint a member of the  
31 commission for a term of five years to succeed the member whose term

1 expires. Each member shall serve until the appointment and qualification  
2 of his or her successor. In case of a vacancy occurring prior to the  
3 expiration of the term of a member, the appointment shall be made only  
4 for the remainder of the term. All members of the commission shall be  
5 citizens and bona fide residents of the state and, in making such an  
6 appointment, the Governor shall take into consideration the interest or  
7 training of the appointee in some one or all branches of aviation. The  
8 commission shall, in December of each year, select a chairperson for the  
9 ensuing year. The Director of Aeronautics shall serve as secretary as set  
10 forth in section 3-127. Three members shall constitute a quorum, and no  
11 action shall be taken by less than a majority of the commission.

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

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

27 ~~(3)(a) The (b) Beginning January 1, 2018,~~ the commission shall  
28 advise the Director-State Engineer relative to the appointment of the  
29 Director of Aeronautics, and the commission shall report to the Director-  
30 State Engineer whenever the commission feels that the Director of  
31 Aeronautics is not properly fulfilling his or her duties. The commission

1 shall also advise the Governor on the general status and state of  
2 aviation in Nebraska.

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

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

19 Sec. 14. Section 7-205, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 7-205 The board shall select one of its members to be chairperson.  
22 The board shall meet as necessary to carry out its duties, but shall meet  
23 at least annually. The members shall serve without compensation but shall  
24 be reimbursed for ~~their actual and necessary~~ expenses as provided in  
25 sections 81-1174 to 81-1177.

26 Sec. 15. Section 9-1004, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 9-1004 (1) The commission shall appoint one of its members as  
29 chairperson and such other officers as it deems appropriate. Members  
30 shall be reimbursed for ~~their actual and necessary~~ expenses in carrying  
31 out their duties as members of the commission as provided in sections

1 81-1174 to 81-1177.

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

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

15 (4) The commission shall (a) provide for a process for the  
16 evaluation and approval of provider applications and contracts for  
17 treatment and other services funded from the Compulsive Gamblers  
18 Assistance Fund and (b) develop standards and guidelines for training and  
19 certification of problem gambling counselors.

20 (5) The commission shall provide for (a) the review and use of  
21 evaluation data, (b) the use and expenditure of funds for education  
22 regarding problem gambling and prevention of problem gambling, and (c)  
23 the creation and implementation of outreach and educational programs  
24 regarding problem gambling for Nebraska residents.

25 (6) The commission may adopt and promulgate rules and regulations  
26 and engage in other activities it finds necessary to carry out its duties  
27 under sections 9-1001 to 9-1007.

28 (7) The commission shall submit a report within sixty days after the  
29 end of each fiscal year to the Governor and the Clerk of the Legislature  
30 that provides details of the administration of the program and  
31 distribution of funds from the Compulsive Gamblers Assistance Fund. The

1 report submitted to the Legislature shall be submitted electronically.

2 Sec. 16. Section 21-2307, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 21-2307 The corporation shall have a board of directors in which all  
5 powers of the corporation shall be vested and which shall consist of any  
6 number of directors, not less than three, all of whom shall be duly  
7 qualified electors of and taxpayers in the local political subdivision.  
8 The directors shall serve without compensation, except that they shall be  
9 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
10 performance of their duties under the Nebraska Industrial Development  
11 Corporation Act pursuant to sections 81-1174 to 81-1177. The directors  
12 shall be elected by the governing body of the local political  
13 subdivision. Any meeting held by the board of directors for any purpose  
14 shall be open to the public.

15 Sec. 17. Section 23-1215, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 23-1215 Members of the council shall serve without compensation, but  
18 they shall be entitled to reimbursement for ~~actual and necessary~~ expenses  
19 incident to such service on the council as provided in sections ~~section~~  
20 81-1174 to 81-1177 , ~~for state employees.~~

21 Sec. 18. Section 24-1003, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 24-1003 The Supreme Court shall provide by rule for the recording  
24 and preservation of evidence in all cases in the district and separate  
25 juvenile courts and for the preparation of transcripts and bills of  
26 exceptions. Court reporters and other persons employed to perform the  
27 duties required by such rules shall be appointed by the judge under whose  
28 direction they work. The Supreme Court shall prescribe uniform salary  
29 schedules for such employees, based on their experience and training and  
30 the methods used by them in recording and preserving evidence and  
31 preparing transcripts and bills of exceptions. Salaries and ~~actual and~~

1 ~~necessary~~ expenses of such employees shall be paid by the State of  
2 Nebraska from funds appropriated to the Supreme Court. Such employees  
3 shall be reimbursed for ~~their~~ expenses as provided in sections 81-1174 to  
4 81-1177 ~~for state employees.~~

5 Sec. 19. Section 24-1103, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 24-1103 (1) The Chief Justice of the Supreme Court may call active  
8 judges of the district court to serve on the Court of Appeals in case of  
9 incapacity or absence for any reason whatsoever or temporary vacancy in  
10 the office of a judge of the Court of Appeals. Any active judge  
11 designated to serve on the Court of Appeals shall be reimbursed for ~~his~~  
12 ~~or her actual and necessary~~ expenses as provided in sections 81-1174 to  
13 81-1177.

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

19 Sec. 20. Section 24-1203, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 24-1203 Members of the Judicial Resources Commission shall be  
22 reimbursed for ~~their actual and necessary~~ expenses as provided in  
23 sections 81-1174 to 81-1177.

24 Sec. 21. Section 25-2907, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 25-2907 (1) The council shall advise the director on the  
27 administration of the Dispute Resolution Act.

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

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

4           Sec. 22. Section 29-2252, Revised Statutes Cumulative Supplement,  
5 2018, is amended to read:

6           29-2252 The administrator shall:

7           (1) Supervise and administer the office;

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

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

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

22          (5) Establish and maintain advanced periodic inservice training  
23 requirements for the system;

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

26          (7) Organize and conduct training programs for probation officers.  
27 Training shall include the proper use of a risk and needs assessment,  
28 risk-based supervision strategies, relationship skills, cognitive  
29 behavioral interventions, community-based resources, criminal risk  
30 factors, and targeting criminal risk factors to reduce recidivism and the  
31 proper use of a matrix of administrative sanctions, custodial sanctions,

1 and rewards developed pursuant to subdivision (18) of this section. All  
2 probation officers employed on or after August 30, 2015, shall complete  
3 the training requirements set forth in this subdivision;

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

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

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

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

27 (12) Transmit a report during each even-numbered year to the Supreme  
28 Court on the operation of the office for the preceding two calendar years  
29 which shall include a historical analysis of probation officer workload,  
30 including participation in non-probation-based programs and services. The  
31 report shall be transmitted by the Supreme Court to the Governor and the



1 Clerk of the Legislature. The report submitted to the Clerk of the  
2 Legislature shall be submitted electronically;

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

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

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

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

26 (17) Collaborate with the Community Corrections Division of the  
27 Nebraska Commission on Law Enforcement and Criminal Justice and the  
28 Division of Parole Supervision to develop rules governing the  
29 participation of parolees in community corrections programs operated by  
30 the Office of Probation Administration;

31 (18) Develop a matrix of rewards for compliance and positive

1 behaviors and graduated administrative sanctions and custodial sanctions  
2 for use in responding to and deterring substance abuse violations and  
3 technical violations. As applicable under sections 29-2266.02 and  
4 29-2266.03, custodial sanctions of up to thirty days in jail shall be  
5 designated as the most severe response to a violation in lieu of  
6 revocation and custodial sanctions of up to three days in jail shall be  
7 designated as the second most severe response;

8 (19) Adopt and promulgate rules and regulations for the creation of  
9 individualized post-release supervision plans, collaboratively with the  
10 Department of Correctional Services and county jails, for probationers  
11 sentenced to post-release supervision; and

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

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

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

19 29-2259 (1) The salaries, ~~actual and necessary expenses,~~ and  
20 expenses incident to the conduct and maintenance of the office shall be  
21 paid by the state. Other Actual and necessary expenses shall be paid by  
22 the state as provided in sections 81-1174 to 81-1177.

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

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

29 (4) The expenses incident to the conduct and maintenance of the  
30 principal office within each probation district shall in the first  
31 instance be paid by the county in which it is located, but such county

1 shall be reimbursed for such expenses by all other counties within the  
2 probation district to the extent and in the proportions determined by the  
3 Supreme Court based upon population, number of investigations, and  
4 probation cases handled or upon such other basis as the Supreme Court  
5 deems fair and equitable.

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

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

22 (7) The probation administrator shall prepare a budget and request  
23 for appropriations for the office and shall submit such request to the  
24 Supreme Court and with its approval to the appropriate authority in  
25 accordance with law.

26 Sec. 24. Section 29-3925, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 29-3925 The Governor shall designate one of the members of the  
29 commission as the chairperson. The members of the commission shall be  
30 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
31 performance of their duties as provided in sections 81-1174 to 81-1177.

1           Sec. 25. Section 30-4108, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           30-4108 (1) The council shall advise the Public Guardian on the  
4 administration of public guardianship and public conservatorship.

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

9           Sec. 26. Section 37-105, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11           37-105 The members of the Game and Parks Commission, other than the  
12 secretary, shall be reimbursed for ~~all actual and necessary traveling and~~  
13 ~~other~~ expenses incurred in the discharge of their official duties as  
14 provided in sections 81-1174 to 81-1177 and shall be allowed a per diem  
15 of thirty-five dollars for days actually away from home on business of  
16 the commission, not exceeding forty-five days in any one year.

17           Sec. 27. Section 37-106, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19           37-106 The Game and Parks Commission shall appoint a secretary, who  
20 will act as its director and chief conservation officer and be in charge  
21 of its activities. He or she shall be a person with knowledge of and  
22 experience in the requirements of the protection, propagation,  
23 conservation, and restoration of the wildlife resources of the state. The  
24 secretary shall serve for a term of six years. The secretary shall not  
25 hold any other public office and shall devote his or her entire time to  
26 the service of the state in the discharge of his or her official duties.  
27 The secretary shall receive such compensation as the commission may  
28 determine and shall be reimbursed for ~~all actual and necessary traveling~~  
29 ~~and other~~ expenses incurred by him or her in the discharge of his or her  
30 official duties as provided in sections 81-1174 to 81-1177. Before  
31 entering upon the duties of his or her office, the secretary shall take

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

19 Sec. 28. Section 39-2106, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

21 39-2106 To assist in developing the functional classification  
22 system, there is hereby established the Board of Public Roads  
23 Classifications and Standards which shall consist of eleven members to be  
24 appointed by the Governor with the approval of the Legislature. Of the  
25 members of such board, two shall be representatives of the Department of  
26 Transportation, three shall be representatives of the counties, one of  
27 whom shall be a licensed county highway superintendent in good standing  
28 and two of whom shall be county board members, three shall be  
29 representatives of the municipalities who shall be either public works  
30 directors or licensed city street superintendents in good standing, and  
31 three shall be lay citizens who shall represent the three congressional

1 districts of the state. The county members on the board shall represent  
2 the various classes of counties, as defined in section 23-1114.01, in the  
3 following manner: One shall be a representative from either a Class 1 or  
4 Class 2 county; one shall be a representative from either a Class 3 or  
5 Class 4 county; and one shall be a representative from either a Class 5,  
6 Class 6, or Class 7 county. The municipal members of the board shall  
7 represent municipalities of the following sizes by population: One shall  
8 be a representative from a municipality of less than two thousand five  
9 hundred inhabitants as determined by the most recent federal decennial  
10 census or the most recent revised certified count by the United States  
11 Bureau of the Census; one shall be a representative from a municipality  
12 of two thousand five hundred to fifty thousand inhabitants as determined  
13 by the most recent federal decennial census or the most recent revised  
14 certified count by the United States Bureau of the Census; and one shall  
15 be a representative from a municipality of over fifty thousand  
16 inhabitants as determined by the most recent federal decennial census or  
17 the most recent revised certified count by the United States Bureau of  
18 the Census. In making such appointments, the Governor shall consult with  
19 the Director-State Engineer and with the appropriate county and municipal  
20 officials and may consult with organizations representing such officials  
21 or representing counties or municipalities as may be appropriate. At the  
22 expiration of the existing term, one member from the county  
23 representatives, the municipal representatives, and the lay citizens  
24 shall be appointed for a term of two years; and two members from the  
25 county representatives, the municipal representatives, and the lay  
26 citizens shall be appointed for terms of four years. One representative  
27 from the department shall be appointed for a two-year term and the other  
28 representative shall be appointed for a four-year term. Thereafter, all  
29 such appointments shall be for terms of four years each. Members of such  
30 board shall receive no compensation for their services as such, except  
31 that the lay members shall receive the same compensation as members of

1 the State Highway Commission, and all members shall be reimbursed for  
2 ~~their actual and necessary~~ expenses incurred in the performance of their  
3 official duties as provided in sections 81-1174 to 81-1177 ~~for state~~  
4 ~~employees~~. All expenses of such board shall be paid by the department.

5 Sec. 29. Section 39-2304, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 39-2304 The Board of Examiners for County Highway and City Street  
8 Superintendents is created. The board shall consist of seven members to  
9 be appointed by the Governor, four of whom shall be county  
10 representatives, and three of whom shall be municipal representatives.

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

22 In making such appointments, the Governor may give consideration to  
23 a list of licensed county highway engineers, county highway  
24 superintendents, and county surveyors submitted by the Nebraska  
25 Association of County Officials and to a list of licensed city street  
26 superintendents or street commissioners, city engineers, and public works  
27 directors submitted by the League of Nebraska Municipalities. Two county  
28 representatives shall initially be appointed for terms of two years each,  
29 and two county representatives shall initially be appointed for terms of  
30 four years each. One municipal representative shall initially be  
31 appointed for a term of two years, and two municipal representatives

1 shall initially be appointed for terms of four years each. Thereafter,  
2 all such appointments shall be for terms of four years each.

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

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

15 Sec. 30. Section 43-1302, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 43-1302 (1) The Foster Care Review Office is hereby established. The  
18 purpose of the office is to provide information and direct reporting to  
19 the courts, the Department of Health and Human Services, the Office of  
20 Probation Administration, and the Legislature regarding the foster care  
21 system in Nebraska; to provide oversight of the foster care system; and  
22 to make recommendations regarding foster care policy to the Legislature.  
23 The executive director of the Foster Care Review Office shall provide  
24 information and reporting services, provide analysis of information  
25 obtained, and oversee foster care file audit case reviews and tracking of  
26 cases of children in the foster care system. The executive director of  
27 the office shall, through information analysis and with the assistance of  
28 the Foster Care Advisory Committee, (a) determine key issues of the  
29 foster care system and ways to resolve the issues and to otherwise  
30 improve the system and (b) make policy recommendations.

31 (2)(a) The Foster Care Advisory Committee is created. The committee



1 shall have five members appointed by the Governor. Three members shall be  
2 local board members, one member shall have data analysis experience, and  
3 one member shall be a resident of the state who is representative of the  
4 public at large. The members shall have no pecuniary interest in the  
5 foster care system and shall not be employed by the office, the  
6 Department of Health and Human Services, a county, a residential child-  
7 caring agency, a child-placing agency, or a court.

8 (b) The Health and Human Services Committee of the Legislature shall  
9 hold a confirmation hearing for the appointees, and the appointments  
10 shall be subject to confirmation by the Legislature, except that the  
11 members appointed while the Legislature is not in session shall serve  
12 until the next session of the Legislature, at which time a majority of  
13 the members of the Legislature shall approve or disapprove of the  
14 appointments.

15 (c) The terms of the members shall be for three years, except that  
16 the Governor shall designate two of the initial appointees to serve  
17 initial terms ending on March 1, 2014, and three of the initial  
18 appointees to serve initial terms ending on March 1, 2015. The Governor  
19 shall make the initial appointments within thirty days after July 1,  
20 2012. Members shall not serve more than two consecutive terms, except  
21 that members shall serve until their successors have been appointed and  
22 qualified. The Governor shall appoint members to fill vacancies from the  
23 same category as the vacated position to serve for the remainder of the  
24 unexpired term.

25 (d) The Foster Care Advisory Committee shall meet at least four  
26 times each calendar year. Each member shall attend at least two meetings  
27 each calendar year and shall be subject to removal for failure to attend  
28 at least two meetings unless excused by a majority of the members of the  
29 committee. Members shall be reimbursed for ~~their actual and necessary~~  
30 expenses as provided in sections 81-1174 to 81-1177.

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

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

3 (ii) Support and facilitate the work of the office, including the  
4 tracking of children in foster care and reviewing foster care file audit  
5 case reviews.

6 (3) The executive director of the office shall hire, fire, and  
7 supervise office staff and shall be responsible for the duties of the  
8 office as provided by law, including the annual report and other  
9 reporting, review, tracking, data collection and analysis, and oversight  
10 and training of local boards.

11 Sec. 31. Section 43-1903, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 43-1903 (1) There is hereby created within the department the  
14 Nebraska Child Abuse Prevention Fund Board which shall be composed of  
15 nine members as follows: Two representatives of the Department of Health  
16 and Human Services appointed by the chief executive officer and seven  
17 members to be appointed by the Governor with the approval of the  
18 Legislature. The Governor shall appoint two members from each of the  
19 three congressional districts and one member from the state at large. As  
20 a group, the appointed board members (a) shall demonstrate knowledge in  
21 the area of child abuse and neglect prevention, (b) shall be  
22 representative of the demographic composition of this state, and (c) to  
23 the extent practicable, shall be representative of all of the following  
24 categories (i) the business community, (ii) the religious community,  
25 (iii) the legal community, (iv) professional providers of child abuse and  
26 neglect prevention services, and (v) volunteers in child abuse and  
27 neglect prevention services.

28 (2) The term of each appointed board member shall be three years,  
29 except that of the board members first appointed, two, including the at-  
30 large member, shall serve for three years, three shall serve for two  
31 years, and two shall serve for one year. The Governor shall designate the

1 term which each of the members first appointed shall serve when he or she  
2 makes the appointments. An appointed board member shall not serve more  
3 than two consecutive terms whether partial or full. A vacancy shall be  
4 filled for the balance of the unexpired term in the same manner as the  
5 original appointment.

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

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

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

20 Sec. 32. Section 43-2411, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 43-2411 (1) The Nebraska Coalition for Juvenile Justice is created.  
23 Coalition members who are members of the judicial branch of government  
24 shall be nonvoting members of the coalition. The coalition members shall  
25 be appointed by the Governor and shall include the members required under  
26 subsection (2) or (3) of this section.

