

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 381

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, 43-4202, 45-603,
6 46-538, 48-1116, 48-2503, 49-233, 50-415, 51-402, 53-112, 53-113,
7 53-302, 58-228, 66-1335, 68-953, 68-1105, 70-719, 70-1003,
8 71-219.03, 71-222, 71-702, 71-808, 71-1799, 71-2605, 71-3406,
9 71-4504, 71-4723, 71-4728.05, 71-5657, 71-6227, 71-6303, 71-6321,
10 71-7012, 71-8236, 71-8251, 71-8604, 71-8803, 72-201, 72-224.03,
11 72-1239, 72-2007, 72-2103, 75-104, 76-2222, 77-27,157, 77-5004,
12 77-5206, 79-317, 79-546, 79-808, 79-861, 79-863, 79-1104.04,
13 79-1816, 80-318, 80-401.02, 80-401.08, 81-175, 81-502.02, 81-829.53,
14 81-829.54, 81-885.07, 81-8,189, 81-8,267, 81-1108.32, 81-1120.18,
15 81-1174, 81-1180, 81-11,104, 81-1409, 81-1421, 81-1449, 81-1503,
16 81-1505.03, 81-15,171, 81-15,211, 81-15,245, 81-1805, 81-2105,
17 81-2506, 81-3521, 82-310, 83-4,124, 84-931, 84-1204, 84-1502,
18 85-104, 85-301, 85-1408, 85-1509, 86-461, 86-515, 86-570, and
19 86-571, Reissue Revised Statutes of Nebraska, and sections
20 2-3951.01, 3-104, 9-1004, 29-2252, 39-2106, 43-2411, 49-14,120,
21 50-505, 53-502, 54-191, 55-604, 57-904, 58-819, 79-760.03,
22 79-760.07, 79-1217, 79-2204, 81-1348, 81-1430, 81-15,175, 81-1603,
23 83-1212.01, 84-1501, 86-1025.01, and 86-1102, Revised Statutes

1 Cumulative Supplement, 2018; to change provisions relating to
2 reimbursement for expenses as prescribed; to eliminate obsolete
3 provisions; to harmonize provisions; to provide an operative date;
4 to repeal the original sections; and to outright repeal section
5 81-1181, Reissue Revised Statutes of Nebraska.

6 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 Cumulative Supplement,
23 2018, is 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 by rule and regulation. The director may designate one or more
16 members of the commission to represent the division in conferences with
17 officials of the federal government, of other states, of other agencies
18 or municipalities of this state, or of persons owning privately owned
19 public use airports.

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

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

27 Sec. 15. Section 9-1004, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

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

1 out their duties as members of the commission as provided in sections
2 81-1174 to 81-1177.

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

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

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

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

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

29 (7) The commission shall submit a report within sixty days after the
30 end of each fiscal year to the Governor and the Clerk of the Legislature
31 that provides details of the administration of the program and

1 distribution of funds from the Compulsive Gamblers Assistance Fund. The
2 report submitted to the Legislature shall be submitted electronically.

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

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

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

18 23-1215 Members of the council shall serve without compensation, but
19 they shall be entitled to reimbursement for ~~actual and necessary~~ expenses
20 incident to such service on the council as provided in sections ~~section~~
21 81-1174 to 81-1177, ~~for state employees.~~

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

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

1 preparing transcripts and bills of exceptions. Salaries and ~~actual and~~
2 ~~necessary~~ expenses of such employees shall be paid by the State of
3 Nebraska from funds appropriated to the Supreme Court. Such employees
4 shall be reimbursed for ~~their~~ expenses as provided in sections 81-1174 to
5 81-1177 ~~for state employees.~~

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

8 24-1103 (1) The Chief Justice of the Supreme Court may call active
9 judges of the district court to serve on the Court of Appeals in case of
10 incapacity or absence for any reason whatsoever or temporary vacancy in
11 the office of a judge of the Court of Appeals. Any active judge
12 designated to serve on the Court of Appeals shall be reimbursed for ~~his~~
13 ~~or her actual and necessary~~ expenses as provided in sections 81-1174 to
14 81-1177.

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

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

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

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

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

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

1 in sections 81-1174 to 81-1177.

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

5 Sec. 22. Section 29-2252, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:

7 29-2252 The administrator shall:

8 (1) Supervise and administer the office;

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

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

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

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

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

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

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

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

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

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

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

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

1 report shall be transmitted by the Supreme Court to the Governor and the
2 Clerk of the Legislature. The report submitted to the Clerk of the
3 Legislature shall be submitted electronically;

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (4) The expenses incident to the conduct and maintenance of the
31 principal office within each probation district shall in the first

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

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

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

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

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

29 29-3925 The Governor shall designate one of the members of the
30 commission as the chairperson. The members of the commission shall be
31 reimbursed for ~~their actual and necessary~~ expenses incurred in the

1 performance of their duties as provided in sections 81-1174 to 81-1177.

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

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

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

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

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

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

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

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

20 Sec. 28. Section 39-2106, Revised Statutes Cumulative Supplement,
21 2018, is amended to read:

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

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

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

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

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

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

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

1 appointed for a term of two years, and two municipal representatives
2 shall initially be appointed for terms of four years each. Thereafter,
3 all such appointments shall be for terms of four years each.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Sec. 32. Section 43-2411, Revised Statutes Cumulative Supplement,
22 2018, is amended to read:

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

28 (2) Before June 15, 2018:

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

31 (b) The coalition shall include:

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

1 confinement facility;

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

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

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

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

10 (xxv) One county attorney; and

11 (xxvi) One public defender;

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

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

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

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

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

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

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

31 (e) The probation administrator of the Office of Probation

1 Administration or his or her designee;

2 (f) One county commissioner or supervisor;

3 (g) One representative from law enforcement;

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

5 (i) One separate juvenile court judge;

6 (j) One county court judge;

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

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

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

14 (n) One at-large member;

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

17 (p) One county attorney; and

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

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

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

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

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

1 (e) The director or his or her designee from a secure juvenile
2 detention facility appointed pursuant to subdivision (2)(b)(xix) of this
3 section shall continue to serve until the member under subdivision (3)(1)
4 of this section is appointed.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the Legislature;

2 (i) The State Treasurer or his or her designee;

3 (j) The State Court Administrator or his or her designee; and

4 (k) The director of the Title IV-D Division or his or her designee.

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

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

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

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

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

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

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

1 may conduct public hearings around the state; and

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

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

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

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

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

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

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

1 provided for such purposes through the Early Intervention Act, the
2 Quality Child Care Act, and sections 79-1101 to 79-1104.

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

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

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

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

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

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

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

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

31 (f) One juvenile court judge, appointed by the Chief Justice of the

1 Supreme Court; and

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

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

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

11 Sec. 36. Section 43-4202, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 43-4202 (1) The Nebraska Children's Commission is created as a high-
14 level leadership body to (a) create a statewide strategic plan for reform
15 of child welfare and juvenile justice programs and services in the State
16 of Nebraska, (b) review the operations of the Department of Health and
17 Human Services regarding child welfare programs and services and
18 recommend, as a part of the statewide strategic plan, options for
19 attaining the legislative intent stated in section 43-4201, either by the
20 establishment of a new division within the department or the
21 establishment of a new state agency to provide all child welfare programs
22 and services which are the responsibility of the state, and (c) monitor
23 and evaluate the child welfare and juvenile justice systems. The
24 commission shall provide a permanent forum for collaboration among state,
25 local, community, public, and private stakeholders in child welfare and
26 juvenile justice programs and services.

27 (2) The commission shall include the following voting members:

28 (a) The executive director of the Foster Care Review Office; and

29 (b) Seventeen members appointed by the Governor. The members
30 appointed pursuant to this subdivision shall represent stakeholders in
31 the child welfare and juvenile justice systems and shall include: (i) A

1 director of a child advocacy center; (ii) an administrator of a
2 behavioral health region established pursuant to section 71-807; (iii) a
3 community representative from each of the service areas designated
4 pursuant to section 81-3116. In the eastern service area designated
5 pursuant to such section, the representative may be from a lead agency of
6 a pilot project established under section 68-1212 or a collaborative
7 member; (iv) a prosecuting attorney who practices in juvenile court; (v)
8 a guardian ad litem; (vi) a biological parent currently or previously
9 involved in the child welfare system or juvenile justice system; (vii) a
10 foster parent; (viii) a court appointed special advocate volunteer; (ix)
11 a member of a local foster care review board; (x) a child welfare service
12 agency that directly provides a wide range of child welfare services and
13 is not a member of a lead agency collaborative; (xi) a young adult
14 previously in foster care; (xii) a representative of a child advocacy
15 organization that deals with legal and policy issues that include child
16 welfare; and (xiii) a representative of a federally recognized Indian
17 tribe residing within the State of Nebraska and appointed within thirty
18 days after June 5, 2013, from a list of three nominees submitted by the
19 Commission on Indian Affairs.

20 (3) The Nebraska Children's Commission shall have the following
21 nonvoting, ex officio members: (a) The chairperson of the Health and
22 Human Services Committee of the Legislature or a committee member
23 designated by the chairperson; (b) the chairperson of the Judiciary
24 Committee of the Legislature or a committee member designated by the
25 chairperson; (c) the chairperson of the Appropriations Committee of the
26 Legislature or a committee member designated by the chairperson; (d)
27 three persons appointed by the State Court Administrator; (e) the chief
28 executive officer of the Department of Health and Human Services or his
29 or her designee; (f) the Director of Children and Family Services of the
30 Division of Children and Family Services of the Department of Health and
31 Human Services or his or her designee; (g) the Commissioner of Education

1 or his or her designee; and (h) the Inspector General of Nebraska Child
2 Welfare. The nonvoting, ex officio members may attend commission meetings
3 and participate in the discussions of the commission, provide information
4 to the commission on the policies, programs, and processes of each of
5 their respective bodies, gather information for the commission, and
6 provide information back to their respective bodies from the commission.
7 The nonvoting, ex officio members shall not vote on decisions by the
8 commission or on the direction or development of the statewide strategic
9 plan pursuant to section 43-4204.

10 (4) The commission shall meet within sixty days after April 12,
11 2012, and shall select from among its members a chairperson and vice-
12 chairperson and conduct any other business necessary to the organization
13 of the commission. The commission shall meet not less often than once
14 every three months, and meetings of the commission may be held at any
15 time on the call of the chairperson. The commission may hire staff to
16 carry out the responsibilities of the commission. For administrative
17 purposes, the offices of the staff of the commission shall be located in
18 the Foster Care Review Office. The commission may hire a consultant with
19 experience in facilitating strategic planning to provide neutral,
20 independent assistance in updating the statewide strategic plan. The
21 commission shall terminate on June 30, 2019, unless continued by the
22 Legislature.

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

1 managing or leading projects or tasks and providing resource support to
2 commission members and committees as determined by the chairperson of the
3 commission; (d) serving as liaison among child welfare and juvenile
4 justice stakeholders and the public and responding to information
5 inquiries as required; and (e) other duties as assigned by the
6 commission.

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

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

14 45-603 (1) There is hereby created the Collection Agency Licensing
15 Board which shall consist of the Secretary of State, who shall be
16 chairperson of the board, and four members appointed by the Governor.
17 Three of the members appointed by the Governor shall be licensees
18 actively engaged in the collection business in this state, one of whom
19 shall reside in each of the state's three congressional districts. The
20 remaining member shall be appointed at large as a representative of the
21 public. Such person shall not be a licensee actively engaged in the
22 collection business in this state.

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

31 (3) The members of the board shall be reimbursed for ~~their actual~~

1 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

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

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

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

14 46-538 Each director shall receive from the board a per diem of not
15 to exceed seventy dollars per day for each day that such director attends
16 a board meeting or is engaged in matters concerning the district, but no
17 director shall receive more than two thousand eight hundred dollars in
18 any one year. Each director shall also be entitled to ~~any necessary~~
19 ~~traveling~~ expenses ~~actually expended while engaged~~ in the performance of
20 his or her duties as provided in sections 81-1174 to 81-1177.

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

23 48-1116 There is hereby established an Equal Opportunity Commission
24 to consist of seven members to be appointed by the Governor. Terms of
25 members shall be three years. As the terms of the members expire, the
26 Governor shall appoint or reappoint the members of the commission for
27 terms of three years to succeed the members whose terms expire. The
28 commission shall elect one member to serve as chairperson of the
29 commission.

30 Four members of the commission shall constitute a quorum for the
31 purpose of conducting the business thereof. Any action of the commission

1 shall require at least four votes. A vacancy in the commission shall not
2 impair the right of the remaining members to exercise all the powers of
3 the commission.

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

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

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

29 Sec. 40. Section 48-2503, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 48-2503 (1) The Conveyance Advisory Committee is created. One member

1 shall be the state elevator inspector appointed pursuant to section
2 48-2512.01. One member shall be the State Fire Marshal or his or her
3 designee. The Governor shall appoint the remaining members of the
4 committee as follows: One representative from a major elevator
5 manufacturing company; one representative from an elevator servicing
6 company; one representative who is a building manager; one representative
7 who is an elevator mechanic; and one representative of the general public
8 from each county that has a population of more than one hundred thousand
9 inhabitants. The committee shall be appointed within ninety days after
10 January 1, 2008.

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

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

28 Sec. 41. Section 49-233, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 49-233 The members of the preliminary survey committee shall be paid
31 ~~their travel expenses and actual expenses for food and lodging~~ while they

1 ~~are away from home and are~~ engaged in the duties provided for by section
2 49-232 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

3 Sec. 42. Section 49-14,120, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 49-14,120 All members of the commission shall be reimbursed for
6 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

7 Sec. 43. Section 50-415, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 50-415 The members of the council shall be compensated for ~~actual~~
10 expenses incurred while attending sessions of the council and the members
11 of any committee of the council shall be compensated for ~~actual~~ expenses
12 incurred while on business of the committee as provided in sections
13 81-1174 to 81-1177 ~~for state employees.~~

14 Sec. 44. Section 50-505, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 50-505 (1) The Water Funding Task Force is created. The task force
17 shall consist of the members of the Nebraska Natural Resources Commission
18 and eleven additional members to be appointed by the Governor. The
19 Director of Natural Resources or his or her designee, the chairperson of
20 the Natural Resources Committee of the Legislature or his or her
21 designee, and five additional members of the Legislature appointed by the
22 Executive Board of the Legislative Council shall be nonvoting, ex officio
23 members of the task force. In appointing members to the task force, the
24 Governor:

25 (a) Shall seek to create a broad-based task force with knowledge of
26 and experience with and representative of Nebraska's water use and
27 economy;

28 (b) Shall give equal recognition to the importance of both water
29 quantity and water quality;

30 (c) Shall appoint one member from each of the following categories:
31 Public power; public power and irrigation districts; irrigation

1 districts; a metropolitan utilities district; municipalities;
2 agriculture; wildlife conservation; livestock producers; agribusiness;
3 manufacturing; and outdoor recreation users; and

4 (d) May solicit and accept nominations for appointments to the task
5 force from recognized water interest groups in Nebraska.