27 (2) Before June 15, 2018:

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

30 (b) The coalition shall include:

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

- 1           (ii) The chief executive officer of the Department of Health and  
2 Human Services or his or her designee;
- 3           (iii) The Commissioner of Education or his or her designee;
- 4           (iv) The executive director of the Nebraska Commission on Law  
5 Enforcement and Criminal Justice or his or her designee;
- 6           (v) The executive director of the Nebraska Association of County  
7 Officials or his or her designee;
- 8           (vi) The probation administrator of the Office of Probation  
9 Administration or his or her designee;
- 10          (vii) One county commissioner or supervisor;
- 11          (viii) One person with data analysis experience;
- 12          (ix) One police chief;
- 13          (x) One sheriff;
- 14          (xi) The executive director of the Foster Care Review Office;
- 15          (xii) One separate juvenile court judge;
- 16          (xiii) One county court judge;
- 17          (xiv) One representative of mental health professionals who works  
18 directly with juveniles;
- 19          (xv) Three representatives, one from each congressional district,  
20 from community-based, private nonprofit organizations who work with  
21 juvenile offenders and their families;
- 22          (xvi) One volunteer who works with juvenile offenders or potential  
23 juvenile offenders;
- 24          (xvii) One person who works with an alternative to a detention  
25 program for juveniles;
- 26          (xviii) The director or his or her designee from a youth  
27 rehabilitation and treatment center;
- 28          (xix) The director or his or her designee from a secure juvenile  
29 detention facility;
- 30          (xx) The director or his or her designee from a staff secure youth  
31 confinement facility;

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

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

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

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

9 (xxv) One county attorney; and

10 (xxvi) One public defender;

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

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

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

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

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

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

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

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

1 (f) One county commissioner or supervisor;

2 (g) One representative from law enforcement;

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

4 (i) One separate juvenile court judge;

5 (j) One county court judge;

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

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

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

13 (n) One at-large member;

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

16 (p) One county attorney; and

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

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

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

25 (c) The positions created pursuant to subdivisions (2)(b)(i),  
26 (viii), (x), (xiv), (xvi), (xvii), (xviii), (xx), (xxii), and (xxiii) of  
27 this section shall cease to exist on June 15, 2018.

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

31 (e) The director or his or her designee from a secure juvenile

1 detention facility appointed pursuant to subdivision (2)(b)(xix) of this  
2 section shall continue to serve until the member under subdivision (3)(1)  
3 of this section is appointed.

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

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

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

13 Sec. 33. Section 43-3342.05, Reissue Revised Statutes of Nebraska,  
14 is amended to read:

15 43-3342.05 (1) The Child Support Advisory Commission is created.  
16 Commission members shall include:

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

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

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

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

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

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

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

30 (h) The chairperson of the Health and Human Services Committee of  
31 the Legislature;

- 1 (i) The State Treasurer or his or her designee;
- 2 (j) The State Court Administrator or his or her designee; and
- 3 (k) The director of the Title IV-D Division or his or her designee.

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

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

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

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

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

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

26 (a) Reviewing the child support guidelines adopted by the Supreme  
27 Court and recommending, if appropriate, any changes to the guidelines.  
28 Whenever practicable, the commission shall base its recommendations on  
29 economic data and statistics collected in the State of Nebraska. In  
30 reviewing the guidelines and formulating recommendations, the commission  
31 may conduct public hearings around the state; and



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

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

7 Sec. 34. Section 43-3401, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 43-3401 The Early Childhood Interagency Coordinating Council is  
10 created. The council shall advise and assist the collaborating agencies  
11 in carrying out the provisions of the Early Intervention Act, the Quality  
12 Child Care Act, sections 79-1101 to 79-1104, and other early childhood  
13 care and education initiatives under state supervision. Membership and  
14 activities of the council shall comply with all applicable provisions of  
15 federal law. Members of the council shall be appointed by the Governor  
16 and shall include, but not be limited to:

17 (1) Parents of children who require early intervention services,  
18 early childhood special education, and other early childhood care and  
19 education services; and

20 (2) Representatives of school districts, social services, health and  
21 medical services, family child care and center-based early childhood care  
22 and education programs, agencies providing training to staff of child  
23 care programs, resource and referral agencies, mental health services,  
24 developmental disabilities services, educational service units, Head  
25 Start, higher education, physicians, the Legislature, business persons,  
26 and the collaborating agencies.

27 Terms of the members shall be for three years, and a member shall  
28 not serve more than two consecutive three-year terms. Members shall be  
29 reimbursed for ~~their actual and necessary~~ expenses as provided in  
30 sections 81-1174 to 81-1177, including child care expenses, with funds  
31 provided for such purposes through the Early Intervention Act, the

1 Quality Child Care Act, and sections 79-1101 to 79-1104.

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

11 Sec. 35. Section 43-4001, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 43-4001 (1) The Children's Behavioral Health Task Force is created.  
14 The task force shall consist of the following members:

15 (a) The chairperson of the Health and Human Services Committee of  
16 the Legislature or another member of the committee as his or her  
17 designee;

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

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

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

26 (e) Two representatives of organizations advocating on behalf of  
27 consumers of children's behavioral health services and their families,  
28 appointed by the chairperson of the Health and Human Services Committee  
29 of the Legislature;

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

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

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

5 (3) The chairperson of the Health and Human Services Committee of  
6 the Legislature or his or her designee shall serve as chairperson of the  
7 task force. Administrative and staff support for the task force shall be  
8 provided by the Health and Human Services Committee of the Legislature  
9 and the Appropriations Committee of the Legislature.

10 Sec. 36. Section 43-4202, Revised Statutes Supplement, 2019, is  
11 amended to read:

12 43-4202 (1) The Nebraska Children's Commission is created as a high-  
13 level leadership body to monitor and evaluate the child welfare and  
14 juvenile justice systems. The commission shall provide a permanent forum  
15 for collaboration among state, local, community, public, and private  
16 stakeholders in child welfare and juvenile justice programs and services.

17 (2)(a) The Governor shall appoint fifteen voting members. The  
18 members appointed pursuant to this subdivision shall represent  
19 stakeholders in the child welfare and juvenile justice systems and shall  
20 include: (i) A biological parent currently or previously involved in the  
21 child welfare system or juvenile justice system; (ii) a young adult  
22 previously in foster care; and (iii) a representative of a federally  
23 recognized Indian tribe residing within the State of Nebraska and  
24 appointed from a list of three nominees submitted by the Commission on  
25 Indian Affairs.

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

1 Legislature or a committee member designated by the chairperson; (iv)  
2 three persons appointed by the State Court Administrator; (v) the  
3 executive director of the Foster Care Review Office; (vi) the Director of  
4 Children and Family Services of the Division of Children and Family  
5 Services of the Department of Health and Human Services or his or her  
6 designee; (vii) the Director of Behavioral Health of the Division of  
7 Behavioral Health of the Department of Health and Human Services or his  
8 or her designee; (viii) the Commissioner of Education or his or her  
9 designee; and (ix) the Inspector General of Nebraska Child Welfare.

10 (3) The nonvoting members may attend commission meetings and  
11 participate in the discussions of the commission, provide information to  
12 the commission on the policies, programs, and processes within their  
13 areas of expertise, and gather information for the commission. The  
14 commission may hire staff to carry out the responsibilities of the  
15 commission.

16 (4) For administrative purposes, the offices of the staff of the  
17 commission shall be located in the Foster Care Review Office. The  
18 commission may hire a consultant with experience in facilitating  
19 strategic planning to provide neutral, independent assistance in updating  
20 the statewide strategic plan.

21 (5) The commission, with assistance from the executive director of  
22 the Foster Care Review Office, shall employ a policy analyst to provide  
23 research and expertise to the commission relating to the child welfare  
24 system. The policy analyst shall work in conjunction with the staff of  
25 the commission. His or her responsibilities may include, but are not  
26 limited to: (a) Monitoring the Nebraska child welfare system and juvenile  
27 justice system to provide information to the commission; (b) analyzing  
28 child welfare and juvenile justice public policy through research and  
29 literature reviews and drafting policy reports when requested; (c)  
30 managing or leading projects or tasks and providing resource support to  
31 commission members and committees as determined by the chairperson of the

1 commission; (d) serving as liaison among child welfare and juvenile  
2 justice stakeholders and the public and responding to information  
3 inquiries as required; and (e) other duties as assigned by the  
4 commission.

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

10 (7) It is the intent of the Legislature to fund the operations of  
11 the commission using the Nebraska Health Care Cash Fund for fiscal years  
12 2019-20 and 2020-21.

13 Sec. 37. Section 45-603, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 45-603 (1) There is hereby created the Collection Agency Licensing  
16 Board which shall consist of the Secretary of State, who shall be  
17 chairperson of the board, and four members appointed by the Governor.  
18 Three of the members appointed by the Governor shall be licensees  
19 actively engaged in the collection business in this state, one of whom  
20 shall reside in each of the state's three congressional districts. The  
21 remaining member shall be appointed at large as a representative of the  
22 public. Such person shall not be a licensee actively engaged in the  
23 collection business in this state.

24 (2) The term of office of each appointed member shall be for four  
25 years, except that of the members of the first board appointed under this  
26 section, two shall be appointed for a term of two years. Before a  
27 member's term expires, the Governor shall appoint a successor to take  
28 office on the expiration of the member's term. A member shall continue to  
29 serve after the expiration of his or her term until a successor is  
30 appointed and qualified. A vacancy in the office of a member shall be  
31 filled by appointment for the unexpired term.

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

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

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

13           Sec. 38. Section 46-538, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15           46-538 Each director shall receive from the board a per diem of not  
16 to exceed seventy dollars per day for each day that such director attends  
17 a board meeting or is engaged in matters concerning the district, but no  
18 director shall receive more than two thousand eight hundred dollars in  
19 any one year. Each director shall also be entitled to ~~any necessary~~  
20 ~~traveling~~ expenses ~~actually expended while engaged~~ in the performance of  
21 his or her duties as provided in sections 81-1174 to 81-1177.

22           Sec. 39. Section 48-1116, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24           48-1116 There is hereby established an Equal Opportunity Commission  
25 to consist of seven members to be appointed by the Governor. Terms of  
26 members shall be three years. As the terms of the members expire, the  
27 Governor shall appoint or reappoint the members of the commission for  
28 terms of three years to succeed the members whose terms expire. The  
29 commission shall elect one member to serve as chairperson of the  
30 commission.

31           Four members of the commission shall constitute a quorum for the

1 purpose of conducting the business thereof. Any action of the commission  
2 shall require at least four votes. A vacancy in the commission shall not  
3 impair the right of the remaining members to exercise all the powers of  
4 the commission.

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

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

24 The Attorney General shall represent and appear for the commission  
25 in all actions and proceedings involving any question under the Nebraska  
26 Fair Employment Practice Act, the Nebraska Fair Housing Act, or section  
27 20-123, 20-124, or 20-132 and shall aid in any investigation or hearing  
28 had under either act or any of such sections. The commission shall have  
29 an official seal which shall be judicially noticed.

30 Sec. 40. Section 49-233, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           49-233 The members of the preliminary survey committee shall be paid  
2 ~~their travel expenses and actual expenses for food and lodging~~ while they  
3 ~~are away from home and are~~ engaged in the duties provided for by section  
4 49-232 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

5           Sec. 41. Section 49-14,120, Revised Statutes Cumulative Supplement,  
6 2018, is amended to read:

7           49-14,120 All members of the commission shall be reimbursed for  
8 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

9           Sec. 42. Section 50-415, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11           50-415 (1) The members of the council shall be compensated for  
12 actual expenses incurred while attending sessions of the council, and the  
13 members of any committee of the council shall be compensated for actual  
14 expenses incurred while on business of the committee ~~as provided in~~  
15 ~~sections 81-1174 to 81-1177 for state employees.~~

16           (2) Employees of the Legislature shall be compensated for actual  
17 expenses incurred while on the business of the Legislature.

18           Sec. 43. 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. 44. 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. 45. 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. 46. Section 53-302, Revised Statutes Supplement, 2019, 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, except  
25 that at the expiration of the terms of the members in 2021, the Governor  
26 shall appoint one member for a term of one year, two members for a term  
27 of two years, and two members for a term of three years, and their  
28 successors shall be appointed for a term of three years. Upon completion  
29 of a term, a member may, at the Governor's discretion, be reappointed.

30 (3) All voting board members shall be reimbursed for ~~their actual~~  
31 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,

1 while attending meetings of the board or while engaged in the performance  
2 of official responsibilities as determined by the board.

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

9 Sec. 47. Section 53-502, Revised Statutes Supplement, 2019, is  
10 amended to read:

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

19 (2) Each member shall serve for a term of three years, except that  
20 at the expiration of the terms of the members in 2022, the Governor shall  
21 appoint two members for a term of one year, two members for a term of two  
22 years, and three members for a term of three years, and their successors  
23 shall be appointed for a term of three years. Upon completion of a term,  
24 a member may, at the Governor's discretion, be reappointed.

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

29 (4) A member may be removed by the Governor for cause. The member  
30 shall first be given a written copy of the charges against him or her and  
31 also an opportunity to be heard publicly. If a member moves out of

1 Nebraska, that shall be deemed sufficient cause for removal from office.

2 Sec. 48. Section 54-191, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4 54-191 (1) The Nebraska Brand Committee is hereby created. Beginning  
5 August 28, 2007, the brand committee shall consist of five members  
6 appointed by the Governor. At least three appointed members shall be  
7 active cattlemen and at least one appointed member shall be an active  
8 cattle feeder. The Secretary of State and the Director of Agriculture, or  
9 their designees, shall be nonvoting, ex officio members of the brand  
10 committee. The appointed members shall be owners of cattle within the  
11 brand inspection area, shall reside within the brand inspection area,  
12 shall be owners of Nebraska-recorded brands, and shall be persons whose  
13 principal business and occupation is the raising or feeding of cattle  
14 within the brand inspection area.

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

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

26 (4) The action of a majority of the members shall be deemed the  
27 action of the brand committee. No appointed member shall hold any  
28 elective or appointive state or federal office while serving as a member  
29 of the brand committee. Each member and each brand committee employee who  
30 collects or who is the custodian of any funds shall be bonded or insured  
31 as required under section 11-201. The appointed members of the brand

1 committee shall be reimbursed for ~~paid their actual and necessary~~  
2 ~~traveling~~ expenses in attending meetings of the brand committee or in  
3 performing any other duties that are prescribed in the Livestock Brand  
4 Act or section 54-415, as provided for in sections 81-1174 to 81-1177.

5 The purpose of the Nebraska Brand Committee is to protect Nebraska  
6 brand and livestock owners from the theft of livestock through  
7 established brand recording, brand inspection, and livestock theft  
8 investigation.

9 Sec. 49. Section 55-604, Revised Statutes Cumulative Supplement,  
10 2018, is amended to read:

11 55-604 ~~(1)~~ Members of the Commission on Military and Veteran  
12 Affairs shall receive no compensation for their services as members of  
13 the commission other than their salary, but shall be reimbursed for  
14 ~~actual and necessary~~ expenses. ~~(2) Reimbursement for expenses shall be as~~  
15 provided in sections 81-1174 to 81-1177.

16 Sec. 50. Section 57-904, Revised Statutes Cumulative Supplement,  
17 2018, is amended to read:

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

1 with the approval of the Legislature, shall fill any vacancy on the  
2 commission.

3 The members of the commission shall receive as compensation for  
4 their services not more than four hundred dollars per day for each day  
5 actually devoted to the business of the commission, except that they  
6 shall not receive a sum in any one year in excess of four thousand  
7 dollars each. In addition, each member of the commission shall be  
8 reimbursed for ~~his or her actual and necessary traveling and other~~  
9 expenses incurred in connection with the carrying out of his or her  
10 duties as provided in sections 81-1174 to 81-1177.

11 Sec. 51. Section 58-228, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 58-228 The Director of Economic Development shall be the chairperson  
14 of the authority. The members shall elect from among the membership a  
15 vice-chairperson and such other officers as they may determine. Members  
16 shall receive no compensation for their services but shall be reimbursed  
17 for ~~actual, necessary, and reasonable~~ expenses incurred in the discharge  
18 of their official duties as provided in sections 81-1174 to 81-1177.

19 Sec. 52. Section 58-819, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

21 58-819 The members of the authority shall receive no compensation  
22 for the performance of their duties as members, but each such member  
23 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses  
24 while engaged in the performance of such duties as provided in sections  
25 81-1174 to 81-1177 from any funds legally available therefor.

26 Sec. 53. Section 66-1335, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 66-1335 (1) The Nebraska Ethanol Board is hereby established. The  
29 board shall consist of seven members to be appointed by the Governor with  
30 the approval of a majority of the Legislature. The Governor shall make  
31 the initial appointments within thirty days after September 1, 1993. Four

1 members shall be actually engaged in farming in this state, one in  
2 general farming and one each in the production of corn, wheat, and  
3 sorghum. One member shall be actively engaged in business in this state.  
4 One member shall represent labor interests in this state. One member  
5 shall represent Nebraska petroleum marketers in this state.

6 (2) Members shall be appointed for terms of four years, except that  
7 of the initial appointees the terms of the member representing labor  
8 interests and the member engaged in general farming shall expire on  
9 August 31, 1994, the terms of the member engaged in sorghum production  
10 and the member engaged in wheat production shall expire on August 31,  
11 1995, the term of the member representing petroleum marketers shall  
12 expire on August 31, 1996, and the terms of the member engaged in  
13 business and the member engaged in corn production shall expire on August  
14 31, 1997. A member shall serve until a successor is appointed and  
15 qualified. Not more than four members shall be members of the same  
16 political party.

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

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

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

29 Sec. 54. Section 68-953, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 68-953 (1) No later than July 1, 2010, the department shall

1 establish and maintain a preferred drug list for the medical assistance  
2 program. The department shall establish a pharmaceutical and therapeutics  
3 committee to advise the department on all matters relating to the  
4 establishment and maintenance of such list.

5 (2) The pharmaceutical and therapeutics committee shall include at  
6 least fifteen but no more than twenty members. The committee shall  
7 consist of at least (a) eight physicians, (b) four pharmacists, (c) a  
8 university professor of pharmacy or a person with a doctoral degree in  
9 pharmacology, and (d) two public members. No more than twenty-five  
10 percent of the committee shall be state employees.

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

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

19 (5) The committee shall elect a chairperson and a vice-chairperson  
20 from among its members. Members of the committee shall be reimbursed for  
21 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
22 81-1177.

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

31 Sec. 55. Section 68-1105, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 68-1105 The members of the Division of Medicaid and Long-Term Care  
3 Advisory Committee on Aging, and noncommittee members serving on special  
4 committees, shall receive no compensation for their services other than  
5 reimbursement for ~~actual and necessary~~ expenses as provided in sections  
6 81-1174 to 81-1177. Committee expenses and any office expenses shall be  
7 paid from funds made available to the committee by the Legislature.