6 (2) The members of the task force appointed by the Governor shall
7 represent diverse geographic regions of the state, including urban and
8 rural areas. Such members shall be appointed within thirty days after
9 June 5, 2013. Members shall begin serving immediately following notice of
10 appointment. Members shall be reimbursed for ~~their actual and necessary~~
11 expenses incurred in carrying out their duties as members as provided in
12 sections 81-1174 to 81-1177.

13 Sec. 45. Section 51-402, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 51-402 The members of the Nebraska Library Commission shall serve
16 without pay. They shall receive remuneration for ~~traveling and actual~~
17 expenses incurred while engaged in the business of the commission as
18 provided in sections 81-1174 to 81-1177 ~~for state employees~~. These
19 expenses shall be paid out of the funds of the Nebraska Library
20 Commission.

21 Sec. 46. Section 53-112, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 53-112 Each member of the commission shall receive an annual salary
24 of not to exceed twelve thousand five hundred dollars, to be fixed by the
25 Governor, payable monthly, and in addition ~~actual and necessary~~ expenses
26 authorized in section 53-113 incurred on behalf of the commission. The
27 salary of the executive director of the commission shall be fixed by the
28 commission, payable monthly.

29 Sec. 47. Section 53-113, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 53-113 The commissioners, the executive director of the commission,

1 and all employees of the commission shall be reimbursed for ~~all actual~~
2 ~~and necessary traveling~~ expenses and ~~disbursements~~ incurred or ~~made by~~
3 ~~them~~ in the discharge of their official duties as provided in sections
4 81-1174 to 81-1177. The commission may also incur necessary expenses for
5 office furniture and other incidental expenses. No commissioner,
6 executive director, or employee of the commission shall request or be
7 allowed mileage or other traveling expenses unless such sections are
8 strictly complied with.

9 Sec. 48. Section 53-302, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 53-302 (1) Within thirty days after the appointment of the initial
12 members of the Nebraska Grape and Winery Board, such board shall conduct
13 its first regular meeting. During that meeting, the board members shall
14 elect from among themselves, by majority vote, a chairperson, vice-
15 chairperson, secretary, and treasurer, all to serve for terms of one year
16 from the date of election. Subsequent board meetings shall take place at
17 least once every six months and at such times as called by the
18 chairperson or by any three board members.

19 (2) Each board member shall serve for a term of three years, upon
20 completion of which he or she may, at the Governor's discretion, be
21 reappointed.

22 (3) All voting board members shall be reimbursed for ~~their actual~~
23 ~~and necessary~~ expenses, as provided for in sections 81-1174 to 81-1177,
24 while attending meetings of the board or while engaged in the performance
25 of official responsibilities as determined by the board.

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

1 Sec. 49. Section 53-502, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 53-502 (1) Within thirty days after the appointment of the initial
4 members of the Nebraska Craft Brewery Board, such board shall conduct its
5 first regular meeting. During that meeting, the board members shall elect
6 from among themselves, by majority vote, a chairperson, vice-chairperson,
7 secretary, and treasurer, all to serve for terms of one year from the
8 date of election. Subsequent board meetings shall take place at least
9 once every six months and at such times as called by the chairperson or
10 by any three board members.

11 (2) Each member shall serve for a term of three years and may be
12 reappointed.

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

17 (4) A member may be removed by the Governor for cause. The member
18 shall first be given a written copy of the charges against him or her and
19 also an opportunity to be heard publicly. If a member moves out of
20 Nebraska, that shall be deemed sufficient cause for removal from office.

21 Sec. 50. Section 54-191, Revised Statutes Cumulative Supplement,
22 2018, is amended to read:

23 54-191 (1) The Nebraska Brand Committee is hereby created. Beginning
24 August 28, 2007, the brand committee shall consist of five members
25 appointed by the Governor. At least three appointed members shall be
26 active cattlemen and at least one appointed member shall be an active
27 cattle feeder. The Secretary of State and the Director of Agriculture, or
28 their designees, shall be nonvoting, ex officio members of the brand
29 committee. The appointed members shall be owners of cattle within the
30 brand inspection area, shall reside within the brand inspection area,
31 shall be owners of Nebraska-recorded brands, and shall be persons whose

1 principal business and occupation is the raising or feeding of cattle
2 within the brand inspection area.

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

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

14 (4) The action of a majority of the members shall be deemed the
15 action of the brand committee. No appointed member shall hold any
16 elective or appointive state or federal office while serving as a member
17 of the brand committee. Each member and each brand committee employee who
18 collects or who is the custodian of any funds shall be bonded or insured
19 as required under section 11-201. The appointed members of the brand
20 committee shall be reimbursed for ~~paid their actual and necessary~~
21 ~~traveling~~ expenses in attending meetings of the brand committee or in
22 performing any other duties that are prescribed in the Livestock Brand
23 Act or section 54-415, as provided for in sections 81-1174 to 81-1177.

24 The purpose of the Nebraska Brand Committee is to protect Nebraska
25 brand and livestock owners from the theft of livestock through
26 established brand recording, brand inspection, and livestock theft
27 investigation.

28 Sec. 51. Section 55-604, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 55-604 ~~(1)~~—Members of the Commission on Military and Veteran
31 Affairs shall receive no compensation for their services as members of

1 the commission other than their salary, but shall be reimbursed for
2 ~~actual and necessary expenses.~~ ~~(2) Reimbursement for expenses shall be as~~
3 provided in sections 81-1174 to 81-1177.

4 Sec. 52. Section 57-904, Revised Statutes Cumulative Supplement,
5 2018, is amended to read:

6 57-904 There is hereby established the Nebraska Oil and Gas
7 Conservation Commission. The commission shall consist of three members to
8 be appointed by the Governor. The director of the state geological survey
9 shall serve the commission in the capacity as its technical advisor, but
10 with no power to vote. Any two commissioners shall constitute a quorum
11 for all purposes. At least one member of the commission shall have had
12 experience in the production of oil or gas and shall have resided in the
13 State of Nebraska for at least one year. Each of the other members of the
14 commission shall have resided in the State of Nebraska for at least three
15 years. Initially, two of said members shall be appointed for a term of
16 two years each; and one shall be appointed for a term of four years. At
17 the expiration of the initial terms all members thereafter appointed
18 shall serve for a term of four years. The Governor may at any time remove
19 any appointed member of the commission for cause, and by appointment,
20 with the approval of the Legislature, shall fill any vacancy on the
21 commission.

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

30 Sec. 53. Section 58-228, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 58-228 The Director of Economic Development shall be the chairperson
2 of the authority. The members shall elect from among the membership a
3 vice-chairperson and such other officers as they may determine. Members
4 shall receive no compensation for their services but shall be reimbursed
5 for ~~actual, necessary, and reasonable~~ expenses incurred in the discharge
6 of their official duties as provided in sections 81-1174 to 81-1177.

7 Sec. 54. Section 58-819, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 58-819 The members of the authority shall receive no compensation
10 for the performance of their duties as members, but each such member
11 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses
12 while engaged in the performance of such duties as provided in sections
13 81-1174 to 81-1177 from any funds legally available therefor.

14 Sec. 55. Section 66-1335, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 66-1335 (1) The Nebraska Ethanol Board is hereby established. The
17 board shall consist of seven members to be appointed by the Governor with
18 the approval of a majority of the Legislature. The Governor shall make
19 the initial appointments within thirty days after September 1, 1993. Four
20 members shall be actually engaged in farming in this state, one in
21 general farming and one each in the production of corn, wheat, and
22 sorghum. One member shall be actively engaged in business in this state.
23 One member shall represent labor interests in this state. One member
24 shall represent Nebraska petroleum marketers in this state.

25 (2) Members shall be appointed for terms of four years, except that
26 of the initial appointees the terms of the member representing labor
27 interests and the member engaged in general farming shall expire on
28 August 31, 1994, the terms of the member engaged in sorghum production
29 and the member engaged in wheat production shall expire on August 31,
30 1995, the term of the member representing petroleum marketers shall
31 expire on August 31, 1996, and the terms of the member engaged in

1 business and the member engaged in corn production shall expire on August
2 31, 1997. A member shall serve until a successor is appointed and
3 qualified. Not more than four members shall be members of the same
4 political party.

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

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

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

17 Sec. 56. Section 68-953, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 68-953 (1) No later than July 1, 2010, the department shall
20 establish and maintain a preferred drug list for the medical assistance
21 program. The department shall establish a pharmaceutical and therapeutics
22 committee to advise the department on all matters relating to the
23 establishment and maintenance of such list.

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

30 (3) The physician members of the committee, so far as practicable,
31 shall include physicians practicing in the areas of (a) family medicine,

1 (b) internal medicine, (c) pediatrics, (d) cardiology, (e) psychiatry or
2 neurology, (f) obstetrics or gynecology, (g) endocrinology, and (h)
3 oncology.

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

7 (5) The committee shall elect a chairperson and a vice-chairperson
8 from among its members. Members of the committee shall be reimbursed for
9 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
10 81-1177.

11 (6) The department, in consultation with the committee, shall adopt
12 and publish policies and procedures relating to the preferred drug list,
13 including (a) guidelines for the presentation and review of drugs for
14 inclusion on the preferred drug list, (b) the manner and frequency of
15 audits of the preferred drug list for appropriateness of patient care and
16 cost effectiveness, (c) an appeals process for the resolution of
17 disputes, and (d) such other policies and procedures as the department
18 deems necessary and appropriate.

19 Sec. 57. Section 68-1105, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 68-1105 The members of the Division of Medicaid and Long-Term Care
22 Advisory Committee on Aging, and noncommittee members serving on special
23 committees, shall receive no compensation for their services other than
24 reimbursement for ~~actual and necessary~~ expenses as provided in sections
25 81-1174 to 81-1177. Committee expenses and any office expenses shall be
26 paid from funds made available to the committee by the Legislature.

27 Sec. 58. Section 70-719, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 70-719 The directors, other than those named in the certificate of
30 incorporation to serve until the first annual meeting of members, shall
31 be elected annually, or as otherwise provided in the bylaws, by the

1 members. The directors shall be members of the corporation and shall be
2 entitled to such compensation and reimbursement for expenses ~~actually and~~
3 ~~necessarily~~ incurred by them as provided in sections 81-1174 to 81-1177
4 ~~for state employees~~. The bylaws may provide for the election of alternate
5 directors, who shall be elected and serve in the same manner as members
6 elected to the board of directors. Such alternate directors shall serve
7 in the event of the absence, disability, disqualification, or death of an
8 elected director.

9 Sec. 59. Section 70-1003, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 70-1003 (1) There is hereby established an independent board to be
12 known as the Nebraska Power Review Board to consist of five members, one
13 of whom shall be an engineer, one an attorney, one an accountant, and two
14 laypersons. No person who is or who has within four years preceding his
15 or her appointment been either a director, officer, or employee of any
16 electric utility or an elective state officer shall be eligible for
17 membership on the board. Members of the board shall be appointed by the
18 Governor subject to the approval of the Legislature. Upon expiration of
19 the terms of the members first appointed, the successors shall be
20 appointed for terms of four years. No member of the board shall serve
21 more than two consecutive terms. Any vacancy on the board arising other
22 than from the expiration of a term shall be filled by appointment for the
23 unexpired portion of the term, and any person appointed to fill a vacancy
24 on the board shall be eligible for reappointment for two more consecutive
25 terms. No more than three members of the board shall be registered
26 members of that political party represented by the Governor.

27 (2) Each member of the board shall receive sixty dollars per day for
28 each day actually and necessarily engaged in the performance of his or
29 her duties, but not to exceed six thousand dollars in any one year,
30 except for the member designated to represent the board on the Southwest
31 Power Pool Regional State Committee or its equivalent successor, who

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

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

23 (4) The board shall employ an executive director and may employ such
24 other staff necessary to carry out the duties pursuant to Chapter 70,
25 article 10. The executive director shall serve at the pleasure of the
26 board and shall be solely responsible to the board. The executive
27 director shall be responsible for the administrative operations of the
28 board and shall perform such other duties as may be delegated or assigned
29 to him or her by the board. The board may obtain the services of experts
30 and consultants necessary to carry out the board's duties pursuant to
31 Chapter 70, article 10.

1 (5) The board shall publish and submit a biennial report with annual
2 data to the Governor, with copies to be filed with the Clerk of the
3 Legislature and with the State Energy Office. The report submitted to the
4 Clerk of the Legislature shall be submitted electronically. The State
5 Energy Office shall consider the information in the Nebraska Power Review
6 Board's report when the State Energy Office prepares its own reports
7 pursuant to sections 81-1606 and 81-1607. The report of the board shall
8 include:

9 (a) The assessments for the fiscal year imposed pursuant to section
10 70-1020;

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

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

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

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

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

23 (g) A statistical summary of board activities and an expenditure
24 summary;

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

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

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

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

12 (a) Whether or not a viable regional transmission organization and
13 adequate transmission exist in Nebraska or in a region which includes
14 Nebraska;

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

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

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

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

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

28 Sec. 60. Section 71-219.03, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 71-219.03 The Board of Barber Examiners shall set the fees at a
31 level sufficient to provide for all ~~actual and necessary~~ expenses and

1 salaries of the board authorized in section 71-222 and in such a manner
2 that unnecessary surpluses are avoided. The board shall annually file a
3 report with the Attorney General and the Legislative Fiscal Analyst
4 stating the amount of the fees set by the board. Such report shall be
5 submitted on or before July 1 of each year. The report submitted to the
6 Legislative Fiscal Analyst shall be submitted electronically.

7 Sec. 61. Section 71-222, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 71-222 The board shall annually elect a president and vice
10 president, and the board shall appoint a director who shall serve as
11 secretary of the board. The board shall be furnished with suitable
12 quarters in the State Capitol or elsewhere. It shall adopt and use a
13 common seal for the authentication of its orders and records. The
14 secretary of the board shall keep a record of all proceedings of the
15 board. A majority of the board, in a meeting duly assembled, may perform
16 and exercise all the duties and powers devolving upon the board. Each
17 member of the board shall receive a compensation of seventy-five dollars
18 per diem and shall be reimbursed for ~~his or her actual and necessary~~
19 expenses incurred in the discharge of his or her duties as provided in
20 sections 81-1174 to 81-1177, not to exceed two thousand dollars per
21 annum. Salaries and expenses shall be paid only from the fund created by
22 fees collected in the administration of the Barber Act, and no other
23 funds or state money except as collected in the administration of the act
24 shall be drawn upon to pay the expense of administration. The board shall
25 report each year to the Governor a full statement of its receipts and
26 expenditures and also a full statement of its work during the year,
27 together with such recommendations as it may deem expedient. The board
28 may employ one field inspector and such other inspectors, clerks, and
29 other assistants as it may deem necessary to carry out the act and
30 prescribe their qualifications. No owner, agent, or employee of any
31 barber school shall be eligible to membership on the board.