8 Sec. 56. Section 70-719, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

21 Sec. 57. Section 70-1003, Revised Statutes Supplement, 2019, is  
22 amended to read:

23 70-1003 (1) There is hereby established an independent board to be  
24 known as the Nebraska Power Review Board to consist of five members, one  
25 of whom shall be an engineer, one an attorney, one an accountant, and two  
26 laypersons. No person who is or who has within four years preceding his  
27 or her appointment been either a director, officer, or employee of any  
28 electric utility or an elective state officer shall be eligible for  
29 membership on the board. Members of the board shall be appointed by the  
30 Governor subject to the approval of the Legislature. Upon expiration of  
31 the terms of the members first appointed, the successors shall be



1 appointed for terms of four years. No member of the board shall serve  
2 more than two consecutive terms. Any vacancy on the board arising other  
3 than from the expiration of a term shall be filled by appointment for the  
4 unexpired portion of the term, and any person appointed to fill a vacancy  
5 on the board shall be eligible for reappointment for two more consecutive  
6 terms. No more than three members of the board shall be registered  
7 members of that political party represented by the Governor.

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

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

4 (4) The board shall employ an executive director and may employ such  
5 other staff necessary to carry out the duties pursuant to Chapter 70,  
6 article 10. The executive director shall serve at the pleasure of the  
7 board and shall be solely responsible to the board. The executive  
8 director shall be responsible for the administrative operations of the  
9 board and shall perform such other duties as may be delegated or assigned  
10 to him or her by the board. The board may obtain the services of experts  
11 and consultants necessary to carry out the board's duties pursuant to  
12 Chapter 70, article 10.

13 (5) The board shall publish and submit a biennial report with annual  
14 data to the Governor, with copies to be filed with the Clerk of the  
15 Legislature and with the Department of Environment and Energy. The report  
16 submitted to the Clerk of the Legislature shall be submitted  
17 electronically. The department shall consider the information in the  
18 Nebraska Power Review Board's report when the department prepares its own  
19 reports pursuant to sections 81-1606 and 81-1607. The report of the board  
20 shall include:

21 (a) The assessments for the fiscal year imposed pursuant to section  
22 70-1020;

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

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

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

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

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

4 (g) A statistical summary of board activities and an expenditure  
5 summary;

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

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

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

19 (7) The board may, at any time deemed beneficial by the board,  
20 submit a report to the Governor with copies to be filed with the Clerk of  
21 the Legislature and the Natural Resources Committee of the Legislature.  
22 The report filed with the Clerk of the Legislature and the committee  
23 shall be filed electronically. The report may include:

24 (a) Whether or not a viable regional transmission organization and  
25 adequate transmission exist in Nebraska or in a region which includes  
26 Nebraska;

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

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

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

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

6 (8) The board may establish working groups of interested parties to  
7 assist the board in carrying out the powers set forth in subsections (6)  
8 and (7) of this section.

9 Sec. 58. Section 71-219.03, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

19 Sec. 59. Section 71-222, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 71-222 The board shall annually elect a president and vice  
22 president, and the board shall appoint a director who shall serve as  
23 secretary of the board. The board shall be furnished with suitable  
24 quarters in the State Capitol or elsewhere. It shall adopt and use a  
25 common seal for the authentication of its orders and records. The  
26 secretary of the board shall keep a record of all proceedings of the  
27 board. A majority of the board, in a meeting duly assembled, may perform  
28 and exercise all the duties and powers devolving upon the board. Each  
29 member of the board shall receive a compensation of seventy-five dollars  
30 per diem and shall be reimbursed for ~~his or her actual and necessary~~  
31 expenses incurred in the discharge of his or her duties as provided in

1 sections 81-1174 to 81-1177, not to exceed two thousand dollars per  
2 annum. Salaries and expenses shall be paid only from the fund created by  
3 fees collected in the administration of the Barber Act, and no other  
4 funds or state money except as collected in the administration of the act  
5 shall be drawn upon to pay the expense of administration. The board shall  
6 report each year to the Governor a full statement of its receipts and  
7 expenditures and also a full statement of its work during the year,  
8 together with such recommendations as it may deem expedient. The board  
9 may employ one field inspector and such other inspectors, clerks, and  
10 other assistants as it may deem necessary to carry out the act and  
11 prescribe their qualifications. No owner, agent, or employee of any  
12 barber school shall be eligible to membership on the board.

13 Sec. 60. Section 71-702, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

1 V Administrator of the Department of Health and Human Services.

2 (2) The Governor shall appoint advisory council members and shall  
3 consider and attempt to balance representation based on political party  
4 affiliation, race, and different geographical areas of Nebraska when  
5 making appointments. The Governor shall appoint the first chairperson and  
6 vice-chairperson of the advisory council. There shall be two ex officio,  
7 nonvoting members from the Legislature, one of which shall be the  
8 chairperson of the Health and Human Services Committee.

9 (3) The terms of the initial members shall be as follows: One-third  
10 shall serve for one-year terms, one-third shall serve for two-year terms,  
11 and one-third shall serve for three-year terms including the members  
12 designated chairperson and vice-chairperson. Thereafter members shall  
13 serve for three-year terms. Members may not serve more than two  
14 consecutive three-year terms.

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

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

21 (6) The members of the advisory council shall be reimbursed for  
22 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
23 81-1177 and pursuant to policies of the advisory council. Funds for  
24 reimbursement for expenses shall be from the Women's Health Initiative  
25 Fund.

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

29 Sec. 61. Section 71-808, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 71-808 (1) A regional behavioral health authority shall be

1 established in each behavioral health region by counties acting under  
2 provisions of the Interlocal Cooperation Act. Each regional behavioral  
3 health authority shall be governed by a regional governing board  
4 consisting of one county board member from each county in the region.  
5 Board members shall serve for staggered terms of three years and until  
6 their successors are appointed and qualified. Board members shall serve  
7 without compensation but shall be reimbursed for ~~their actual and~~  
8 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

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

21 (3) Each county in a behavioral health region shall provide funding  
22 for the operation of the behavioral health authority and for the  
23 provision of behavioral health services in the region. The total amount  
24 of funding provided by counties under this subsection shall be equal to  
25 one dollar for every three dollars from the General Fund. The division  
26 shall annually certify the total amount of county matching funds to be  
27 provided. At least forty percent of such amount shall consist of local  
28 and county tax revenue, and the remainder shall consist of other  
29 nonfederal sources. The regional governing board of each behavioral  
30 health authority, in consultation with all counties in the region, shall  
31 determine the amount of funding to be provided by each county under this

1 subsection. Any General Funds transferred from regional centers for the  
2 provision of community-based behavioral health services after July 1,  
3 2004, and funds received by a regional behavioral health authority for  
4 the provision of behavioral health services to children under section  
5 71-826 shall be excluded from any calculation of county matching funds  
6 under this subsection.

7 Sec. 62. Section 71-1799, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 71-1799 (1) The Nebraska Center for Nursing Board is created. The  
10 board shall be a policy-setting board for the Nebraska Center for  
11 Nursing. The board shall be appointed by the Governor as follows:

12 (a) Ten members, at least three of whom shall be registered nurses,  
13 one of whom shall be a licensed practical nurse, one of whom shall be a  
14 representative of the hospital industry, and one of whom shall be a  
15 representative of the long-term care industry;

16 (b) One nurse educator recommended by the Board of Regents of the  
17 University of Nebraska;

18 (c) One nurse educator recommended by the Nebraska Community College  
19 Association;

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

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

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

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

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

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

31 (d) The member recommended by the Nebraska Association of



1 Independent Colleges and Universities shall serve for one year; and

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

4 The initial appointments shall be made within sixty days after July  
5 13, 2000. After the initial terms expire, the terms of all of the members  
6 shall be three years with no member serving more than two consecutive  
7 terms.

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

10 (a) To determine operational policy;

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

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

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

16 (e) To implement the major functions of the Nebraska Center for  
17 Nursing; and

18 (f) To seek and accept nonstate funds for carrying out center  
19 policy.

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

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

25 Sec. 63. Section 71-2605, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 71-2605 The members of the State Board of Health shall receive the  
28 sum of twenty dollars per diem, while actually engaged in the business of  
29 the board, and shall be reimbursed for ~~the necessary~~ expenses incurred in  
30 the performance of their duties as provided in sections 81-1174 to  
31 81-1177 ~~for state employees.~~

1           Sec. 64. Section 71-3406, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-3406 (1) The chief executive officer of the Department of Health  
4 and Human Services shall appoint a minimum of twelve and a maximum of  
5 fifteen members to the State Child and Maternal Death Review Team. The  
6 core members shall be (a) a physician employed by the department, who  
7 shall be a permanent member and shall serve as the chairperson of the  
8 team, (b) a senior staff member with child protective services of the  
9 department, (c) a forensic pathologist, (d) a law enforcement  
10 representative, (e) the Inspector General of Nebraska Child Welfare, and  
11 (f) an attorney. The remaining members appointed may be, but shall not be  
12 limited to, the following: A county attorney; a Federal Bureau of  
13 Investigation agent responsible for investigations on Native American  
14 reservations; a social worker; and members of organizations which  
15 represent hospitals or physicians. The department shall be responsible  
16 for the general administration of the activities of the team and shall  
17 employ or contract with a team coordinator to provide administrative  
18 support for the team.

19           (2) Members shall serve four-year terms with the exception of the  
20 chairperson. In the absence of the chairperson, the chief executive  
21 officer may appoint another member of the core team to serve as  
22 chairperson.

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

27           Sec. 65. Section 71-4504, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29           71-4504 (1) The Palliative Care and Quality of Life Advisory Council  
30 is created. The council shall consult with and advise the Department of  
31 Health and Human Services on matters relating to palliative care

1 initiatives. The council shall:

2 (a) Survey palliative care providers regarding best practices and  
3 recommendations;

4 (b) Work with the department; and

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

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

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

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

25 Sec. 66. Section 71-4723, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 71-4723 The members of the commission shall receive no compensation  
28 for their services as such but shall be reimbursed for ~~their actual and~~  
29 ~~necessary~~ expenses in attending meetings of the commission and in  
30 carrying out their official duties as provided in sections 81-1174 to  
31 81-1177, ~~for state employees.~~

1           Sec. 67. Section 71-4728.05, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           71-4728.05 (1) The commission shall appoint the Interpreter Review  
4 Board as required in section 20-156.

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

6           (a) A representative of the Department of Health and Human Services  
7 and the executive director of the commission or his or her designee, both  
8 of whom shall serve continuously and without limitation;

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

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

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

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

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

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

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

28           (4) The commission may remove a member of the board for  
29 inefficiency, neglect of duty, or misconduct in office after delivering  
30 to such member a copy of the charges and a public hearing in accordance  
31 with the Administrative Procedure Act. If a vacancy occurs on the board,

1 the commission shall appoint another member with the same qualifications  
2 as the vacating member to serve the remainder of the term. The members of  
3 the board shall receive no compensation but shall be reimbursed for ~~their~~  
4 ~~actual and necessary~~ expenses, as provided in sections 81-1174 to  
5 81-1177, in attending meetings of the commission and in carrying out  
6 their official duties as provided in this section and section 20-156.

7 (5) The board shall establish policies, standards, and procedures  
8 for evaluating and licensing interpreters, including, but not limited to,  
9 testing, training, issuance, renewal, and denial of licenses, continuing  
10 education and continuing competency assessment, investigation of  
11 complaints, and disciplinary actions against a license pursuant to  
12 section 20-156.

13 Sec. 68. Section 71-5657, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 71-5657 Members of the commission shall be reimbursed for ~~their~~  
16 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177  
17 from funds appropriated for the Rural Health Systems and Professional  
18 Incentive Act.

19 Sec. 69. Section 71-6227, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 71-6227 (1) The director may, with the advice of the board, adopt  
22 and promulgate rules and regulations necessary to carry out the Nebraska  
23 Regulation of Health Professions Act.

24 (2) The director shall provide all necessary professional and  
25 clerical services to assist the committees and the board. Records of all  
26 official actions and minutes of all business coming before the committees  
27 and the board shall be kept. The director shall be the custodian of all  
28 records, documents, and other property of the committees and the board.

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

1           Sec. 70. Section 71-6303, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           71-6303 (1) The department shall administer the Asbestos Control  
4 Act.

5           (2) The department shall adopt and promulgate rules and regulations  
6 necessary to carry out the act. The department shall adopt state  
7 standards governing asbestos projects and may adopt or incorporate part  
8 or all of any federal standards in the state standards so long as state  
9 standards are no less stringent than federal standards.

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

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

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

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

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

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

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

1 (vii) For a project review of each asbestos project of a licensed  
2 business entity which is equal to or greater than two hundred sixty  
3 linear feet or any combination which is equal to or greater than one  
4 hundred sixty square feet and linear feet, including any initial onsite  
5 inspection, not less than two hundred dollars or more than five hundred  
6 dollars.

7 (b) Any business applicant whose application is rejected shall be  
8 allowed the return of the application fee, except that an administrative  
9 charge of three hundred dollars for a license and one hundred dollars for  
10 approval of a training course shall be retained by the department.

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

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

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

26 (6) The department shall adopt and promulgate rules and regulations  
27 defining work practices for asbestos projects. The department may provide  
28 for alternatives to specific work practices when the health, safety, and  
29 welfare of all classes of asbestos occupations and the general public are  
30 adequately protected.

31 (7) The department may apply for and receive funds from the federal

1 government and any other public or private entity for the purposes of  
2 administering the act.

3 Sec. 71. Section 71-6321, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 71-6321 (1) The department shall administer the Residential Lead-  
6 Based Paint Professions Practice Act.

7 (2) The department shall adopt and promulgate rules and regulations  
8 necessary to carry out such act. The department shall adopt state  
9 standards governing abatement projects and may adopt or incorporate part  
10 or all of any federal standards in such state standards so long as state  
11 standards are no less stringent than federal standards.

12 (3) The department shall prescribe fees based upon the following  
13 schedule:

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

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

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

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

29 (e) For a project review of each abatement project of a licensed  
30 firm, not less than two hundred dollars or more than five hundred  
31 dollars.



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

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

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

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

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

1           (7) The department may apply for and receive funds from the federal  
2 government and any other public or private entity for the purposes of  
3 administering the act. Any funds applied for, received, or used by the  
4 department or any political subdivision from the federal government or  
5 any public entity may be used only to abate lead-based paint hazards and  
6 for the administration of lead-based paint programs which address health  
7 and environmental hazards caused by lead-based paint.

8           Sec. 72. Section 71-7012, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

22           Of the initial members of the committee, four shall be appointed for  
23 terms of one year and four shall be appointed for terms of two years.  
24 Thereafter all appointments shall be for terms of two years. All members  
25 shall serve until their successors are appointed. No member shall serve  
26 more than two successive two-year terms. Vacancies in the membership of  
27 the committee for any cause shall be filled by appointment by the chief  
28 executive officer or his or her designee for the unexpired term.

29           Duties of the committee shall include, but not be limited to,  
30 encouraging payment of public and private funds to the Breast and  
31 Cervical Cancer Cash Fund, researching and recommending to the department

1 reimbursement limits, planning and implementing outreach and educational  
2 programs to Nebraska women, advising the department on its operation of  
3 the early detection of breast and cervical cancer grant from the United  
4 States Department of Health and Human Services, and encouraging payment  
5 of public and private funds to the fund. Members of the committee shall  
6 be reimbursed for ~~their actual and necessary~~ expenses as provided in  
7 sections 81-1174 to 81-1177.

8       Sec. 73. Section 71-8236, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

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

26       Sec. 74. Section 71-8251, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28       71-8251 The department shall establish a regional trauma advisory  
29 board within each trauma care region. The department shall appoint  
30 members, to be comprised of a balance of hospital representatives and  
31 out-of-hospital emergency services providers, local elected officials,

1 consumers, local law enforcement representatives, and local government  
2 agencies involved in the delivery of emergency medical services and  
3 trauma care recommended by the local emergency medical services providers  
4 and medical facilities located within the region. All members of the  
5 board may be reimbursed for ~~their actual and necessary~~ expenses incurred  
6 in the performance of their duties as such members pursuant to sections  
7 81-1174 to 81-1177.

8 Sec. 75. Section 71-8604, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

23 (2) Board members shall be appointed for staggered terms with the  
24 initial members appointed for terms as follows: Two members for terms  
25 ending on December 31, 2001, and three members for terms ending December  
26 31, 2003. Subsequent appointments shall be for terms of four years with  
27 no board member appointed to more than two consecutive terms. Board  
28 members whose terms have expired shall continue to serve until their  
29 successors have been appointed. In the case of a vacancy, the Governor  
30 shall appoint a successor for the unexpired term. Board members may be  
31 removed for cause.

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

4 (4) Board members shall receive a per diem of seventy dollars for  
5 each day spent in the performance of their official duties and shall be  
6 reimbursed for ~~their actual and necessary~~ expenses incurred in the  
7 performance of their official duties as provided in sections 81-1174 to  
8 81-1177. Aside from the provisions of this subsection, a board member  
9 shall not receive other compensation, perquisites, or allowances for the  
10 performance of official duties.

11 Sec. 76. Section 71-8803, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

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

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

29 (3) Members of the committee not employed by medical schools in  
30 Nebraska shall receive a stipend per meeting to be determined by the  
31 Division of Public Health of the Department of Health and Human Services

1 based on standard consultation fees, and all members of the committee  
2 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in  
3 service on the committee pursuant to sections 81-1174 to 81-1177.

4 Sec. 77. Section 72-201, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

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

1 registered, leased, and sold as provided in sections 72-201 to 72-251 and  
2 shall have the general management and control of such lands and make  
3 necessary rules not provided by law. The funds arising from these lands  
4 shall be disposed of in the manner provided by the Constitution of  
5 Nebraska, sections 72-201 to 72-251, and other laws of Nebraska not  
6 inconsistent herewith.

7 (2) No person shall be eligible to membership on the board who is  
8 actively engaged in the teaching profession, who holds or has any  
9 financial interest in a school land lease, who is a holder of or a  
10 candidate for any state office or a member of any state board or  
11 commission, or who has not resided in this state for at least three  
12 years.

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

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

23 (5) The board may appoint a secretary for the board. The  
24 compensation of the secretary shall be payable monthly, as fixed by the  
25 board.

26 Sec. 78. Section 72-224.03, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 72-224.03 Except as otherwise provided in section 72-222.02, any  
29 public body that has or hereafter shall be granted by the Legislature the  
30 authority to acquire educational lands for public use shall be required  
31 to condemn the interest of the state, as trustee for the public schools,

1 in educational lands in the following manner:

2 (1) The proceedings shall be had before a board consisting of (a)  
3 the superintendent of a school district offering instruction in grades  
4 kindergarten through twelve, (b) a certified public accountant, and (c) a  
5 credentialed real property appraiser, all appointed by the Governor for a  
6 term of six years, except that of the initial appointees one shall serve  
7 for a term of two years, one for a term of four years, and one for a term  
8 of six years as designated by the Governor. The members of the board  
9 shall each receive fifty dollars for each day actually engaged in the  
10 performance of official duties and shall be reimbursed for ~~actual~~ and  
11 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 to be paid  
12 by the Board of Educational Lands and Funds;

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

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

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

29 (5) Upon payment of the amount of the award by the condemner, it  
30 shall be the duty of the secretary of the Board of Educational Lands and  
31 Funds to transmit a certified copy of the award to the condemner for



1 filing in the office of the register of deeds in the county or counties  
2 where the land is located. The filing of such certified copy of the award  
3 shall have the force and effect of a deed of conveyance of the real  
4 estate and shall constitute a transfer of the title thereto.

5 Sec. 79. Section 72-1239, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 72-1239 The purpose of the council is to formulate and establish  
8 such policies as it may deem necessary and proper which shall govern the  
9 methods, practices, and procedures followed by the state investment  
10 officer for the investment or reinvestment of state funds and funds  
11 described in section 83-133 and the purchase, sale, or exchange of  
12 securities as provided by the Nebraska State Funds Investment Act. The  
13 council shall meet from time to time as directed by the Governor or the  
14 chairperson or as requested by the state investment officer. The members  
15 of the council, except the State Treasurer, the director of the Nebraska  
16 Public Employees Retirement Systems, and beginning January 1, 2017, each  
17 administrator of a retirement system provided for under the Class V  
18 School Employees Retirement Act, shall be paid seventy-five dollars per  
19 diem. The members shall be reimbursed for ~~their actual and necessary~~  
20 expenses incurred in connection with the performance of their duties as  
21 members as provided in sections 81-1174 to 81-1177.

22 Sec. 80. Section 72-2007, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 72-2007 (1) The Niobrara Council is created. The council membership  
25 shall include:

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

29 (b) A representative of the Middle Niobrara Natural Resources  
30 District and the Lower Niobrara Natural Resources District chosen by the  
31 board of the respective district;

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

3 (d) The regional director for the National Park Service or his or  
4 her designee and the regional director for the United States Fish and  
5 Wildlife Service or his or designee. The members under this subdivision  
6 shall be nonvoting members unless and until the agencies represented by  
7 these members formally authorize such members to vote on all matters  
8 before the council by notifying the council and the Governor in writing;

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

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

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

24 (h) A representative of a recognized, nonprofit environmental,  
25 conservation, or wildlife organization chosen by the Governor from a list  
26 of at least three individuals, or fewer if there are not at least three  
27 qualified individuals, submitted by the county board members on the  
28 council.

29 The appointments made pursuant to subdivisions (1)(e) through (h) of  
30 this section shall be subject to confirmation by the Legislature. The  
31 council members shall hold office for three-year terms and until a

1 successor is appointed and qualified. The council members shall serve at  
2 the pleasure of the appointing board or the Governor.

3 (2) The council shall elect a chairperson, a vice-chairperson, a  
4 secretary, and a treasurer who shall jointly serve as the executive  
5 committee for the council. The council shall meet on a regular basis with  
6 a minimum of six meetings per year. Special meetings may be called by any  
7 member of the executive committee or at the request of a simple majority  
8 of the members of the council.

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

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

20 Sec. 81. Section 72-2103, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 72-2103 The members of the Governor's Residence Advisory Commission  
23 shall serve without compensation. The members shall be reimbursed for  
24 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
25 81-1177.

26 Sec. 82. Section 75-104, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 75-104 (1) Until January 4, 2007, the annual salary of each  
29 commissioner shall be fifty thousand dollars. Commencing January 4, 2007,  
30 the annual salary of each commissioner shall be seventy-five thousand  
31 dollars.

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

5           (a) The Public Service Commission has adopted and promulgated rules  
6 and regulations establishing guidelines for allowable reimbursement of  
7 such mileage expenses, except that such mileage rate shall not exceed the  
8 mileage rate established by the Department of Administrative Services  
9 pursuant to section 81-1176;

10           (b) The request for such reimbursement falls within such guidelines;  
11 and

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

25           Sec. 83. Section 76-2222, Revised Statutes Supplement, 2019, is  
26 amended to read:

27           76-2222 (1) The Real Property Appraiser Board is hereby created. The  
28 board shall consist of five members. One member who is a certified real  
29 property appraiser shall be selected from each of the three congressional  
30 districts, and two members shall be selected at large. The two members  
31 selected at large shall include one representative of financial

1 institutions and one licensed real estate broker. The Governor shall  
2 appoint the members of the board.

3 (2) The term of each member of the board shall be five years. Upon  
4 the expiration of his or her term, a member of the board shall continue  
5 to hold office until the appointment and qualification of his or her  
6 successor. No person shall serve as a member of the board for consecutive  
7 terms. Any vacancy shall be filled in the same manner as the original  
8 appointment. The Governor may remove a member for cause.

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

11 (4) Three members of the board, at least two of whom are real  
12 property appraisers, shall constitute a quorum.

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

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

25 Sec. 84. Section 77-27,157, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 77-27,157 The Nebraska Economic Forecasting Advisory Board shall  
28 consist of nine members, five of whom shall be appointed by and serve at  
29 the pleasure of the Executive Board of the Legislative Council and four  
30 of whom shall be appointed by and serve at the pleasure of the Governor.  
31 The original gubernatorial appointees shall serve for two-year terms.

1 Successive gubernatorial appointees and all legislative appointees shall  
2 serve for four-year terms. After appointments are made, the board shall  
3 select a chairperson and a vice-chairperson from its membership. The  
4 chairperson and vice-chairperson shall serve for two-year terms. The  
5 chairperson of the board on September 6, 1985, shall serve until his or  
6 her successor is selected. Each member of the board shall have  
7 demonstrated expertise in the field of tax policy, economics, or economic  
8 forecasting. A majority of the members of the board shall constitute a  
9 quorum for the purpose of transacting business and every act of a  
10 majority of the members shall be deemed an act of the board. Board  
11 members shall serve without compensation but may be reimbursed for ~~actual~~  
12 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177. Board  
13 members appointed by the Legislative Council shall receive such  
14 reimbursement out of the appropriation made to the Legislature's Fiscal  
15 and Program Analysis Program. Board members appointed by the Governor  
16 shall receive such reimbursement out of the appropriation made to the  
17 Department of Revenue for administration.

18 Sec. 85. Section 77-5004, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 77-5004 (1) Each commissioner shall be a qualified voter and  
21 resident of the state and a domiciliary of the district he or she  
22 represents.

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

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

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

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

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

7 (e) At least thirty hours of successfully completed class hours in  
8 courses of study, approved by the Real Property Appraiser Board, which  
9 relate to appraisal and which include the fifteen-hour National Uniform  
10 Standards of Professional Appraisal Practice Course. If a commissioner  
11 has not received such training prior to his or her appointment, such  
12 training shall be completed within one year after appointment; and

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

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

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

23 (5) No commissioner or employee of the commission shall hold any  
24 position of profit or engage in any occupation or business interfering  
25 with or inconsistent with his or her duties as a commissioner or  
26 employee. A person is not eligible for appointment and may not hold the  
27 office of commissioner or be appointed by the commission to or hold any  
28 office or position under the commission if he or she holds any official  
29 office or position.

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

1 (a) Sponsored by a recognized assessment or appraisal organization,  
2 in each of these areas: Utility and railroad appraisal; appraisal of  
3 complex industrial properties; appraisal of other hard to assess  
4 properties; and mass appraisal, residential or agricultural appraisal, or  
5 assessment administration; or

6 (b) Pertaining to management, law, civil or administrative  
7 procedure, or other knowledge or skill necessary for performing the  
8 duties of the office.

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

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

14 (9) The commissioners shall be reimbursed as prescribed in sections  
15 81-1174 to 81-1177 for ~~their actual and necessary~~ expenses in the  
16 performance of their official duties pursuant to the Tax Equalization and  
17 Review Commission Act.

18 Sec. 86. Section 77-5206, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 77-5206 Once every two years, the members of the board shall elect a  
21 chairperson and a vice-chairperson. A member of the board may be  
22 reelected to the position of chairperson or vice-chairperson upon the  
23 discretion of the board. Members of the board shall be reimbursed for  
24 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to  
25 81-1177.

26 Sec. 87. Section 79-317, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 79-317 (1) The State Board of Education shall meet regularly and  
29 periodically in the office of the State Department of Education at least  
30 four times annually and at such other times and places as it may  
31 determine necessary for the proper and efficient conduct of its duties.



1 All meetings shall be called in accordance with this section and the Open  
2 Meetings Act. Five members of the board shall constitute a quorum.

3 (2) The public shall be admitted to all meetings of the State Board  
4 of Education except to such closed sessions as the board may direct in  
5 accordance with the Open Meetings Act. The board shall cause to be kept a  
6 record of all public meetings and proceedings of the board. The  
7 commissioner, or his or her designated representative, shall be present  
8 at all meetings except when the order of business for the board is the  
9 selection of a Commissioner of Education.

10 (3) The members of the State Board of Education shall receive no  
11 compensation for their services but shall be reimbursed for ~~actual and~~  
12 ~~essential~~ expenses incurred in attending meetings or incurred in the  
13 performance of duties as directed by the board as provided in sections  
14 81-1174 to 81-1177.

15 Sec. 88. Section 79-546, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-546 Except as provided in section 79-1217, all members of a  
18 school board, board of education, or other governing board created  
19 pursuant to Chapter 79 shall not receive a per diem. Each such board may  
20 provide or reimburse members for ~~their actual and necessary~~ expenses  
21 incurred while carrying out their duties. Mileage expenses shall be  
22 computed at the rate provided in section 81-1176. Sections 81-1174,  
23 81-1175, and 81-1177 shall serve as guidelines for such boards when  
24 determining allowable expenses and reimbursement for such expenses.

25 Sec. 89. Section 79-760.03, Revised Statutes Cumulative Supplement,  
26 2018, is amended to read:

27 79-760.03 (1) For school year 2009-10 and each school year  
28 thereafter, the State Board of Education shall implement a statewide  
29 system for the assessment of student learning and for reporting the  
30 performance of school districts and learning communities pursuant to this  
31 section. The assessment and reporting system shall measure student

1 knowledge of subject matter materials covered by measurable academic  
2 content standards selected by the state board.

3 (2) The state board shall adopt a plan for an assessment and  
4 reporting system and implement and maintain the assessment and reporting  
5 system according to such plan. The plan shall be submitted annually to  
6 the State Department of Education, the Governor, the chairperson of the  
7 Education Committee of the Legislature, and the Clerk of the Legislature.  
8 The plan submitted to the committee and the Clerk of the Legislature  
9 shall be submitted electronically. The state board shall select grade  
10 levels for assessment and reporting required pursuant to subsections (4)  
11 through (7) of this section. The purposes of the system are to:

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

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

17 (c) Provide information for the public and policymakers on the  
18 performance of public schools; and

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

21 (3) The Governor shall appoint a technical advisory committee to  
22 review (a) the statewide assessment plan, (b) state assessment  
23 instruments, and (c) the accountability system developed under the  
24 Quality Education Accountability Act. The technical advisory committee  
25 shall consist of three nationally recognized experts in educational  
26 assessment and measurement, one administrator from a school in Nebraska,  
27 and one teacher from a school in Nebraska. The members shall serve terms  
28 of three years, except that two of the members shall be appointed for  
29 initial terms of two years. Any vacancy shall be filled by the Governor  
30 for the remainder of the term. One of the members shall be designated as  
31 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~

1 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177. The  
2 committee shall advise the Governor, the state board, and the State  
3 Department of Education on the development of statewide assessment  
4 instruments and the statewide assessment plan. The appointments to the  
5 committee shall be confirmed by the Legislature.

6 (4) Through school year 2016-17, the state board shall prescribe a  
7 statewide assessment of writing that relies on writing samples in each of  
8 three grades selected by the state board. Each year at least one of the  
9 three selected grades shall participate in the statewide writing  
10 assessment with each selected grade level participating at least once  
11 every three years.

12 (5) For school year 2009-10 and for each school year thereafter, the  
13 state board shall prescribe a statewide assessment of reading. The  
14 statewide assessment of reading shall include assessment instruments for  
15 each of the grade levels three through eight and for one grade in high  
16 school and standards adopted by the state board pursuant to section  
17 79-760.01. For school year 2017-18 and each school year thereafter, the  
18 statewide assessment of reading shall include a component of writing as  
19 determined by the state board.

20 (6) For no later than school year 2010-11 and for each school year  
21 thereafter, the state board shall prescribe a statewide assessment of  
22 mathematics. The statewide assessment of mathematics shall include  
23 assessment instruments for each of the grade levels three through eight  
24 and for one grade in high school and standards adopted by the state board  
25 pursuant to section 79-760.01.

26 (7) For no later than school year 2011-12 and each school year  
27 thereafter, the state board shall prescribe a statewide assessment of  
28 science. The statewide assessment of science shall include assessment  
29 instruments for each of the grade levels selected by the state board and  
30 standards adopted by the state board pursuant to section 79-760.01. The  
31 grade levels shall include at least one grade in elementary school, one

1 grade in middle school or junior high school, and one grade in high  
2 school.

3 (8) The department shall conduct studies to verify the technical  
4 quality of assessment instruments and demonstrate the comparability of  
5 assessment instrument results required by the act. The department shall  
6 annually report such findings to the Governor, the Legislature, and the  
7 state board. The report submitted to the Legislature shall be submitted  
8 electronically.

9 (9) The state board shall recommend national assessment instruments  
10 for the purpose of national comparison. Beginning with school year  
11 2017-18, the state board shall select a national assessment instrument  
12 that is also used as a standard college admission test which shall be  
13 administered to students in the eleventh grade in every public high  
14 school in each school district. Each school district shall report  
15 individual student data for scores and sub-scores according to procedures  
16 established by the state board and the department pursuant to section  
17 79-760.05.

18 (10) The aggregate results of assessment instruments and national  
19 assessment instruments shall be reported by the district on a building  
20 basis to the public in that district, to the learning community  
21 coordinating council if such district is a member of a learning  
22 community, and to the department. Each learning community shall also  
23 report the aggregate results of any assessment instruments and national  
24 assessment instruments to the public in that learning community and to  
25 the department. The department shall report the aggregate results of any  
26 assessment instruments and national assessment instruments on a learning  
27 community, district, and building basis as part of the statewide  
28 assessment and reporting system.

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

30 (i) Provide for the confidentiality of the results of individual  
31 students; and

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

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

5 The department may determine appropriate accommodations for the  
6 assessment of students with disabilities or any student receiving special  
7 education programs and services pursuant to section 79-1139. Alternate  
8 academic achievement standards in reading, mathematics, and science and  
9 alternate assessment instruments aligned with the standards may be among  
10 the accommodations for students with severe cognitive disabilities.

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

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

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

20 Sec. 90. Section 79-760.07, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 79-760.07 (1) For each school designated as a priority school, the  
23 Commissioner of Education shall appoint an intervention team. The  
24 intervention team shall assist the school district with diagnosing issues  
25 that negatively affect student achievement in the priority school,  
26 designing and implementing strategies to address such issues through the  
27 progress plan, and developing measurable indicators of progress.

28 (2) The intervention team shall be composed of up to five people  
29 with the education and experience to carry out the responsibilities of  
30 the team. Any member of the intervention team may receive pay for work  
31 performed in conjunction with his or her duties as a member of such team.

1 Such pay shall be determined and provided (a) by the State Department of  
2 Education for any member of the intervention team who is not an employee  
3 of the school district containing the priority school for which such  
4 intervention team is appointed or (b) by the school district containing  
5 the priority school for which the intervention team is appointed for any  
6 member of the intervention team who is an employee of such school  
7 district. Any member of the intervention team who is eligible to receive  
8 pay from the department pursuant to subdivision (a) of this subsection  
9 shall also be eligible for reimbursement of ~~actual and necessary~~ expenses  
10 incurred in carrying out his or her duties as a member of such team as  
11 provided in sections 81-1174 to 81-1177. Reimbursement of ~~actual and~~  
12 ~~necessary~~ expenses for any member of the intervention team who is an  
13 employee of the school district containing the priority school for which  
14 the intervention team is appointed shall be provided in accordance with  
15 the policies and procedures of such school district.

16 (3) The intervention team, in collaboration with the priority school  
17 staff and the administration and school board of the school district with  
18 control of the priority school, shall develop a progress plan for  
19 approval by the State Board of Education. Any progress plan shall include  
20 specific actions required by the school and the district in order to  
21 remove its classification as a priority school, including any required  
22 level of progress as indicated by the measurable indicators.

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

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

6 (6) The Commissioner of Education shall annually report to the  
7 Governor and electronically to the Clerk of the Legislature and the  
8 chairperson of the Education Committee of the Legislature on all schools  
9 designated as priority schools. The report shall include the name of the  
10 school, the grades included in the priority school designation, the name  
11 of the school district, the years for which the school was designated a  
12 priority school, a summary of the progress plan, and the level of  
13 progress as indicated by the measurable indicators.

14 Sec. 91. Section 79-808, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

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

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

4           (3) Members of any advisory committee established by the board to  
5 assist the board in teacher education and certification matters shall be  
6 reimbursed for ~~their actual and necessary~~ expenses as provided in  
7 sections 81-1174 to 81-1177. Each school district which has an employee  
8 who serves as a member of such committee and which is required to hire a  
9 person to replace such member during the member's attendance at meetings  
10 or activities of the committee or any subcommittee thereof shall be  
11 reimbursed from the Certification Fund for the expense it incurs from  
12 hiring a replacement. School districts may excuse employees who serve on  
13 such advisory committees from certain duties which conflict with any  
14 advisory committee duties.

15           Sec. 92. Section 79-861, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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



1 committee, or subcommittee of the commission shall be reimbursed from the  
2 Professional Practices Commission Fund for the expense the district  
3 incurs from employing a replacement.

4 (2) The members of the commission shall elect a chairperson pursuant  
5 to the working rules of the commission. The chairperson shall call  
6 meetings of the commission, preside at all meetings of the commission en  
7 banc, assign the work of the commission to the members, and perform such  
8 other supervisory duties as required.