1 Sec. 62. Section 71-702, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-702 (1) The Women's Health Initiative Advisory Council is created
4 and shall consist of not more than thirty members, at least three-fourths
5 of whom are women. At least one member shall be appointed from the
6 following disciplines: (a) An obstetrician/gynecologist; (b) a nurse
7 practitioner or physician's assistant from a rural community; (c) a
8 geriatrics physician or nurse; (d) a pediatrician; (e) a community public
9 health representative from each congressional district; (f) a health
10 educator; (g) an insurance industry representative; (h) a mental health
11 professional; (i) a representative from a statewide health volunteer
12 agency; (j) a private health care industry representative; (k) an
13 epidemiologist or a health statistician; (l) a foundation representative;
14 and (m) a woman who is a health care consumer from each of the following
15 age categories: Eighteen to thirty; thirty-one to forty; forty-one to
16 sixty-five; and sixty-six and older. The membership shall also include a
17 representative of the University of Nebraska Medical Center, a
18 representative from Creighton University Medical Center, the chief
19 medical officer if one is appointed under section 81-3115, and the Title
20 V Administrator of the Department of Health and Human Services.

21 (2) The Governor shall appoint advisory council members and shall
22 consider and attempt to balance representation based on political party
23 affiliation, race, and different geographical areas of Nebraska when
24 making appointments. The Governor shall appoint the first chairperson and
25 vice-chairperson of the advisory council. There shall be two ex officio,
26 nonvoting members from the Legislature, one of which shall be the
27 chairperson of the Health and Human Services Committee.

28 (3) The terms of the initial members shall be as follows: One-third
29 shall serve for one-year terms, one-third shall serve for two-year terms,
30 and one-third shall serve for three-year terms including the members
31 designated chairperson and vice-chairperson. Thereafter members shall

1 serve for three-year terms. Members may not serve more than two
2 consecutive three-year terms.

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

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

9 (6) The members of the advisory council shall be reimbursed for
10 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
11 81-1177 and pursuant to policies of the advisory council. Funds for
12 reimbursement for expenses shall be from the Women's Health Initiative
13 Fund.

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

17 Sec. 63. Section 71-808, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 71-808 (1) A regional behavioral health authority shall be
20 established in each behavioral health region by counties acting under
21 provisions of the Interlocal Cooperation Act. Each regional behavioral
22 health authority shall be governed by a regional governing board
23 consisting of one county board member from each county in the region.
24 Board members shall serve for staggered terms of three years and until
25 their successors are appointed and qualified. Board members shall serve
26 without compensation but shall be reimbursed for ~~their actual and~~
27 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

28 (2) The regional governing board shall appoint a regional
29 administrator who shall be responsible for the administration and
30 management of the regional behavioral health authority. Each regional
31 behavioral health authority shall encourage and facilitate the

1 involvement of consumers in all aspects of service planning and delivery
2 within the region and shall coordinate such activities with the office of
3 consumer affairs within the division. Each regional behavioral health
4 authority shall establish and utilize a regional advisory committee
5 consisting of consumers, providers, and other interested parties and may
6 establish and utilize such other task forces, subcommittees, or other
7 committees as it deems necessary and appropriate to carry out its duties
8 under this section.

9 (3) Each county in a behavioral health region shall provide funding
10 for the operation of the behavioral health authority and for the
11 provision of behavioral health services in the region. The total amount
12 of funding provided by counties under this subsection shall be equal to
13 one dollar for every three dollars from the General Fund. The division
14 shall annually certify the total amount of county matching funds to be
15 provided. At least forty percent of such amount shall consist of local
16 and county tax revenue, and the remainder shall consist of other
17 nonfederal sources. The regional governing board of each behavioral
18 health authority, in consultation with all counties in the region, shall
19 determine the amount of funding to be provided by each county under this
20 subsection. Any General Funds transferred from regional centers for the
21 provision of community-based behavioral health services after July 1,
22 2004, and funds received by a regional behavioral health authority for
23 the provision of behavioral health services to children under section
24 71-826 shall be excluded from any calculation of county matching funds
25 under this subsection.

26 Sec. 64. Section 71-1799, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 71-1799 (1) The Nebraska Center for Nursing Board is created. The
29 board shall be a policy-setting board for the Nebraska Center for
30 Nursing. The board shall be appointed by the Governor as follows:

31 (a) Ten members, at least three of whom shall be registered nurses,

1 one of whom shall be a licensed practical nurse, one of whom shall be a
2 representative of the hospital industry, and one of whom shall be a
3 representative of the long-term care industry;

4 (b) One nurse educator recommended by the Board of Regents of the
5 University of Nebraska;

6 (c) One nurse educator recommended by the Nebraska Community College
7 Association;

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

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

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

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

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

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

19 (d) The member recommended by the Nebraska Association of
20 Independent Colleges and Universities shall serve for one year; and

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

23 The initial appointments shall be made within sixty days after July
24 13, 2000. After the initial terms expire, the terms of all of the members
25 shall be three years with no member serving more than two consecutive
26 terms.

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

29 (a) To determine operational policy;

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

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

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

4 (e) To implement the major functions of the Nebraska Center for
5 Nursing; and

6 (f) To seek and accept nonstate funds for carrying out center
7 policy.

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

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

13 Sec. 65. Section 71-2605, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 71-2605 The members of the State Board of Health shall receive the
16 sum of twenty dollars per diem, while actually engaged in the business of
17 the board, and shall be reimbursed for ~~the necessary~~ expenses incurred in
18 the performance of their duties as provided in sections 81-1174 to
19 81-1177 ~~for state employees.~~

20 Sec. 66. Section 71-3406, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-3406 (1) The chief executive officer of the Department of Health
23 and Human Services shall appoint a minimum of twelve and a maximum of
24 fifteen members to the State Child and Maternal Death Review Team. The
25 core members shall be (a) a physician employed by the department, who
26 shall be a permanent member and shall serve as the chairperson of the
27 team, (b) a senior staff member with child protective services of the
28 department, (c) a forensic pathologist, (d) a law enforcement
29 representative, (e) the Inspector General of Nebraska Child Welfare, and
30 (f) an attorney. The remaining members appointed may be, but shall not be
31 limited to, the following: A county attorney; a Federal Bureau of

1 Investigation agent responsible for investigations on Native American
2 reservations; a social worker; and members of organizations which
3 represent hospitals or physicians. The department shall be responsible
4 for the general administration of the activities of the team and shall
5 employ or contract with a team coordinator to provide administrative
6 support for the team.

7 (2) Members shall serve four-year terms with the exception of the
8 chairperson. In the absence of the chairperson, the chief executive
9 officer may appoint another member of the core team to serve as
10 chairperson.

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

15 Sec. 67. Section 71-4504, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 71-4504 (1) The Palliative Care and Quality of Life Advisory Council
18 is created. The council shall consult with and advise the Department of
19 Health and Human Services on matters relating to palliative care
20 initiatives. The council shall:

21 (a) Survey palliative care providers regarding best practices and
22 recommendations;

23 (b) Work with the department; and

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

26 (2) The council shall be composed of nine members appointed by the
27 Governor for three-year terms. At least two of the members shall be
28 physicians or nurses certified under the Hospice and Palliative Medicine
29 Certification Program administered by the American Board of Internal
30 Medicine. One member shall be an employee of the department familiar with
31 hospice and palliative medicine. The remaining members shall (a) have

1 palliative care work experience, (b) have experience with palliative care
2 delivery models in a variety of settings, such as acute care, long-term
3 care, and hospice care, and with a variety of populations, including
4 pediatric patients, youth patients, and adult patients, or (c) be
5 representatives of palliative care patients and their family caregivers.