9 (3) A majority of the commission members shall constitute a quorum  
10 to transact business. A hearing panel of not less than seven commission  
11 members shall hear cases brought before the commission. Members of the  
12 hearing panel shall be assigned on a rotating basis. For purposes of  
13 hearings, the act or decision of a majority of the commission members  
14 sitting on the hearing panel shall in all cases be deemed the final act  
15 or decision of the commission.

16 Sec. 93. Section 79-863, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 79-863 The clerk of the commission shall receive such salary as the  
19 commission with the approval of the Governor determines. Such salary  
20 shall be payable in the same manner as the salaries of other state  
21 employees, and the clerk shall be reimbursed for ~~his or her actual~~  
22 expenses incurred in the performance of his or her duties as provided in  
23 sections 81-1174 to 81-1177.

24 Sec. 94. Section 79-1104.04, Reissue Revised Statutes of Nebraska,  
25 is amended to read:

26 79-1104.04 (1) The board of trustees shall include the following six  
27 members:

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

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

31 (c) The following persons appointed by the Governor, in his or her

1 discretion:

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

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

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

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

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

20 (4) The members of the board of trustees shall be reimbursed for  
21 ~~their actual and necessary~~ expenses incurred while engaged in the  
22 performance of their official duties as provided in sections 81-1174 to  
23 81-1177.

24 (5) The Governor shall, in his or her discretion, appoint one member  
25 to the board of trustees who resides or works in an at-risk urban area  
26 consisting of not less than ten contiguous census tracts, as determined  
27 by the United States Bureau of the Census for the 2000 United States  
28 Census, within a city of the metropolitan class, which each contain a  
29 percentage of families below the poverty line of greater than twenty  
30 percent, as reported by the United States Bureau of the Census for the  
31 2000 United States Census.

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

7           Sec. 95. Section 79-1217, Revised Statutes Cumulative Supplement,  
8 2018, is amended to read:

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

27           (2) Vacancies in office shall occur as set forth in section 32-560,  
28 except as otherwise provided in section 79-1212 regarding the requirement  
29 to live in the district represented, or in the case of absences, unless  
30 excused by a majority of the remaining members of the board, when a  
31 member is absent from the geographical boundaries of the educational

1 service unit for a continuous period of sixty days at one time or from  
2 more than two consecutive regular meetings of the board. Whenever any  
3 vacancy occurs on the board, the remaining members of such board shall  
4 appoint an individual residing within the election district of the  
5 educational service unit for which the vacancy exists and meeting the  
6 qualifications for the office to fill such vacancy for the balance of the  
7 unexpired term.

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

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

15 (5) The administrator of each educational service unit, prior to  
16 July 1 of each year in which a statewide primary election is to be held,  
17 shall certify to the election commissioner or county clerk of each county  
18 located within the unit the corporate name of each school district, as  
19 described in section 79-405, located within the county. If a school  
20 district is a joint school district located in two or more counties, the  
21 administrator shall certify to each election commissioner or county clerk  
22 the educational service unit of which the school district is considered  
23 to be a part.

24 (6) An educational service unit may consist of a single school  
25 district if the single school district is either a Class IV or Class V  
26 school district. An educational service unit with only one member school  
27 district shall be governed by the school board of such school district  
28 and shall participate in one or more of the statewide projects managed by  
29 the Educational Service Unit Coordinating Council.

30 Sec. 96. Section 79-1816, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           79-1816 The members of the authority shall receive no compensation  
2 for the performance of their duties as members, but each such member  
3 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses  
4 while engaged in the performance of such duties as provided in sections  
5 81-1174 to 81-1177 from any funds legally available therefor.

6           Sec. 97. Section 79-2204, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8           79-2204 (1) The State Council on Educational Opportunity for  
9 Military Children is created within the department. The council shall  
10 consist of:

11           (a) The following ex officio members:

12           (i) The Commissioner of Education;

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

15           (iii) The compact commissioner appointed pursuant to section  
16 79-2205; and

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

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

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

23           (ii) A representative of a military installation located in this  
24 state.

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

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

31           (a) To advise the department with regard to the state's

1 participation in and compliance with the Interstate Compact on  
2 Educational Opportunity for Military Children; and

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

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

8 Sec. 98. Section 80-318, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

29 Sec. 99. Section 80-401.02, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 80-401.02 There is hereby created a department of government to be

1 known as the Department of Veterans' Affairs. The chief administrative  
2 officer of the department shall be the director to be known as the  
3 Director of Veterans' Affairs. He or she shall be appointed by the  
4 Governor, subject to confirmation by the Legislature. No person shall be  
5 eligible to receive appointment as director unless such person has the  
6 following qualifications: (1) Resident of the State of Nebraska for at  
7 least five years immediately prior to his or her appointment; (2) citizen  
8 of the United States; and (3) served in the armed forces of the United  
9 States during any of the periods identified in section 80-401.01 and  
10 discharged or otherwise separated with a characterization of honorable  
11 from such service. The director shall serve until a new director to  
12 succeed him or her is appointed and has qualified. If a vacancy occurs in  
13 the office of director when the Legislature is not in session, the  
14 Governor shall make a temporary appointment until the next meeting of the  
15 Legislature, when the Governor shall present to the Legislature a  
16 recommendation for the office. The director shall receive an annual  
17 salary to be fixed by the Governor, payable in equal monthly  
18 installments. He or she shall be reimbursed for ~~entitled to the necessary~~  
19 ~~and actual~~ expenses involved in the performance of his or her official  
20 duties as provided in sections 81-1174 to 81-1177. He or she shall be  
21 bonded or insured as required by section 11-201. The director shall  
22 appoint state service officers and assistants, whose appointments shall  
23 be approved by the Veterans' Advisory Commission.

24 The department shall be the designated state agency to advocate on  
25 behalf of veterans.

26 Sec. 100. Section 80-401.08, Reissue Revised Statutes of Nebraska,  
27 is amended to read:

28 80-401.08 The members of the Veterans' Advisory Commission shall  
29 annually appoint one of its members as chairperson and one as secretary.  
30 The members of the commission shall each qualify by taking and  
31 subscribing an oath of office. No member shall receive any salary for his

1 or her services, but each shall be reimbursed for ~~his or her actual and~~  
2 ~~necessary~~ expenses incurred by him or her in performing his or her duties  
3 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

4 Sec. 101. Section 81-175, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 81-175 The compensation of the members of the task force shall be  
7 established by the Governor on a per diem basis, and they shall work the  
8 days and hours required to accomplish the task. Members of the task force  
9 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in  
10 the performance of their duties as provided in sections 81-1174 to  
11 81-1177 ~~for state employees.~~

12 Sec. 102. Section 81-502.02, Reissue Revised Statutes of Nebraska,  
13 is amended to read:

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

28 Sec. 103. Section 81-5,212, Revised Statutes Supplement, 2019, is  
29 amended to read:

30 81-5,212 (1) The Conveyance Advisory Committee is created. One  
31 member shall be the state elevator inspector employed pursuant to section



1 81-5,221. The Governor shall appoint the other members of the committee  
2 as follows: One representative from a major elevator manufacturing  
3 company; one representative from an elevator servicing company; one  
4 representative who is a building manager; one representative who is an  
5 elevator mechanic; and one representative of the general public from each  
6 county that has a population of more than one hundred thousand  
7 inhabitants.

8 (2) The members of the committee appointed by the Governor shall  
9 serve for terms of three years, except that of the initial members  
10 appointed, two shall serve for terms of one year and three shall serve  
11 for terms of two years. The state elevator inspector shall serve  
12 continuously. The appointed members shall be reimbursed for ~~their actual~~  
13 ~~and necessary~~ expenses for service on the committee as provided in  
14 sections 81-1174 to 81-1177. The members of the committee shall elect a  
15 chairperson who shall be the deciding vote in the event of a tie vote.

16 (3) The committee shall meet and organize within thirty days after  
17 the appointment of the members. The committee shall meet quarterly at a  
18 time and place to be fixed by the committee for the consideration of code  
19 regulations and for the transaction of such other business as properly  
20 comes before it. Special meetings may be called by the chairperson or at  
21 the request of two or more members of the committee. Any appointed  
22 committee member absent from three consecutive meetings shall be  
23 dismissed.

24 Sec. 104. Section 81-829.53, Reissue Revised Statutes of Nebraska,  
25 is amended to read:

26 81-829.53 Personnel of state emergency response teams while on duty,  
27 whether within or without the state, shall: (1) If they are employees of  
28 the state, have the powers, duties, rights, privileges, and immunities  
29 and receive the compensation incidental to their employment; (2) if they  
30 are employees of a political subdivision of the state, and whether  
31 serving within or without such political subdivision, have the powers,

1 duties, rights, privileges, and immunities and receive the compensation  
2 incidental to their employment; and (3) if they are not employees of the  
3 state or a political subdivision thereof, be entitled to compensation by  
4 the state at rates to be established by the Governor and shall be  
5 entitled to the same rights and immunities as are provided by law for the  
6 employees of this state. State emergency response teams shall, while on  
7 duty, be subject to the operational control of the authority in charge of  
8 emergency management activities in the area in which they are serving and  
9 shall be reimbursed for ~~all actual and necessary travel and subsistence~~  
10 expenses in accordance with sections 81-1174 to 81-1177.

11 Sec. 105. Section 81-829.54, Reissue Revised Statutes of Nebraska,  
12 is amended to read:

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

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

30 Sec. 106. Section 81-885.07, Reissue Revised Statutes of Nebraska,  
31 is amended to read:

1           81-885.07 (1) There is hereby created the State Real Estate  
2 Commission which shall consist of the Secretary of State, who shall be  
3 chairperson of the commission, and six members appointed by the Governor.  
4 Three of the members of the commission appointed by the Governor shall be  
5 active and licensed real estate brokers who have engaged in the real  
6 estate business as brokers or associate brokers for not less than five  
7 years, which members shall be appointed by the Governor, one from each of  
8 the three congressional districts as the districts were constituted on  
9 January 1, 2006. The remaining members shall be appointed at large, one  
10 of whom shall be representative of the public, one of whom shall be a  
11 licensed real estate salesperson who has engaged in the real estate  
12 business as a salesperson for not less than three years, and one of whom  
13 shall be an active and licensed real estate broker who has engaged in the  
14 real estate business as a broker or associate broker for not less than  
15 five years. The member representing the former congressional district 1  
16 on July 14, 2006, shall represent congressional district 1 for the  
17 balance of his or her term. The member representing the former  
18 congressional district 2 on July 14, 2006, shall represent congressional  
19 district 2 for the balance of his or her term. The member representing  
20 the former congressional district 3 on July 14, 2006, shall become an at-  
21 large member for the balance of his or her term. The member representing  
22 the former congressional district 4 on July 14, 2006, shall represent  
23 congressional district 3 for the balance of his or her term.

24           (2) At the expiration of the term of any member of the commission,  
25 the Governor shall appoint a successor for a term of six years. Any  
26 appointed member shall be limited to one six-year term, in addition to  
27 any partial term served. In the event of a vacancy on the commission, the  
28 Governor shall fill such vacancy by appointing a member to serve during  
29 the unexpired term of the member whose office has become vacant. In the  
30 absence of the chairperson, the senior member of the commission in point  
31 of service present shall serve as presiding officer. Not less than four

1 members of the commission must be present at any official meeting of the  
2 commission. The action of the majority of the members of the commission  
3 shall be deemed the action of the commission. No appointed person may act  
4 as a member of the commission while holding any other elective or  
5 appointive state or federal office.

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

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

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

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

1 (7) The commission may charge reasonable fees for services it  
2 renders, not to exceed the actual costs thereof, except as otherwise  
3 provided in the act. The fees established by the commission pursuant to  
4 the act shall be established at the level necessary to meet expenditures  
5 of the commission as approved by the Legislature and to provide a  
6 sufficient cash fund balance.

7 Sec. 107. Section 81-8,189, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 81-8,189 Members of the board shall serve without compensation,  
10 except that they shall be reimbursed for ~~their actual and necessary~~  
11 expenses incurred in the discharge of their duties pursuant to the  
12 Professional Landscape Architects Act as provided in sections 81-1174 to  
13 81-1177.

14 Sec. 108. Section 81-8,267, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

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

20 Sec. 109. Section 81-1108.32, Reissue Revised Statutes of Nebraska,  
21 is amended to read:

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

1 each year, appoint or reappoint a member of the commission for a term of  
2 three years to succeed the member whose term expires. Any member  
3 appointed after March 1 shall serve for the remaining portion of the  
4 three-year term.

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

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

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

23 Sec. 110. Section 81-1120.18, Reissue Revised Statutes of Nebraska,  
24 is amended to read:

25 81-1120.18 The division of communications may form temporary  
26 advisory boards to provide advice in the development, management,  
27 administration, and operation of a consolidated communications system to  
28 meet the communications requirements of all departments and agencies of  
29 state government. Board members shall be selected by the division and  
30 shall receive no compensation for duties performed as members of a board,  
31 but shall be reimbursed for ~~actual~~ expenses incurred while engaged in the

1 performance of their duties under the provisions of sections ~~23-1715,~~  
2 81-1108.02, 81-1120.01 to 81-1120.03, 81-1120.15 to 81-1120.28, and  
3 81-1423 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

4 Sec. 111. Section 81-1174, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

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

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

16 (b) Except as otherwise provided by section 50-415 or Supreme Court  
17 rule, each request for any meal expense incurred during travel status  
18 shall be paid or reimbursed pursuant to a percentage of the per diem  
19 rates of the federal General Services Administration for travel within  
20 the contiguous United States, the United States Department of Defense for  
21 travel within Alaska, Hawaii, or a United States territory or possession,  
22 and the United States Department of State for foreign travel, as  
23 determined by and in accordance with policies established by the Director  
24 of Administrative Services. Such percentage shall not exceed one hundred  
25 percent nor be less than sixty percent of the federal per diem rate. Any  
26 meal expense charged directly to and paid for by the state shall be  
27 identified on the request for reimbursement and deducted from the per  
28 diem based on the percentage established for the meal provided.

29 (3) When reimbursement is requested for mileage by automobile, air  
30 travel by commercial carrier, air travel in airplanes chartered by the  
31 department or agency, or air travel by personally rented airplane, the

1 points between which such travel occurred, the times of arrival and  
2 departure, and the necessity and purpose of such travel shall be stated  
3 on such request. When reimbursement is requested for mileage by  
4 automobile, the motor vehicle license plate number, the total miles  
5 traveled, and the rate per mile being requested shall also be shown on  
6 each request.

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

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

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

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

27 (8) No personal maintenance expenses shall be allowed to any state  
28 officer, state employee, or member of any commission, council, committee,  
29 or board of the state when such expenses are incurred in the city or  
30 village town in which the residence or primary work location of such  
31 individual is located, except that individuals required to attend



1 official functions, conferences, or hearings within such location, not to  
2 include normal day-to-day operations of the department, agency,  
3 commission, council, committee, or board, may be paid or reimbursed in  
4 accordance with policies established by the Director of Administrative  
5 Services. The approval to attend a function, conference, or hearing shall  
6 be obtained from the director of the department, agency, commission,  
7 council, committee, or board prior to an individual's attendance at such  
8 function, conference, or hearing.

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

12 Sec. 112. Section 81-1180, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

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

23 Sec. 113. Section 81-11,104, Reissue Revised Statutes of Nebraska,  
24 is amended to read:

25 81-11,104 (1) The Department of Administrative Services shall  
26 establish an annual performance evaluation process for the administrative  
27 head of each state agency that is not created by the Constitution of  
28 Nebraska and that has an administrative head who is not appointed by the  
29 Governor and who has an annual base salary in excess of thirty thousand  
30 dollars. The first evaluation of an administrative head pursuant to this  
31 section shall not occur prior to the completion of one year of service by

1 the administrative head. The results of the evaluation shall be provided  
2 to the governing body which appoints the administrative head unless the  
3 evaluation is waived under subsection (3) of this section.

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

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

30 Sec. 114. Section 81-1348, Revised Statutes Cumulative Supplement,  
31 2018, is amended to read:

1           81-1348 There is hereby created the Suggestion Award Board. The  
2 membership of such board shall consist of the Director of Personnel, the  
3 Director of Administrative Services, the Auditor of Public Accounts or  
4 his or her designee, and three persons, each to serve a term of three  
5 years, selected and appointed by the Governor from the bargaining units  
6 listed in section 81-1373, except that the first three appointments made  
7 after February 23, 2000, shall be for terms of one year, two years, and  
8 three years, as designated by the Governor. Of the persons selected from  
9 such bargaining units, one person shall be selected from each of such  
10 bargaining units as follows:

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

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

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

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

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

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

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

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

28           Sec. 115. Section 81-1409, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30           81-1409 The members of the council shall serve without compensation,  
31 but they shall be entitled to receive reimbursement for ~~any actual~~

1 expenses incurred ~~as a necessary~~ incident to such service as provided in  
2 sections 81-1174 to 81-1177 ~~for state employees~~.

3 Sec. 116. Section 81-1421, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 81-1421 The members of the commission shall serve without  
6 compensation, but they shall be entitled to receive reimbursement for ~~any~~  
7 ~~actual~~ expenses incurred ~~as necessary~~ incident to such service as  
8 provided in sections 81-1174 to 81-1177 ~~for state employees~~.

9 Sec. 117. Section 81-1430, Revised Statutes Cumulative Supplement,  
10 2018, is amended to read:

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

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

30 (3)(a) The Department of Labor shall work with the task force to  
31 develop or select informational posters for placement around the state.

1 The posters shall be in English, Spanish, and any other language deemed  
2 appropriate by the task force. The posters shall include a toll-free  
3 telephone number a person may call for assistance, preferably the  
4 National Human Trafficking Resource Center Hotline (888)373-7888.

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

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

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

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

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

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

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

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

27 (g) A county sheriff;

28 (h) A county attorney;

29 (i) A county commissioner;

30 (j) A mayor or city manager;

31 (k) A person involved with the control or prevention of juvenile

1 delinquency;

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

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

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

5 designee; and

6 (o) Six members, at least three of whom shall be women, from the

7 public at large.

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

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

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

1 absent and stating a reason therefor.

2 (8) The chairperson of the task force shall be designated by the  
3 Governor to serve at the pleasure of the Governor. The chairperson shall  
4 be the chief executive officer of the task force but may delegate such of  
5 his or her duties to other members of the task force as may be authorized  
6 by the task force.

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

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

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

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

24 Sec. 118. Section 81-1449, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 81-1449 Members of the advisory council to the Office of Violence  
27 Prevention shall serve without compensation but may be reimbursed for  
28 ~~their actual and necessary~~ expenses incurred in the performance of their  
29 duties as provided in sections 81-1174 to 81-1177.