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

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

13 Sec. 68. Section 71-4723, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 71-4723 The members of the commission shall receive no compensation
16 for their services as such but shall be reimbursed for ~~their actual and~~
17 ~~necessary~~ expenses in attending meetings of the commission and in
18 carrying out their official duties as provided in sections 81-1174 to
19 81-1177, ~~for state employees.~~

20 Sec. 69. Section 71-4728.05, Reissue Revised Statutes of Nebraska,
21 is amended to read:

22 71-4728.05 (1) The commission shall appoint the Interpreter Review
23 Board as required in section 20-156.

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

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

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

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

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

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

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

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

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

16 (4) The commission may remove a member of the board for
17 inefficiency, neglect of duty, or misconduct in office after delivering
18 to such member a copy of the charges and a public hearing in accordance
19 with the Administrative Procedure Act. If a vacancy occurs on the board,
20 the commission shall appoint another member with the same qualifications
21 as the vacating member to serve the remainder of the term. The members of
22 the board shall receive no compensation but shall be reimbursed for ~~their~~
23 ~~actual and necessary~~ expenses, as provided in sections 81-1174 to
24 81-1177, in attending meetings of the commission and in carrying out
25 their official duties as provided in this section and section 20-156.

26 (5) The board shall establish policies, standards, and procedures
27 for evaluating and licensing interpreters, including, but not limited to,
28 testing, training, issuance, renewal, and denial of licenses, continuing
29 education and continuing competency assessment, investigation of
30 complaints, and disciplinary actions against a license pursuant to
31 section 20-156.

1 Sec. 70. Section 71-5657, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-5657 Members of the commission shall be reimbursed for ~~their~~
4 ~~actual and necessary~~ expenses as provided in sections 81-1174 to 81-1177
5 from funds appropriated for the Rural Health Systems and Professional
6 Incentive Act.

7 Sec. 71. Section 71-6227, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 71-6227 (1) The director may, with the advice of the board, adopt
10 and promulgate rules and regulations necessary to carry out the Nebraska
11 Regulation of Health Professions Act.

12 (2) The director shall provide all necessary professional and
13 clerical services to assist the committees and the board. Records of all
14 official actions and minutes of all business coming before the committees
15 and the board shall be kept. The director shall be the custodian of all
16 records, documents, and other property of the committees and the board.

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

20 Sec. 72. Section 71-6303, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-6303 (1) The department shall administer the Asbestos Control
23 Act.

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

29 (3)(a) The department shall prescribe fees based upon the following
30 schedule:

31 (i) For a business entity license or license renewal, not less than

1 two thousand dollars or more than five thousand dollars;

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

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

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

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

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

20 (vii) For a project review of each asbestos project of a licensed
21 business entity which is equal to or greater than two hundred sixty
22 linear feet or any combination which is equal to or greater than one
23 hundred sixty square feet and linear feet, including any initial onsite
24 inspection, not less than two hundred dollars or more than five hundred
25 dollars.

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

30 (c) All fees shall be based on the costs of administering the
31 Asbestos Control Act. In addition to the fees prescribed in this section,

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

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

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

14 (6) The department shall adopt and promulgate rules and regulations
15 defining work practices for asbestos projects. The department may provide
16 for alternatives to specific work practices when the health, safety, and
17 welfare of all classes of asbestos occupations and the general public are
18 adequately protected.

19 (7) The department may apply for and receive funds from the federal
20 government and any other public or private entity for the purposes of
21 administering the act.

22 Sec. 73. Section 71-6321, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 71-6321 (1) The department shall administer the Residential Lead-
25 Based Paint Professions Practice Act.

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

31 (3) The department shall prescribe fees based upon the following

1 schedule:

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

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

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

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

17 (e) For a project review of each abatement project of a licensed
18 firm, not less than two hundred dollars or more than five hundred
19 dollars.

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

24 All fees shall be based on the costs of administering the act. In
25 addition to the fees prescribed in this section, the department may
26 charge and receive reimbursement ~~the actual costs~~ for board, room, and
27 travel by employees in excess of three hundred dollars, which
28 reimbursement ~~costs~~ shall not exceed the amounts allowable in sections
29 81-1174 to 81-1177. All such fees collected by the department shall be
30 remitted to the State Treasurer for credit to the Health and Human
31 Services Cash Fund. Money credited to the fund pursuant to this section

1 shall be used by the department for the purpose of administering the act.

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

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

9 (6) The department shall adopt and promulgate rules and regulations
10 defining work practices for abatement projects, for the licensure of
11 lead-based paint professions, for the accreditation of training programs,
12 for the accreditation of training program providers, for the
13 dissemination of prerenovation information to homeowners and occupants,
14 for the facilitation of compliance with federal lead-based paint hazard
15 control grant programs, and for the implementation of lead-based paint
16 compliance monitoring and enforcement activities. The department may
17 provide for alternatives to specific work practices when the health,
18 safety, and welfare of all classes of lead-based paint professions and
19 the general public are adequately protected.

20 (7) The department may apply for and receive funds from the federal
21 government and any other public or private entity for the purposes of
22 administering the act. Any funds applied for, received, or used by the
23 department or any political subdivision from the federal government or
24 any public entity may be used only to abate lead-based paint hazards and
25 for the administration of lead-based paint programs which address health
26 and environmental hazards caused by lead-based paint.

27 Sec. 74. Section 71-7012, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 71-7012 The Breast and Cervical Cancer Advisory Committee is
30 established. The committee consists of the members of the Mammography
31 Screening Committee serving immediately prior to September 9, 1995, and

1 eight additional members appointed by the chief executive officer of the
2 department or his or her designee who have expertise or a personal
3 interest in cervical cancer. The committee shall consist of not more than
4 twenty-four volunteer members, at least eight of whom are women,
5 appointed by the chief executive officer or his or her designee. Members
6 of the committee shall be persons interested in health care, the
7 promotion of breast cancer screening, and cervical cancer and shall be
8 drawn from both the private sector and the public sector. At least one
9 member shall be a person who has or who has had breast cancer.

10 Of the initial members of the committee, four shall be appointed for
11 terms of one year and four shall be appointed for terms of two years.
12 Thereafter all appointments shall be for terms of two years. All members
13 shall serve until their successors are appointed. No member shall serve
14 more than two successive two-year terms. Vacancies in the membership of
15 the committee for any cause shall be filled by appointment by the chief
16 executive officer or his or her designee for the unexpired term.

17 Duties of the committee shall include, but not be limited to,
18 encouraging payment of public and private funds to the Breast and
19 Cervical Cancer Cash Fund, researching and recommending to the department
20 reimbursement limits, planning and implementing outreach and educational
21 programs to Nebraska women, advising the department on its operation of
22 the early detection of breast and cervical cancer grant from the United
23 States Department of Health and Human Services, and encouraging payment
24 of public and private funds to the fund. Members of the committee shall
25 be reimbursed for ~~their actual and necessary~~ expenses as provided in
26 sections 81-1174 to 81-1177.

27 Sec. 75. Section 71-8236, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 71-8236 The State Trauma Advisory Board is created. The board shall
30 be composed of representatives knowledgeable in emergency medical
31 services and trauma care, including emergency medical providers such as

1 physicians, nurses, hospital personnel, prehospital or out-of-hospital
2 providers, local government officials, state officials, consumers, and
3 persons affiliated professionally with health science schools. The
4 Director of Public Health or his or her designee shall appoint the
5 members of the board for staggered terms of three years each. The
6 department shall provide administrative support to the board. All members
7 of the board may be reimbursed for ~~their actual and necessary~~ expenses
8 incurred in the performance of their duties as such members as provided
9 in sections 81-1174 to 81-1177. The terms of members representing the
10 same field shall not expire at the same time.