30 Sec. 119. Section 81-1503, Revised Statutes Supplement, 2019, is  
31 amended to read:

1           81-1503 (1) The Environmental Quality Council is hereby created. The  
2 council shall consist of seventeen members to be appointed by the  
3 Governor with the advice and consent of the Legislature as follows:

4           (a) One representative of the food products manufacturing industry;

5           (b) One representative of conservation;

6           (c) One representative of the agricultural processing industry;

7           (d) One representative of the automotive or petroleum industry;

8           (e) One representative of the chemical industry;

9           (f) One representative of heavy industry;

10          (g) One representative of the power generating industry;

11          (h) One representative of agriculture actively engaged in crop  
12 production;

13          (i) One representative of labor;

14          (j) One professional engineer experienced in control of air and  
15 water pollution and solid wastes;

16          (k) One physician knowledgeable in the health aspects of air, water,  
17 and land pollution;

18          (l) One representative from county government;

19          (m) Two representatives from municipal government, one of whom shall  
20 represent cities other than those of the primary or metropolitan class;

21          (n) One representative of the livestock industry;

22          (o) One representative of minority populations; and

23          (p) One biologist.

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 Environment and Energy 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. 120. Section 81-1504, Revised Statutes Supplement, 2019, is

1 amended to read:

2 81-1504 The department shall have and may exercise the following  
3 powers and duties:

4 (1) To exercise exclusive general supervision of the administration  
5 and enforcement of the Environmental Protection Act, the Integrated Solid  
6 Waste Management Act, the Livestock Waste Management Act, and all rules  
7 and regulations and orders adopted and promulgated under such acts;

8 (2) To develop comprehensive programs for the prevention, control,  
9 and abatement of new or existing pollution of the air, waters, and land  
10 of the state;

11 (3) To advise and consult, cooperate, and contract with other  
12 agencies of the state, the federal government, and other states, with  
13 interstate agencies, and with affected groups, political subdivisions,  
14 and industries in furtherance of the purposes of the acts;

15 (4) To act as the state water pollution, air pollution, and solid  
16 waste pollution control agency for all purposes of the Clean Water Act,  
17 as amended, 33 U.S.C. 1251 et seq., the Clean Air Act, as amended, 42  
18 U.S.C. 7401 et seq., the Resource Conservation and Recovery Act, as  
19 amended, 42 U.S.C. 6901 et seq., and any other federal legislation  
20 pertaining to loans or grants for environmental protection and from other  
21 sources, public or private, for carrying out any of its functions, which  
22 loans and grants shall not be expended for other than the purposes for  
23 which provided;

24 (5) To encourage, participate in, or conduct studies,  
25 investigations, research, and demonstrations relating to air, land, and  
26 water pollution and causes and effects, prevention, control, and  
27 abatement of such pollution as it may deem advisable and necessary for  
28 the discharge of its duties under the Environmental Protection Act, the  
29 Integrated Solid Waste Management Act, and the Livestock Waste Management  
30 Act, using its own staff or private research organizations under  
31 contract;

1           (6) To collect and disseminate information and conduct educational  
2 and training programs relating to air, water, and land pollution and the  
3 prevention, control, and abatement of such pollution;

4           (7) To issue, modify, or revoke orders (a) prohibiting or abating  
5 discharges of wastes into the air, waters, or land of the state and (b)  
6 requiring the construction of new disposal systems or any parts thereof  
7 or the modification, extension, or adoption of other remedial measures to  
8 prevent, control, or abate pollution;

9           (8) To administer state grants to political subdivisions for solid  
10 waste disposal facilities and for the construction of sewage treatment  
11 works and facilities to dispose of water treatment plant wastes;

12           (9) To (a) hold such hearings and give notice thereof, (b) issue  
13 such subpoenas requiring the attendance of such witnesses and the  
14 production of such evidence, (c) administer such oaths, and (d) take such  
15 testimony as the director deems necessary, and any of these powers may be  
16 exercised on behalf of the director by a hearing officer designated by  
17 the director;

18           (10) To require submission of plans, specifications, and other data  
19 relative to, and to inspect construction of, disposal systems or any part  
20 thereof prior to issuance of such permits or approvals as are required by  
21 the Environmental Protection Act, the Integrated Solid Waste Management  
22 Act, and the Livestock Waste Management Act;

23           (11) To issue, continue in effect, revoke, modify, or deny permits,  
24 under such conditions as the director may prescribe and consistent with  
25 the standards, rules, and regulations adopted by the council, (a) to  
26 prevent, control, or abate pollution, (b) for the discharge of wastes  
27 into the air, land, or waters of the state, and (c) for the installation,  
28 modification, or operation of disposal systems or any parts thereof;

29           (12) To require proper maintenance and operation of disposal  
30 systems;

31           (13) To exercise all incidental powers necessary to carry out the

1 purposes of the Environmental Protection Act, the Integrated Solid Waste  
2 Management Act, and the Livestock Waste Management Act;

3 (14) To establish bureaus, divisions, or sections for the control of  
4 air pollution, water pollution, mining and land quality, and solid wastes  
5 which shall be administered by full-time salaried bureau, division, or  
6 section chiefs and to delegate and assign to each such bureau, division,  
7 or section and its officers and employees the duties and powers granted  
8 to the department for the enforcement of Chapter 81, article 15, the  
9 Integrated Solid Waste Management Act, the Livestock Waste Management  
10 Act, and the standards, rules, and regulations adopted pursuant thereto;

11 (15)(a) To require access to existing and available records relating  
12 to (i) emissions or discharges which cause or contribute to air, land, or  
13 water pollution or (ii) the monitoring of such emissions or discharges;  
14 and

15 (b) To require, for purposes of developing or assisting the  
16 development of any regulation or enforcing any of the provisions of the  
17 Environmental Protection Act which pertain to hazardous waste, any person  
18 who generates, stores, treats, transports, disposes of, or otherwise  
19 handles or has handled hazardous waste, upon request of any officer,  
20 employee, or representative of the department, to furnish information  
21 relating to such waste and any permit involved. Such person shall have  
22 access at all reasonable times to a copy of all results relating to such  
23 waste;

24 (16) To obtain such scientific, technical, administrative, and  
25 operational services including laboratory facilities, by contract or  
26 otherwise, as the director deems necessary;

27 (17) To encourage voluntary cooperation by persons and affected  
28 groups to achieve the purposes of the Environmental Protection Act, the  
29 Integrated Solid Waste Management Act, and the Livestock Waste Management  
30 Act;

31 (18) To encourage local units of government to handle air, land, and

1 water pollution problems within their respective jurisdictions and on a  
2 cooperative basis and to provide technical and consultative assistance  
3 therefor;

4 (19) To consult with any person proposing to construct, install, or  
5 otherwise acquire an air, land, or water contaminant source or a device  
6 or system for control of such source, upon request of such person,  
7 concerning the efficacy of such device or system or concerning the air,  
8 land, or water pollution problem which may be related to the source,  
9 device, or system. Nothing in any such consultation shall be construed to  
10 relieve any person from compliance with the Environmental Protection Act,  
11 the Integrated Solid Waste Management Act, the Livestock Waste Management  
12 Act, rules and regulations in force pursuant to the acts, or any other  
13 provision of law;

14 (20) To require all persons engaged or desiring to engage in  
15 operations which result or which may result in air, water, or land  
16 pollution to secure a permit prior to installation or operation or  
17 continued operation;

18 (21) To enter and inspect, during reasonable hours, any building or  
19 place, except a building designed for and used exclusively for a private  
20 residence;

21 (22) To receive or initiate complaints of air, water, or land  
22 pollution, hold hearings in connection with air, water, or land  
23 pollution, and institute legal proceedings in the name of the state for  
24 the control or prevention of air, water, or land pollution, and for the  
25 recovery of penalties, in accordance with the Environmental Protection  
26 Act, the Integrated Solid Waste Management Act, and the Livestock Waste  
27 Management Act;

28 (23) To delegate, by contract with governmental subdivisions which  
29 have adopted local air, water, or land pollution control programs  
30 approved by the council, the enforcement of state-adopted air, water, or  
31 land pollution control regulations within a specified region surrounding

1 the jurisdictional area of the governmental subdivisions. Prosecutions  
2 commenced under such contracts shall be conducted by the Attorney General  
3 or county attorneys as provided in the Environmental Protection Act, the  
4 Integrated Solid Waste Management Act, and the Livestock Waste Management  
5 Act;

6 (24) To conduct tests and take samples of air, water, or land  
7 contaminants, fuel, process materials, or any other substance which  
8 affects or may affect discharges or emissions of air, water, or land  
9 contaminants from any source, giving the owner or operator a receipt for  
10 the sample obtained;

11 (25) To develop and enforce compliance schedules, under such  
12 conditions as the director may prescribe and consistent with the  
13 standards, rules, and regulations adopted by the council, to prevent,  
14 control, or abate pollution;

15 (26) To employ the Governor's Keep Nebraska Beautiful Committee for  
16 such special occasions and projects as the department may decide.  
17 Reimbursement of the committee shall be made from state and appropriate  
18 federal matching funds for each assignment of work by the department as  
19 provided in sections 81-1174 to 81-1177;

20 (27) To provide, to the extent determined by the council to be  
21 necessary and practicable, for areawide, selective, and periodic  
22 inspection and testing of motor vehicles to secure compliance with  
23 applicable exhaust emission standards for a fee not to exceed five  
24 dollars to offset the cost of inspection;

25 (28) To enforce, when it is not feasible to prescribe or enforce any  
26 emission standard for control of air pollutants, the use of a design,  
27 equipment, a work practice, an operational standard, or a combination  
28 thereof, adequate to protect the public health from such pollutant or  
29 pollutants with an ample margin of safety;

30 (29) To establish the position of public advocate to be located  
31 within the department to assist and educate the public on departmental

1 programs and to carry out all duties of the ombudsman as provided in the  
2 Clean Air Act, as amended, 42 U.S.C. 7661f;

3 (30) Under such conditions as it may prescribe for the review,  
4 recommendations, and written approval of the director, to require the  
5 submission of such plans, specifications, and other information as it  
6 deems necessary to carry out the Environmental Protection Act, the  
7 Integrated Solid Waste Management Act, and the Livestock Waste Management  
8 Act or to carry out the rules and regulations adopted pursuant to the  
9 acts. When deemed necessary by the director, the plans and specifications  
10 shall be prepared and submitted by a professional engineer licensed to  
11 practice in Nebraska;

12 (31) To carry out the provisions of the Petroleum Products and  
13 Hazardous Substances Storage and Handling Act;

14 (32) To consider the risk to human health and safety and to the  
15 environment in evaluating and approving plans for remedial action;

16 (33) To evaluate permits proposed to be issued to any political  
17 subdivision under the National Pollutant Discharge Elimination System  
18 created by the Clean Water Act, as amended, 33 U.S.C. 1251 et seq., as  
19 provided in section 81-1517;

20 (34) To exercise such powers and duties as may be delegated by the  
21 federal government to administer an individual and general permit program  
22 for the discharge of dredged or fill material consistent with section 404  
23 of the Clean Water Act, as amended, 33 U.S.C. 1344;

24 (35) To serve as or assist in developing and coordinating a central  
25 repository within state government for the collection of data on energy;

26 (36) To undertake a continuing assessment of the trends in the  
27 availability, consumption, and development of all forms of energy;

28 (37) To collect and analyze data relating to present and future  
29 demands and resources for all sources of energy and to specify energy  
30 needs for the state;

31 (38) To recommend to the Governor and the Legislature energy



1 policies and conservation measures for the state and to carry out such  
2 measures as are adopted;

3 (39) To provide for public dissemination of appropriate information  
4 on energy, energy sources, and energy conservation;

5 (40) To accept, expend, or disburse funds, public or private, made  
6 available to it for research studies, demonstration projects, or other  
7 activities which are related either to energy conservation and efficiency  
8 or development;

9 (41) To study the impact and relationship of state energy policies  
10 to national and regional energy policies and engage in such activities as  
11 will reasonably insure that the State of Nebraska and its residents  
12 receive an equitable share of energy supplies, including the  
13 administration of any federally mandated or state-mandated energy  
14 allocation programs;

15 (42) To actively seek the advice of the residents of Nebraska  
16 regarding energy policies and programs;

17 (43) To prepare emergency allocation plans suggesting to the  
18 Governor actions to be taken in the event of serious shortages of energy;

19 (44) To design and maintain a state program for conservation of  
20 energy and energy efficiency;

21 (45) To provide technical assistance regarding energy to local  
22 subdivisions of government;

23 (46) To provide technical assistance to private persons desiring  
24 information on energy conservation and efficiency techniques and the use  
25 of renewable energy technologies;

26 (47) To develop a strategic state energy plan pursuant to section  
27 81-1604;

28 (48) To develop and disseminate transparent and objective energy  
29 information and analysis while utilizing existing energy planning  
30 resources of relevant stakeholder entities;

31 (49) To actively seek to maximize federal and other nonstate funding

1 and support to the state for energy planning;

2 (50) To monitor energy transmission capacity planning and policy  
3 affecting the state and the regulatory approval process for the  
4 development of energy infrastructure and make recommendations to the  
5 Governor and electronically to the Legislature as necessary to facilitate  
6 energy infrastructure planning and development;

7 (51) To implement rules and regulations adopted and promulgated by  
8 the director pursuant to the Administrative Procedure Act to carry out  
9 subdivisions (35) through (58) of this section;

10 (52) To make all contracts pursuant to subdivisions (35) through  
11 (58) of this section and do all things to cooperate with the federal  
12 government, and to qualify for, accept, expend, and dispense public or  
13 private funds intended for the implementation of subdivisions (35)  
14 through (58) of this section;

15 (53) To contract for services, if such work or services cannot be  
16 satisfactorily performed by employees of the department or by any other  
17 part of state government;

18 (54) To enter into such agreements as are necessary to carry out  
19 energy research and development with other states;

20 (55) To carry out the duties and responsibilities relating to energy  
21 as may be requested or required of the state by the federal government;

22 (56) To cooperate and participate with the approval of the Governor  
23 in the activities of organizations of states relating to the  
24 availability, conservation, development, and distribution of energy;

25 (57) To engage in such activities as will seek to insure that the  
26 State of Nebraska and its residents receive an equitable share of energy  
27 supplies at a fair price; and

28 (58) To form advisory committees of residents of Nebraska to advise  
29 the director on programs and policies relating to energy and to assist in  
30 implementing such programs. Such committees shall be of a temporary  
31 nature, and no member shall receive any compensation for serving on any

1 such committee but, with the approval of the Governor, members shall  
2 receive reimbursement for ~~actual and necessary~~ expenses as provided in  
3 sections 81-1174 to 81-1177. The minutes of meetings of and actions taken  
4 by each committee shall be kept and a record shall be maintained of the  
5 name, address, and occupation or vocation of every individual serving on  
6 any committee. The department shall maintain such minutes and records and  
7 shall make them available for public inspection during regular office  
8 hours.

9 Sec. 121. Section 81-1505.03, Reissue Revised Statutes of Nebraska,  
10 is amended to read:

11 81-1505.03 (1) There is hereby created the Small Business Compliance  
12 Advisory Panel. The panel shall consist of the following:

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

16 (b) Four members selected by the Legislature who are owners or who  
17 represent owners of small business stationary sources of air emissions;  
18 and

19 (c) One member selected by the director.

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

27 Sec. 122. Section 81-15,171, Reissue Revised Statutes of Nebraska,  
28 is amended to read:

29 81-15,171 The citizen members of the board shall be appointed for  
30 terms of six years, except that of the members first appointed, except  
31 directors of agencies, the terms of three shall expire at the end of the

1 second year, three at the end of the fourth year, and three at the end of  
2 the sixth year, as designated at the time of appointment. Any member  
3 appointed to fill a vacancy occurring prior to the expiration of the term  
4 for which his or her predecessor was appointed shall be appointed for the  
5 remainder of such term. A vacancy on the board shall exist in the event  
6 of the death, disability, or resignation of a member. All members shall  
7 be reimbursed for ~~their actual and necessary travel~~ expenses as provided  
8 in sections 81-1174 to 81-1177.

9 Sec. 123. Section 81-15,175, Revised Statutes Supplement, 2019, is  
10 amended to read:

11 81-15,175 (1) The board may make an annual allocation each fiscal  
12 year from the Nebraska Environmental Trust Fund to the Nebraska  
13 Environmental Endowment Fund as provided in section 81-15,174.01. The  
14 board shall make annual allocations from the Nebraska Environmental Trust  
15 Fund and may make annual allocations each fiscal year from the Nebraska  
16 Environmental Endowment Fund for projects which conform to the  
17 environmental categories of the board established pursuant to section  
18 81-15,176 and to the extent the board determines those projects to have  
19 merit. The board shall establish a calendar annually for receiving and  
20 evaluating proposals and awarding grants. To evaluate the economic,  
21 financial, and technical feasibility of proposals, the board may  
22 establish subcommittees, request or contract for assistance, or establish  
23 advisory groups. Private citizens serving on advisory groups shall be  
24 reimbursed for ~~their actual and necessary~~ expenses pursuant to sections  
25 81-1174 to 81-1177.

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

30 (a) Conformance with categories established pursuant to section  
31 81-15,176;

- 1 (b) Amount of funds committed from other funding sources;
- 2 (c) Encouragement of public-private partnerships;
- 3 (d) Geographic mix of projects over time;
- 4 (e) Cost-effectiveness and economic impact;
- 5 (f) Direct environmental impact;
- 6 (g) Environmental benefit to the general public and the long-term
- 7 nature of such public benefit; and

8 (h) Applications recommended by the Director of Natural Resources  
9 and submitted by the Department of Natural Resources pursuant to  
10 subsection (7) of section 61-218 shall be awarded fifty priority points  
11 in the ranking process for the 2011 grant application if the Legislature  
12 has authorized annual transfers of three million three hundred thousand  
13 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12  
14 and 2012-13 and has stated its intent to transfer three million three  
15 hundred thousand dollars to the Water Resources Cash Fund in fiscal year  
16 2013-14. Priority points shall be awarded if the proposed programs set  
17 forth in the grant application are consistent with the purposes of  
18 reducing consumptive uses of water, enhancing streamflows, recharging  
19 ground water, or supporting wildlife habitat in any river basin  
20 determined to be fully appropriated pursuant to section 46-714 or  
21 designated as overappropriated pursuant to section 46-713.

22 (3) A grant awarded under this section pursuant to an application  
23 made under subsection (7) of section 61-218 shall be paid out in the  
24 following manner:

25 (a) The initial three million three hundred thousand dollar  
26 installment shall be remitted to the State Treasurer for credit to the  
27 Water Resources Cash Fund no later than fifteen business days after the  
28 date that the grant is approved by the board;

29 (b) The second three million three hundred thousand dollar  
30 installment shall be remitted to the State Treasurer for credit to the  
31 Water Resources Cash Fund no later than May 15, 2013; and

1 (c) The third three million three hundred thousand dollar  
2 installment shall be remitted to the State Treasurer for credit to the  
3 Water Resources Cash Fund no later than May 15, 2014, if the Legislature  
4 has authorized a transfer of three million three hundred thousand dollars  
5 from the General Fund to the Water Resources Cash Fund for fiscal year  
6 2013-14.

7 (4) It is the intent of the Legislature that the Department of  
8 Natural Resources apply for an additional three-year grant from the  
9 Nebraska Environmental Trust Fund that would begin in fiscal year  
10 2014-15, a three-year grant that would begin in fiscal year 2017-18, and  
11 a three-year grant that would begin in fiscal year 2020-21 and such  
12 application shall be awarded fifty priority points in the ranking process  
13 as set forth in subdivision (2)(h) of this section if the following  
14 criteria are met:

15 (a) The Natural Resources Committee of the Legislature has examined  
16 options for water funding and has submitted a report electronically to  
17 the Clerk of the Legislature and the Governor by December 1, 2012,  
18 setting forth:

19 (i) An outline and priority listing of water management and funding  
20 needs in Nebraska, including instream flows, residential, agricultural,  
21 recreational, and municipal needs, interstate obligations, water quality  
22 issues, and natural habitats preservation;

23 (ii) An outline of statewide funding options which create a  
24 dedicated, sustainable funding source to meet the needs set forth in the  
25 report; and

26 (iii) Recommendations for legislation;

27 (b) The projects and activities funded by the department through  
28 grants from the Nebraska Environmental Trust Fund under this section have  
29 resulted in enhanced streamflows, reduced consumptive uses of water,  
30 recharged ground water, supported wildlife habitat, or otherwise  
31 contributed towards conserving, enhancing, and restoring Nebraska's

1 ground water and surface water resources. On or before July 1, 2014, the  
2 department shall submit electronically a report to the Natural Resources  
3 Committee of the Legislature providing demonstrable evidence of the  
4 benefits accrued from such projects and activities; and

5 (c) In addition to the grant reporting requirements of the trust, on  
6 or before July 1, 2014, the department provides to the board a report  
7 which includes documentation that:

8 (i) Expenditures from the Water Resources Cash Fund made to natural  
9 resources districts have met the matching fund requirements provided in  
10 subdivision (5)(a) of section 61-218;

11 (ii) Ten percent or less of the matching fund requirements has been  
12 provided by in-kind contributions for expenses incurred for projects  
13 enumerated in the grant application. In-kind contributions shall not  
14 include land or land rights; and

15 (iii) All other projects and activities funded by the department  
16 through grants from the Nebraska Environmental Trust Fund under this  
17 section were matched not less than forty percent of the project or  
18 activity cost by other funding sources.

19 (5) The board may establish a subcommittee to rate grant  
20 applications. If the board uses a subcommittee, the meetings of such  
21 subcommittee shall be subject to the Open Meetings Act. The subcommittee  
22 shall (a) use the rating systems established by the board under  
23 subsection (2) of this section, (b) assign a numeric value to each rating  
24 criterion, combine these values into a total score for each application,  
25 and rank the applications by the total scores, (c) recommend an amount of  
26 funding for each application, which amount may be more or less than the  
27 requested amount, and (d) submit the ranked list and recommended funding  
28 to the board for its approval or disapproval.

29 (6) The board may commit funds to multiyear projects, subject to  
30 available funds and appropriations. No commitment shall exceed three  
31 years without formal action by the board to renew the grant or contract.

1 Multiyear commitments may be exempt from the rating process except for  
2 the initial application and requests to renew the commitment.

3 (7) The board shall adopt and promulgate rules and regulations and  
4 publish guidelines governing allocations from the fund. The board shall  
5 conduct annual reviews of existing projects for compliance with project  
6 goals and grant requirements.

7 (8) Every five years the board may evaluate the long-term effects of  
8 the projects it funds. The evaluation may assess a sample of such  
9 projects. The board may hire an independent consultant to conduct the  
10 evaluation and may report the evaluation findings to the Legislature and  
11 the Governor. The report submitted to the Legislature shall be submitted  
12 electronically.

13 Sec. 124. Section 81-15,211, Reissue Revised Statutes of Nebraska,  
14 is amended to read:

15 81-15,211 (1) The commission shall annually elect a chairperson from  
16 among its citizen members. The commission shall meet at least twice each  
17 year and may meet more often at the call of the chairperson or at the  
18 request of any three members.

19 (2) All members shall be reimbursed for ~~their actual and necessary~~  
20 expenses as provided in sections 81-1174 to 81-1177.

21 Sec. 125. Section 81-15,245, Revised Statutes Supplement, 2019, is  
22 amended to read:

23 81-15,245 The Private Onsite Wastewater Treatment System Advisory  
24 Committee is created. The advisory committee shall be composed of the  
25 following eleven members:

26 (1) Seven members appointed by the director as follows:

27 (a) Five private onsite wastewater treatment system professionals;  
28 and

29 (b) Two registered environmental health specialists or officials  
30 representing local public health departments which have established  
31 programs for regulating private onsite wastewater treatment systems;



1 (2) The chief executive officer of the Department of Health and  
2 Human Services or his or her designee;

3 (3) The Director of Environment and Energy or his or her designated  
4 representative; and

5 (4) One representative with experience in soils and geology and one  
6 representative with experience in biological engineering, both of whom  
7 shall be designated by the vice chancellor of the University of Nebraska  
8 Institute of Agriculture and Natural Resources.

9 Members shall be reimbursed for ~~their actual and necessary~~ expenses  
10 as provided in sections 81-1174 to 81-1177. The department shall provide  
11 administrative support for the advisory committee.

12 Sec. 126. Section 81-1805, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 81-1805 Members of the committee shall receive no reimbursement for  
15 the performance of their duties as members of the committee, except that  
16 such members shall receive reimbursement for ~~actual and necessary~~  
17 expenses as provided in sections 81-1174 to 81-1177.

18 Sec. 127. Section 81-2105, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 81-2105 There is hereby created the Electrical Division Fund. All  
21 money received under the State Electrical Act shall be remitted to the  
22 State Treasurer for credit to the fund. Each member of the board shall be  
23 reimbursed for ~~the actual and necessary~~ expenses incurred in the  
24 performance of his or her duties pursuant to sections 81-1174 to 81-1177  
25 to be paid out of the fund. Transfers may be made from the fund to the  
26 General Fund at the direction of the Legislature.

27 Sec. 128. Section 81-2506, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 81-2506 The members of the commission shall each receive fifty  
30 dollars for each day spent in the performance of their duties and shall  
31 receive reimbursement for ~~any actual and necessary~~ expenses as provided

1 in sections 81-1174 to 81-1177.

2 Sec. 129. Section 81-3521, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 81-3521 Each member of the board shall be a citizen of the United  
5 States and a resident of the State of Nebraska for at least one year  
6 immediately preceding his or her appointment. Each professional member  
7 shall have been engaged in the active practice of geology for at least  
8 ten years, shall have had responsible charge of work for at least five  
9 years at the time of his or her appointment, and shall be licensed in  
10 geology. Each member of the board shall receive as compensation the same  
11 per diem and travel expenses as other state employees for each day  
12 actually spent in traveling to and from and while attending sessions of  
13 the board and its committees or authorized meetings of the National  
14 Association of State Boards of Geology, or its ~~their~~ subdivisions or  
15 committees, and shall be reimbursed for all ~~necessary~~ expenses incident  
16 to the performance of his or her duties under the Geologists Regulation  
17 Act as provided in sections 81-1174 to 81-1177.

18 Sec. 130. Section 82-310, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 82-310 The term of office of each member shall be three years with  
21 the terms of one-third of the members expiring every year. No member of  
22 the council who serves two consecutive three-year periods shall be  
23 eligible for reappointment during a one-year period following the  
24 expiration of his or her term. The Governor shall designate a chairperson  
25 and a vice-chairperson from the members of the council, to serve as such  
26 at the pleasure of the Governor. The chairperson shall be the chief  
27 executive officer of the council. All vacancies shall be filled for the  
28 balance of the unexpired term in the same manner as original appointments  
29 are made. The members of the council shall not receive any compensation  
30 for their services but shall be reimbursed for ~~their actual and necessary~~  
31 expenses incurred in the performance of their duties as provided in

1 sections 81-1174 to 81-1177 ~~for state employees.~~

2 Sec. 131. Section 83-4,124, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 83-4,124 (1) It is hereby declared to be the policy of the State of  
5 Nebraska that all criminal detention facilities in this state shall  
6 conform to certain minimum standards of construction, maintenance, and  
7 operation and that all juvenile detention facilities and staff secure  
8 juvenile facilities in this state shall conform to certain minimum  
9 standards relating to the operation and physical structure of such  
10 facilities and the care of, programs for, and discipline of juveniles at  
11 such facilities.

12 (2) To further such policy, the Jail Standards Board is hereby  
13 created. For administrative and budgetary purposes such board shall be  
14 within the Nebraska Commission on Law Enforcement and Criminal Justice.  
15 The board shall consist of the Director of Correctional Services or, if  
16 the Director of Correctional Services chooses not to serve on the board,  
17 a person appointed by the director to serve in lieu of the director, the  
18 State Fire Marshal or his or her designee, and ten appointive members,  
19 three of whom shall be from each of the three congressional districts, to  
20 be appointed by the Governor. The appointive members of the board shall  
21 be appointed from recommendation lists containing at least three names  
22 submitted by the Nebraska Association of County Officials, the Nebraska  
23 County Sheriffs Association, the Nebraska State Bar Association, and the  
24 Police Officers Association of Nebraska. The appointive members of the  
25 board shall consist of: (a) Two county commissioners or supervisors; (b)  
26 one county sheriff; (c) one municipal police chief; (d) one member of the  
27 Nebraska State Bar Association; (e) two lay people; (f) one person who at  
28 the time of his or her appointment is serving as an administrator  
29 responsible for the operation and maintenance of a juvenile detention  
30 facility; (g) one person who at the time of his or her appointment is  
31 serving as an administrator responsible for the operation and maintenance

1 of a staff secure juvenile facility; and (h) one person who at the time  
2 of his or her appointment is serving as an administrator or jailer  
3 responsible for the operation and maintenance of a criminal detention  
4 facility having an average daily population of greater than fifty  
5 persons.

6 (3) The terms of office for all members initially appointed shall be  
7 three years. Upon completion of the initial term of the board, the  
8 Governor shall appoint one member from each congressional district for a  
9 term of one year, one member from each congressional district for a term  
10 of two years, and one member from each congressional district for a term  
11 of three years. Succeeding appointees shall be representative of the same  
12 congressional district and shall be appointed for terms of three years.  
13 An appointee to a vacancy occurring from an unexpired term shall serve  
14 out the term of his or her predecessor. Members whose terms have expired  
15 shall continue to serve until their successors have been appointed. The  
16 member authorized by Laws 2013, LB561, shall be appointed by the Governor  
17 within ninety days after May 30, 2013.

18 (4) The members of the board shall serve without compensation, but  
19 they shall be reimbursed for ~~their actual~~ expenses while engaged in the  
20 performance of their official duties as provided in sections 81-1174 to  
21 81-1177.

22 Sec. 132. Section 83-1212.01, Revised Statutes Cumulative  
23 Supplement, 2018, is amended to read:

24 83-1212.01 (1) There is hereby created the Advisory Committee on  
25 Developmental Disabilities. The advisory committee shall consist of a  
26 representative of a statewide advocacy organization for persons with  
27 developmental disabilities and their families, a representative of  
28 Nebraska's designated protection and advocacy organization, a  
29 representative of the Nebraska Planning Council on Developmental  
30 Disabilities, a representative of the University Center for Excellence in  
31 Developmental Disability Education, Research and Service as defined in

1 section 68-1114, and not more than fifteen additional members. At least  
2 fifty-one percent of the members shall be persons with developmental  
3 disabilities and family members of persons with developmental  
4 disabilities.

5 (2) The members shall be appointed by the Governor for staggered  
6 terms of three years. Any vacancy shall be filled by the Governor for the  
7 remainder of the term. One of the members shall be designated as  
8 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~  
9 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

10 (3) The advisory committee shall advise the department regarding all  
11 aspects of the funding and delivery of services to persons with  
12 developmental disabilities.

13 (4) The advisory committee shall (a) provide sufficient oversight to  
14 ensure that persons placed in the custody of the department under the  
15 Developmental Disabilities Court-Ordered Custody Act are receiving the  
16 least restrictive treatment and services necessary and (b) oversee the  
17 design and implementation of the quality management and improvement plan  
18 described in section 83-1216.01.

19 (5) The department shall inform the advisory committee of proposed  
20 systemic changes to services for persons with developmental disabilities  
21 at least thirty days prior to implementation of the changes so that the  
22 advisory committee may provide for a response to the proposed changes. If  
23 the director determines that circumstances require implementation of the  
24 changes prior to such notice, the department shall inform the advisory  
25 committee as soon as possible. The advisory committee, in partnership  
26 with the director, shall establish criteria for the process of providing  
27 the information and receiving the response.

28 Sec. 133. Section 84-931, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 84-931 (1) An agency may employ or enter into a contract for the  
31 services of an organization or individual to serve as a convenor or

1 facilitator for a negotiated rulemaking committee or may use the services  
2 of a state employee to act as a convenor or facilitator for a committee.

3 (2) An agency shall determine whether a person under consideration  
4 as a convenor or facilitator of a negotiated rulemaking committee has any  
5 financial or other interest that would preclude the person from serving  
6 in an impartial and independent manner. A person disqualified under this  
7 criterion shall be dropped from further consideration.

8 (3) Members of a negotiated rulemaking committee shall be  
9 responsible for their own expenses of participation. However, an agency  
10 may reimburse ~~pay for~~ a committee member for ~~member's actual and~~  
11 ~~necessary~~ expenses incurred in serving on the committee as provided in  
12 sections 81-1174 to 81-1177 and a reasonable per diem rate of  
13 compensation if:

14 (a) The committee member certifies a lack of adequate financial  
15 resources to participate in the committee; and

16 (b) The agency determines that the committee member's participation  
17 in the committee is necessary to ensure an adequate representation of the  
18 interests of the members.

19 (4) An agency may accept grants or gifts from any source to fund the  
20 negotiated rulemaking process if:

21 (a) Information on the name of the person giving the grant or gift  
22 and the amount of the grant or gift is available to the public;

23 (b) The grant or gift is given to and accepted by the agency without  
24 placing any condition on the membership of a negotiated rulemaking  
25 committee or the outcome of the negotiated rulemaking process; and

26 (c) There is consensus among the members of the negotiated  
27 rulemaking committee that the acceptance of the grant or gift will not  
28 diminish the integrity of the negotiated rulemaking process.

29 Sec. 134. Section 84-1204, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 84-1204 (1) The State Records Board is hereby established. The board

1 shall:

2 (a) Advise and assist the administrator in the performance of his or  
3 her duties under the Records Management Act;

4 (b) Provide electronic access to public records or electronic  
5 information and services through the portal;

6 (c) Develop and maintain the portal for providing electronic access  
7 to public records or electronic information and services;

8 (d) Provide appropriate oversight of a network manager;

9 (e) Approve reasonable fees for electronic access to public records  
10 or electronic information and services pursuant to sections 84-1205.02  
11 and 84-1205.03;

12 (f) Have the authority to enter into or renegotiate agreements  
13 regarding the management of the portal in order to provide individuals,  
14 businesses, and other entities with electronic access to public records  
15 or electronic information and services;

16 (g) Explore ways and means of reducing the costs of agencies to  
17 manage record retention, expanding the amount and type of public records  
18 or electronic information and services provided through the portal, and,  
19 when appropriate, implement changes necessary to effect such purposes;

20 (h) Explore new technologies as a means of improving access to  
21 public records or electronic information and services by individuals,  
22 businesses, and other entities and, if appropriate, implement the new  
23 technologies;

24 (i) Explore options of expanding the portal and its services to  
25 individuals, businesses, and other entities;

26 (j) Have the authority to grant funds to a state or local agency for  
27 the development of programs and technology to improve electronic access  
28 to public records or electronic information and services consistent with  
29 the act; and

30 (k) Perform such other functions and duties as the act requires.

31 (2) In addition to the administrator, the board shall consist of:

- 1 (a) The Governor or his or her designee;  
2 (b) The Attorney General or his or her designee;  
3 (c) The Auditor of Public Accounts or his or her designee;  
4 (d) The State Treasurer or his or her designee;  
5 (e) The Director of Administrative Services or his or her designee;  
6 (f) Three representatives appointed by the Governor to be broadly  
7 representative of banking, insurance, and law groups; and  
8 (g) Three representatives appointed by the Governor to be broadly  
9 representative of libraries, the general public, and professional members  
10 of the Nebraska news media.

11 (3) The administrator shall be chairperson of the board. Upon call  
12 by the administrator, the board shall convene periodically in accordance  
13 with its rules and regulations or upon call by the administrator.

14 (4) Six members of the board shall constitute a quorum, and the  
15 affirmative vote of six members shall be necessary for any action to be  
16 taken by the board. No vacancy in the membership of the board shall  
17 impair the right of a quorum to exercise all the rights and perform all  
18 the duties of the board.

19 (5) The representatives appointed by the Governor shall serve  
20 staggered three-year terms as the Governor designates and may be  
21 appointed for one additional term. Members of the board shall be  
22 reimbursed for ~~actual and necessary~~ expenses as provided in sections  
23 81-1174 to 81-1177.

24 Sec. 135. Section 84-1501, Revised Statutes Cumulative Supplement,  
25 2018, is amended to read:

26 84-1501 (1) The Public Employees Retirement Board is hereby  
27 established.

28 (2)(a) The board shall consist of eight appointed members as  
29 described in this subsection and the state investment officer as a  
30 nonvoting, ex officio member. Six of the appointed members shall be  
31 active or retired participants in the retirement systems administered by



1 the board, and two of the appointed members (i) shall not be employees of  
2 the State of Nebraska or any of its political subdivisions and (ii) shall  
3 have at least ten years of experience in the management of a public or  
4 private organization or have at least five years of experience in the  
5 field of actuarial analysis or the administration of an employee benefit  
6 plan.

7 (b) The six appointed members who are participants in the systems  
8 shall be as follows:

9 (i) Two of the appointed members shall be participants in the School  
10 Employees Retirement System of the State of Nebraska and shall include  
11 one administrator and one teacher;

12 (ii) One of the appointed members shall be a participant in the  
13 Nebraska Judges Retirement System as provided in the Judges Retirement  
14 Act;

15 (iii) One of the appointed members shall be a participant in the  
16 Nebraska State Patrol Retirement System;

17 (iv) One of the appointed members shall be a participant in the  
18 Retirement System for Nebraska Counties; and

19 (v) One of the appointed members shall be a participant in the State  
20 Employees Retirement System of the State of Nebraska.