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

14 Sec. 76. Section 71-8251, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 71-8251 The department shall establish a regional trauma advisory
17 board within each trauma care region. The department shall appoint
18 members, to be comprised of a balance of hospital representatives and
19 out-of-hospital emergency services providers, local elected officials,
20 consumers, local law enforcement representatives, and local government
21 agencies involved in the delivery of emergency medical services and
22 trauma care recommended by the local emergency medical services providers
23 and medical facilities located within the region. All members of the
24 board may be reimbursed for ~~their actual and necessary~~ expenses incurred
25 in the performance of their duties as such members pursuant to sections
26 81-1174 to 81-1177.

27 Sec. 77. Section 71-8604, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 71-8604 (1) The Commission for the Blind and Visually Impaired is
30 created. The governing board of the commission shall consist of five
31 members appointed by the Governor with the approval of a majority of the

1 members of the Legislature. All board members shall have reasonable
2 knowledge or experience in issues related to blindness which may include,
3 but is not limited to, reasonable knowledge or experience acquired
4 through membership in consumer organizations of the blind. No board
5 member or his or her immediate family shall be a current employee of the
6 commission. At least three board members shall be blind persons: One
7 member shall be a member or designee of the National Federation of the
8 Blind of Nebraska; one member shall be a member or designee of the
9 American Council of the Blind of Nebraska; and one member may be a member
10 of another consumer organization of the blind.

11 (2) Board members shall be appointed for staggered terms with the
12 initial members appointed for terms as follows: Two members for terms
13 ending on December 31, 2001, and three members for terms ending December
14 31, 2003. Subsequent appointments shall be for terms of four years with
15 no board member appointed to more than two consecutive terms. Board
16 members whose terms have expired shall continue to serve until their
17 successors have been appointed. In the case of a vacancy, the Governor
18 shall appoint a successor for the unexpired term. Board members may be
19 removed for cause.

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

23 (4) Board members shall receive a per diem of seventy dollars for
24 each day spent in the performance of their official duties and shall be
25 reimbursed for ~~their actual and necessary~~ expenses incurred in the
26 performance of their official duties as provided in sections 81-1174 to
27 81-1177. Aside from the provisions of this subsection, a board member
28 shall not receive other compensation, perquisites, or allowances for the
29 performance of official duties.

30 Sec. 78. Section 71-8803, Reissue Revised Statutes of Nebraska, is
31 amended to read:

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

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

17 (3) Members of the committee not employed by medical schools in
18 Nebraska shall receive a stipend per meeting to be determined by the
19 Division of Public Health of the Department of Health and Human Services
20 based on standard consultation fees, and all members of the committee
21 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in
22 service on the committee pursuant to sections 81-1174 to 81-1177.

23 Sec. 79. Section 72-201, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 72-201 (1) The Board of Educational Lands and Funds shall consist of
26 five members to be appointed by the Governor with the consent of a
27 majority of the members elected to the Legislature. One member shall be
28 appointed from each of the congressional districts as the districts were
29 constituted on January 1, 1961, and a fifth member shall be appointed
30 from the state at large. One member of the board shall be competent in
31 the field of investments. The initial members shall be appointed to take

1 office on October 1, 1955, and shall hold office for the following
2 periods of time: The member from the first congressional district for one
3 year; the member from the second congressional district for two years;
4 the member from the third congressional district for three years; the
5 member from the fourth congressional district for four years; and the
6 member from the state at large for five years. As the terms of the
7 members expire, the Governor shall appoint or reappoint a member of the
8 board for a term of five years, except members appointed to fill
9 vacancies whose tenures shall be the unexpired terms for which they are
10 appointed. If the Legislature is not in session when such members, or
11 some of them, are appointed by the Governor, such members shall take
12 office and act as recess appointees until the Legislature next thereafter
13 convenes. The compensation of the members shall be fifty dollars per day
14 for each day's time actually engaged in the performance of the duties of
15 their office. Each member shall be reimbursed for ~~paid his or her~~
16 ~~necessary traveling~~ expenses incurred while upon business of the board as
17 provided in sections 81-1174 to 81-1177. The board shall cause all
18 school, university, agricultural college, and state college lands, owned
19 by or the title to which may hereafter vest in the state, to be
20 registered, leased, and sold as provided in sections 72-201 to 72-251 and
21 shall have the general management and control of such lands and make
22 necessary rules not provided by law. The funds arising from these lands
23 shall be disposed of in the manner provided by the Constitution of
24 Nebraska, sections 72-201 to 72-251, and other laws of Nebraska not
25 inconsistent herewith.

26 (2) No person shall be eligible to membership on the board who is
27 actively engaged in the teaching profession, who holds or has any
28 financial interest in a school land lease, who is a holder of or a
29 candidate for any state office or a member of any state board or
30 commission, or who has not resided in this state for at least three
31 years.

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

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

11 (5) The board may appoint a secretary for the board. The
12 compensation of the secretary shall be payable monthly, as fixed by the
13 board.

14 Sec. 80. Section 72-224.03, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 72-224.03 Except as otherwise provided in section 72-222.02, any
17 public body that has or hereafter shall be granted by the Legislature the
18 authority to acquire educational lands for public use shall be required
19 to condemn the interest of the state, as trustee for the public schools,
20 in educational lands in the following manner:

21 (1) The proceedings shall be had before a board consisting of (a)
22 the superintendent of a school district offering instruction in grades
23 kindergarten through twelve, (b) a certified public accountant, and (c) a
24 credentialed real property appraiser, all appointed by the Governor for a
25 term of six years, except that of the initial appointees one shall serve
26 for a term of two years, one for a term of four years, and one for a term
27 of six years as designated by the Governor. The members of the board
28 shall each receive fifty dollars for each day actually engaged in the
29 performance of official duties and shall be reimbursed for ~~actual and~~
30 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 to be paid
31 by the Board of Educational Lands and Funds;

1 (2) The condemnation proceedings shall be commenced by the filing of
2 a plat and complete description of the lands to be acquired together with
3 an application for that purpose with the secretary of the Board of
4 Educational Lands and Funds. Notice of the pendency of such application
5 and the date of hearing shall be given by serving a copy of the
6 application, together with notice of the date of hearing, upon the
7 Governor and the Attorney General. The date of hearing shall be not less
8 than ten days from the date of the filing of the application;

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

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

17 (5) Upon payment of the amount of the award by the condemner, it
18 shall be the duty of the secretary of the Board of Educational Lands and
19 Funds to transmit a certified copy of the award to the condemner for
20 filing in the office of the register of deeds in the county or counties
21 where the land is located. The filing of such certified copy of the award
22 shall have the force and effect of a deed of conveyance of the real
23 estate and shall constitute a transfer of the title thereto.

24 Sec. 81. Section 72-1239, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 72-1239 The purpose of the council is to formulate and establish
27 such policies as it may deem necessary and proper which shall govern the
28 methods, practices, and procedures followed by the state investment
29 officer for the investment or reinvestment of state funds and funds
30 described in section 83-133 and the purchase, sale, or exchange of
31 securities as provided by the Nebraska State Funds Investment Act. The

1 council shall meet from time to time as directed by the Governor or the
2 chairperson or as requested by the state investment officer. The members
3 of the council, except the State Treasurer, the director of the Nebraska
4 Public Employees Retirement Systems, and beginning January 1, 2017, each
5 administrator of a retirement system provided for under the Class V
6 School Employees Retirement Act, shall be paid seventy-five dollars per
7 diem. The members shall be reimbursed for ~~their actual and necessary~~
8 expenses incurred in connection with the performance of their duties as
9 members as provided in sections 81-1174 to 81-1177.