21 (c) Appointments to the board shall be made by the Governor and  
22 shall be subject to the approval of the Legislature. All appointed  
23 members shall be citizens of the State of Nebraska.

24 (3)(a) Except as otherwise provided in this subsection, all members  
25 shall serve for terms of five years or until a successor has been  
26 appointed and qualified. The terms shall begin on January 1 of the  
27 appropriate year.

28 (b) To ensure an experienced and knowledgeable board, the terms of  
29 the appointed members shall be staggered as follows:

30 (i) One of the two members described in subdivisions (2)(a)(i) and  
31 (ii) of this section shall be appointed to serve for a five-year term

1 which begins in 2017;

2 (ii) One of the two members described in subdivisions (2)(a)(i) and  
3 (ii) of this section shall be appointed to serve for a five-year term  
4 which begins in 2018;

5 (iii) The participant in the School Employees Retirement System of  
6 the State of Nebraska who is a teacher shall be appointed for a five-year  
7 term which begins in 2019;

8 (iv) The participant in the School Employees Retirement System of  
9 the State of Nebraska who is an administrator and the participant in the  
10 State Employees Retirement System of the State of Nebraska shall be  
11 appointed for a five-year term which begins in 2020;

12 (v) The participant in the Retirement System for Nebraska Counties  
13 and the participant in the Nebraska Judges Retirement System shall be  
14 appointed to serve for a five-year term which begins in 2021; and

15 (vi) The participant in the Nebraska State Patrol Retirement System  
16 shall be appointed to serve for a three-year term which begins in 2020,  
17 and his or her successor shall be appointed to serve for a five-year term  
18 which begins in 2023.

19 (4) In the event of a vacancy in office, the Governor shall appoint  
20 a person to serve the unexpired portion of the term subject to the  
21 approval of the Legislature.

22 (5) The appointed members of the board may be removed by the  
23 Governor for cause after notice and an opportunity to be heard.

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

26 Sec. 136. Section 84-1502, Revised Statutes Supplement, 2019, is  
27 amended to read:

28 84-1502 (1) Within thirty days after its appointment, the Public  
29 Employees Retirement Board shall meet and select a chairperson and  
30 secretary. Thereafter, the chairperson and the secretary shall be elected  
31 in January of each year.

1 (2) The board shall meet upon call of the chairperson or upon the  
2 request of three members of the board filed with the board office.  
3 Meetings of the board shall be held in this state and may be held by  
4 telecommunication equipment if the requirements of the Open Meetings Act  
5 are met.

6 (3) The members of the board, except the state investment officer,  
7 shall be paid seventy-five dollars per diem, and all members shall be  
8 reimbursed for ~~their actual and necessary~~ expenses incurred in connection  
9 with the performance of their duties as board members as provided in  
10 sections 81-1174 to 81-1177.

11 Sec. 137. Section 85-104, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 85-104 All meetings of the Board of Regents shall be open to the  
14 public. The board may hold closed sessions in accordance with the Open  
15 Meetings Act. Public record shall be made and kept of all meetings and  
16 proceedings of the board. The regents shall meet at least twice each year  
17 at the administration building. They shall receive for their services no  
18 compensation, but they may be reimbursed for ~~their actual~~ expenses  
19 incurred in the performance of their official duties as provided in  
20 sections 81-1174 to 81-1177.

21 Sec. 138. Section 85-301, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 85-301 The existing institutions known as the state colleges located  
24 at Chadron, Peru, and Wayne shall hereafter be known and designated as  
25 Chadron State College, Peru State College, and Wayne State College,  
26 respectively. The general government thereof shall be vested, under the  
27 direction of the Legislature, in a board of seven members, to be known as  
28 the Board of Trustees of the Nebraska State Colleges, six of whom shall  
29 be appointed by the Governor, with the advice and consent of the  
30 Legislature, two each for terms of two, four, and six years and two each  
31 biennium thereafter for terms of six years, and the Commissioner of

1 Education shall be a member ex officio. The duties and powers of the  
2 board shall be prescribed by law, and the members thereof shall receive  
3 no compensation for the performance of their duties but may be reimbursed  
4 ~~for their actual~~ expenses incurred therein, except that members of the  
5 Board of Trustees of the Nebraska State Colleges shall not be entitled to  
6 reimbursement for mileage or other traveling expense as part of such  
7 ~~their actual~~ expenses except on the basis provided for in sections  
8 81-1174 to 81-1177.

9 Sec. 139. Section 85-1408, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 85-1408 Members of the commission shall receive no compensation for  
12 the performance of their duties but shall be reimbursed for ~~their actual~~  
13 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

14 Sec. 140. Section 85-1509, Revised Statutes Supplement, 2019, is  
15 amended to read:

16 85-1509 (1) Members of a board shall not receive a per diem. The  
17 board may reimburse members for ~~their actual and necessary~~ expenses  
18 incurred while carrying out their duties. Mileage expenses shall be  
19 computed at the rate provided in section 81-1176. Sections 81-1174,  
20 81-1175, and 81-1177 shall serve as guidelines for the board when  
21 determining allowable expenses and reimbursement for such expenses.

22 (2) A board may permit its members to participate in any  
23 hospitalization, medical, surgical, accident, sickness, or term life  
24 insurance coverage offered to the employees of such community college  
25 area. A board member electing to participate in any such insurance  
26 coverage shall pay both the employee and the employer portions of the  
27 premium for such insurance coverage. A board which opts to permit its  
28 members to participate in insurance coverage pursuant to this subsection  
29 shall report quarterly at a meeting of the board a list of the board  
30 members who have elected to participate in such insurance coverage. The  
31 list shall be made available in the office of the board for review by the

1 public upon request.

2 Sec. 141. Section 86-461, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 86-461 (1) The Enhanced Wireless 911 Advisory Board is created to  
5 advise the commission concerning the implementation, development,  
6 administration, coordination, evaluation, and maintenance of enhanced  
7 wireless 911 service. The advisory board shall be composed of nine  
8 individuals appointed by the Governor, including:

9 (a) One sheriff;

10 (b) Two county officials or employees;

11 (c) Two municipal officials or employees;

12 (d) One representative from the state's wireless telecommunications  
13 industry;

14 (e) One manager of a public safety answering point not employed by a  
15 sheriff;

16 (f) One representative of the state's local exchange  
17 telecommunications service industry; and

18 (g) One member of the public.

19 (2) The advisory board shall also include two ex officio members:

20 (a) One commissioner from the Public Service Commission or his or  
21 her designee; and

22 (b) The Chief Information Officer or his or her designee.

23 (3) Members of the board as described in subdivisions (1)(a) through  
24 (1)(g) of this section shall be appointed for a term of three years. Each  
25 succeeding member of the board shall be appointed for a term of three  
26 years. The board shall meet as often as necessary to carry out its  
27 duties. Members of the board shall be reimbursed for ~~their actual and~~  
28 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

29 Sec. 142. Section 86-515, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 86-515 (1) The Nebraska Information Technology Commission is

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

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

21 (3) The members of the commission other than the legislative member  
22 shall be appointed by the Governor with the approval of a majority of the  
23 Legislature. Members of the commission shall serve for terms of four  
24 years, except that two members initially appointed to represent the  
25 general public shall be appointed for a term of two years and any member  
26 appointed to represent the Educational Service Unit Coordinating Council  
27 shall be appointed for a term of one year. Members shall be limited to  
28 two consecutive terms. The Governor or his or her designee shall serve on  
29 the commission for his or her term. The legislative member of the  
30 commission shall serve until he or she is reappointed or a successor is  
31 appointed. Each member shall serve until the appointment and

1 qualification of his or her successor. In case of a vacancy occurring  
2 prior to the expiration of the term of a member, the appointment shall be  
3 made only for the remainder of the term.

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

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

12 Sec. 143. Section 86-570, Revised Statutes Supplement, 2019, is  
13 amended to read:

14 86-570 (1) The Geographic Information Systems Council is hereby  
15 created and shall consist of:

16 (a) The Chief Information Officer or his or her designee, the chief  
17 executive officer or designee of the Department of Health and Human  
18 Services, and the director or designee of the Department of Environment  
19 and Energy, the Conservation and Survey Division of the University of  
20 Nebraska, the Department of Natural Resources, and the Governor's Policy  
21 Research Office;

22 (b) The Director-State Engineer or designee;

23 (c) The State Surveyor or designee;

24 (d) The Clerk of the Legislature or designee;

25 (e) The secretary of the Game and Parks Commission or designee;

26 (f) The Property Tax Administrator or designee;

27 (g) One representative of federal agencies appointed by the  
28 Governor;

29 (h) One representative of the natural resources districts nominated  
30 by the Nebraska Association of Resources Districts and appointed by the  
31 Governor;

1 (i) One representative of the public power districts appointed by  
2 the Governor;

3 (j) Two representatives of the counties nominated by the Nebraska  
4 Association of County Officials and appointed by the Governor;

5 (k) One representative of the municipalities nominated by the League  
6 of Nebraska Municipalities and appointed by the Governor;

7 (l) Two members at large appointed by the Governor; and

8 (m) Such other members as nominated by the Nebraska Information  
9 Technology Commission and appointed by the Governor.

10 (2) The appointed members shall serve terms as determined by the  
11 Nebraska Information Technology Commission.

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

14 Sec. 144. Section 86-571, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 86-571 (1) The Geographic Information Systems Council shall elect a  
17 chairperson from its members and such other officers as the council deems  
18 necessary.

19 (2) As the need arises, advisory committees may be established by  
20 the council from various levels of government, industry, or the general  
21 public to assist the council. The members of advisory committees shall be  
22 reimbursed for ~~their actual and necessary~~ expenses as provided in  
23 sections 81-1174 to 81-1177.

24 (3) The council shall meet quarterly or upon the call of the  
25 chairperson.

26 Sec. 145. Section 86-1025.01, Revised Statutes Cumulative  
27 Supplement, 2018, is amended to read:

28 86-1025.01 (1) The 911 Service System Advisory Committee is created.  
29 The committee shall advise the commission concerning the implementation,  
30 coordination, operation, management, maintenance, and funding of the 911  
31 service system and provide input on technical training and quality



1 assurance. The state 911 director and the Chief Information Officer or  
2 his or her designee shall serve as ex officio members. The committee  
3 shall include the following individuals appointed by the commission:

4 (a) Four representatives of public safety agencies within the state,  
5 including an emergency manager, a member of a law enforcement agency, a  
6 member of a fire department, and a member of an emergency medical service  
7 as defined in section 38-1207;

8 (b) Two county officials or employees;

9 (c) Two municipal officials or employees;

10 (d) Two representatives of the telecommunications industry;

11 (e) Two managers of public safety answering points, one of whom is  
12 employed by a county sheriff and one of whom is not employed by a county  
13 sheriff;

14 (f) One representative of the Nebraska Association of County  
15 Officials; and

16 (g) One representative of the League of Nebraska Municipalities.

17 (2) Of the fourteen appointed members of the committee described in  
18 subdivisions (1)(a) through (g) of this section, at least four members  
19 shall be appointed from each of the three congressional districts. The  
20 appointed members of the committee shall serve for terms of three years.  
21 A vacancy shall be filled for the remainder of the unexpired term. The  
22 committee shall annually select a chairperson and vice-chairperson and  
23 meet as often as necessary to carry out its duties. Members of the  
24 committee shall be reimbursed for ~~their actual and necessary~~ expenses as  
25 provided in sections 81-1174 to 81-1177.

26 (3) The committee shall make any recommendations to the commission  
27 regarding the exercise of the commission's duties administering the 911  
28 service system pursuant to section 86-1025, including recommending the  
29 adoption and promulgation of any rules and regulations necessary to carry  
30 out the purposes of the 911 Service System Act or the introduction of any  
31 legislation. The commission may consider and implement any such

1 recommendations.

2       Sec. 146. Section 86-1102, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4       86-1102 (1) The Rural Broadband Task Force is hereby created. Task  
5 force members shall include the chairperson of the Transportation and  
6 Telecommunications Committee of the Legislature and a member of the  
7 Legislature selected by the Executive Board of the Legislative Council  
8 who shall both serve as nonvoting, ex officio members, a member of the  
9 Public Service Commission who shall be selected by the chairperson of  
10 such commission, the chairperson of the Nebraska Information Technology  
11 Commission or his or her designee who shall act as chairperson of the  
12 task force, the Director of Economic Development or his or her designee,  
13 the Director of Agriculture or his or her designee, and the following  
14 members to be appointed by the Governor: A representative of the  
15 agribusiness community, a representative of the Nebraska business  
16 community, a representative of the regulated wireline telecommunications  
17 industry, a representative of the wireless telecommunications industry, a  
18 representative of the public power industry, a representative of health  
19 care providers, a representative of Nebraska postsecondary educational  
20 institutions, and a representative of rural schools offering kindergarten  
21 through grade twelve.

22       (2) The task force may appoint advisory groups to assist the task  
23 force in providing technical expertise and advice on any issue. The  
24 advisory groups may be composed of representatives of stakeholder groups  
25 which may include, but not necessarily be limited to, representatives  
26 from small and large wireline companies, wireless companies, public power  
27 districts, electric cooperative corporations, cable television companies,  
28 Internet service providers, low-income telecommunications and electric  
29 utility customers, health care providers, and representatives of  
30 educational sectors. No compensation or expense reimbursement shall be  
31 provided to any member of any advisory group appointed by the task force.

1           (3) The Nebraska Information Technology Commission shall provide  
2 staff assistance to the task force in consultation with staff from the  
3 Public Service Commission and other interested parties. The task force  
4 may hire consultants to assist in carrying out its duties. The task force  
5 shall review issues relating to availability, adoption, and affordability  
6 of broadband services in rural areas of Nebraska. In particular, the task  
7 force shall:

8           (a) Determine how Nebraska rural areas compare to neighboring states  
9 and the rest of the nation in average download and upload speeds and in  
10 subscription rates to higher speed tiers, when available;

11           (b) Examine the role of the Nebraska Telecommunications Universal  
12 Service Fund in bringing comparable and affordable broadband services to  
13 rural residents and any effect of the fund in deterring or delaying  
14 capital formation, broadband competition, and broadband deployment;

15           (c) Review the feasibility of alternative technologies and providers  
16 in accelerating access to faster and more reliable broadband service for  
17 rural residents;

18           (d) Examine alternatives for deployment of broadband services to  
19 areas that remain unserved or underserved, such as reverse auction  
20 programs described in section 86-330, public-private partnerships,  
21 funding for competitive deployment, and other measures, and make  
22 recommendations to the Public Service Commission to encourage deployment  
23 in such areas;

24           (e) Recommend state policies to effectively utilize state universal  
25 service fund dollars to leverage federal universal service fund support  
26 and other federal funding;

27           (f) Make recommendations to the Governor and Legislature as to the  
28 most effective and efficient ways that federal broadband rural  
29 infrastructure funds received after July 1, 2018, should be expended if  
30 such funds become available; and

31           (g) Determine other issues that may be pertinent to the purpose of

1 the task force.

2 (4) Task force members shall serve on the task force without  
3 compensation but shall be entitled to receive reimbursement for any  
4 actual expenses incurred for such service as provided in sections 81-1174  
5 to 81-1177.

6 (5) The task force shall meet at the call of the chairperson and  
7 shall present its findings in a report to the Executive Board of the  
8 Legislative Council no later than November 1, 2019, and by November 1  
9 every odd-numbered year thereafter. The report shall be submitted  
10 electronically.

11 (6) For purposes of this section, broadband services means high-  
12 speed telecommunications capability at a minimum download speed of  
13 twenty-five megabits per second and a minimum upload speed of three  
14 megabits per second, and that enables users to originate and receive  
15 high-quality voice, data, and video telecommunications using any  
16 technology.

17 Sec. 147. This act becomes operative on January 1, 2021.

18 Sec. 148. Original sections 1-110, 2-1201, 2-1803, 2-2306, 2-3405,  
19 2-3619, 2-3751, 2-4008, 2-4208, 2-4901, 2-5003, 7-205, 21-2307, 23-1215,  
20 24-1003, 24-1103, 24-1203, 25-2907, 29-2259, 29-3925, 30-4108, 37-105,  
21 37-106, 39-2304, 43-1302, 43-1903, 43-3342.05, 43-3401, 43-4001, 45-603,  
22 46-538, 48-1116, 49-233, 50-415, 51-402, 53-112, 53-113, 58-228, 66-1335,  
23 68-953, 68-1105, 70-719, 71-219.03, 71-222, 71-702, 71-808, 71-1799,  
24 71-2605, 71-3406, 71-4504, 71-4723, 71-4728.05, 71-5657, 71-6227,  
25 71-6303, 71-6321, 71-7012, 71-8236, 71-8251, 71-8604, 71-8803, 72-201,  
26 72-224.03, 72-1239, 72-2007, 72-2103, 75-104, 77-27,157, 77-5004,  
27 77-5206, 79-317, 79-546, 79-808, 79-861, 79-863, 79-1104.04, 79-1816,  
28 80-318, 80-401.02, 80-401.08, 81-175, 81-502.02, 81-829.53, 81-829.54,  
29 81-885.07, 81-8,189, 81-8,267, 81-1108.32, 81-1120.18, 81-1174, 81-1180,  
30 81-11,104, 81-1409, 81-1421, 81-1449, 81-1505.03, 81-15,171, 81-15,211,  
31 81-1805, 81-2105, 81-2506, 81-3521, 82-310, 83-4,124, 84-931, 84-1204,

1 85-104, 85-301, 85-1408, 86-461, 86-515, and 86-571, Reissue Revised  
2 Statutes of Nebraska, sections 2-3951.01, 9-1004, 29-2252, 39-2106,  
3 43-2411, 49-14,120, 54-191, 55-604, 57-904, 58-819, 79-760.03, 79-760.07,  
4 79-1217, 79-2204, 81-1348, 81-1430, 83-1212.01, 84-1501, 86-1025.01, and  
5 86-1102, Revised Statutes Cumulative Supplement, 2018, and sections  
6 3-104, 43-4202, 53-302, 53-502, 70-1003, 76-2222, 81-5,212, 81-1503,  
7 81-1504, 81-15,175, 81-15,245, 84-1502, 85-1509, and 86-570, Revised  
8 Statutes Supplement, 2019, are repealed.

9       Sec. 149. The following section is outright repealed: Section  
10 81-1181, Reissue Revised Statutes of Nebraska.