10 Sec. 82. Section 72-2007, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 72-2007 (1) The Niobrara Council is created. The council membership
13 shall include:

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

17 (b) A representative of the Middle Niobrara Natural Resources
18 District and the Lower Niobrara Natural Resources District chosen by the
19 board of the respective district;

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

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

28 (e) An individual from each of Brown, Cherry, Keya Paha, and Rock
29 counties who resides in the Niobrara River drainage area and owns land in
30 the Niobrara scenic river corridor chosen by the Governor from a list of
31 at least three individuals, or fewer if there are not at least three

1 qualified individuals, from each county submitted by the county board
2 members on the council;

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

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

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

17 The appointments made pursuant to subdivisions (1)(e) through (h) of
18 this section shall be subject to confirmation by the Legislature. The
19 council members shall hold office for three-year terms and until a
20 successor is appointed and qualified. The council members shall serve at
21 the pleasure of the appointing board or the Governor.

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

28 (3) A quorum shall be present at a meeting before any action may be
29 taken by the council. A quorum shall be a majority of the members who are
30 selected and serving and who vote on issues before the council. All
31 actions of the council require a majority vote of the quorum present at

1 any meeting, except that any vote to reject or adopt any zoning
2 regulation or variance under section 72-2010 requires a vote of two-
3 thirds of all the council members who are selected and serving and who
4 vote on issues before the council.

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

8 Sec. 83. Section 72-2103, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 72-2103 The members of the Governor's Residence Advisory Commission
11 shall serve without compensation. The members shall be reimbursed for
12 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
13 81-1177.

14 Sec. 84. Section 75-104, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 75-104 (1) Until January 4, 2007, the annual salary of each
17 commissioner shall be fifty thousand dollars. Commencing January 4, 2007,
18 the annual salary of each commissioner shall be seventy-five thousand
19 dollars.

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

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

29 (b) The request for such reimbursement falls within such guidelines;
30 and

31 (c) The total amounts authorized for such reimbursement of mileage

1 expenses in any fiscal year does not cause the total expenses to exceed
2 the total funds appropriated to the program established for
3 commissioners' expenses. In addition thereto, the commissioners,
4 executive director, clerks, and other employees of the commission shall
5 be reimbursed for ~~entitled to receive from the state their actual~~
6 ~~necessary traveling~~ expenses, including the cost of transportation while
7 traveling on the business of the commission, to be paid in the same
8 manner as other requests for payment or reimbursement from the state. In
9 computing the cost of transportation for the commissioners, executive
10 director, clerks, and other employees, no mileage or other traveling
11 expense shall be requested or allowed unless sections 81-1174 to 81-1177
12 are strictly complied with.

13 Sec. 85. Section 76-2222, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 76-2222 (1) The Real Property Appraiser Board is hereby created. The
16 board shall consist of five members. One member who is a certified real
17 property appraiser shall be selected from each of the three congressional
18 districts, and two members shall be selected at large. The two members
19 selected at large shall include one representative of financial
20 institutions and one licensed real estate broker who also holds a
21 credential as a licensed or certified real property appraiser. The
22 Governor shall appoint the members of the board.

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

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

31 (4) Three members of the board shall constitute a quorum.

1 (5) Each member of the board shall receive a per diem of one hundred
2 dollars per day (a) for each scheduled meeting of the board or a
3 committee of the board at which the member is present and (b) actually
4 spent in traveling to and from and attending meetings and conferences of
5 the Association of Appraiser Regulatory Officials and its committees and
6 subcommittees or of The Appraisal Foundation and its committees and
7 subcommittees, board committee meetings, or other business as authorized
8 by the board.

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

13 Sec. 86. Section 77-27,157, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 77-27,157 The Nebraska Economic Forecasting Advisory Board shall
16 consist of nine members, five of whom shall be appointed by and serve at
17 the pleasure of the Executive Board of the Legislative Council and four
18 of whom shall be appointed by and serve at the pleasure of the Governor.
19 The original gubernatorial appointees shall serve for two-year terms.
20 Successive gubernatorial appointees and all legislative appointees shall
21 serve for four-year terms. After appointments are made, the board shall
22 select a chairperson and a vice-chairperson from its membership. The
23 chairperson and vice-chairperson shall serve for two-year terms. The
24 chairperson of the board on September 6, 1985, shall serve until his or
25 her successor is selected. Each member of the board shall have
26 demonstrated expertise in the field of tax policy, economics, or economic
27 forecasting. A majority of the members of the board shall constitute a
28 quorum for the purpose of transacting business and every act of a
29 majority of the members shall be deemed an act of the board. Board
30 members shall serve without compensation but may be reimbursed for ~~actual~~
31 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177. Board

1 members appointed by the Legislative Council shall receive such
2 reimbursement out of the appropriation made to the Legislature's Fiscal
3 and Program Analysis Program. Board members appointed by the Governor
4 shall receive such reimbursement out of the appropriation made to the
5 Department of Revenue for administration.

6 Sec. 87. Section 77-5004, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 77-5004 (1) Each commissioner shall be a qualified voter and
9 resident of the state and a domiciliary of the district he or she
10 represents.

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

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

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

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

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

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

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

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

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

11 (5) No commissioner or employee of the commission shall hold any
12 position of profit or engage in any occupation or business interfering
13 with or inconsistent with his or her duties as a commissioner or
14 employee. A person is not eligible for appointment and may not hold the
15 office of commissioner or be appointed by the commission to or hold any
16 office or position under the commission if he or she holds any official
17 office or position.

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

20 (a) Sponsored by a recognized assessment or appraisal organization,
21 in each of these areas: Utility and railroad appraisal; appraisal of
22 complex industrial properties; appraisal of other hard to assess
23 properties; and mass appraisal, residential or agricultural appraisal, or
24 assessment administration; or

25 (b) Pertaining to management, law, civil or administrative
26 procedure, or other knowledge or skill necessary for performing the
27 duties of the office.

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

31 (8) The commissioners shall be considered employees of the state for

1 purposes of sections 81-1320 to 81-1328 and 84-1601 to 84-1615.

2 (9) The commissioners shall be reimbursed as prescribed in sections
3 81-1174 to 81-1177 for ~~their actual and necessary~~ expenses in the
4 performance of their official duties pursuant to the Tax Equalization and
5 Review Commission Act.

6 Sec. 88. Section 77-5206, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 77-5206 Once every two years, the members of the board shall elect a
9 chairperson and a vice-chairperson. A member of the board may be
10 reelected to the position of chairperson or vice-chairperson upon the
11 discretion of the board. Members of the board shall be reimbursed for
12 ~~their actual and necessary~~ expenses as provided in sections 81-1174 to
13 81-1177.

14 Sec. 89. Section 79-317, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 79-317 (1) The State Board of Education shall meet regularly and
17 periodically in the office of the State Department of Education at least
18 four times annually and at such other times and places as it may
19 determine necessary for the proper and efficient conduct of its duties.
20 All meetings shall be called in accordance with this section and the Open
21 Meetings Act. Five members of the board shall constitute a quorum.

22 (2) The public shall be admitted to all meetings of the State Board
23 of Education except to such closed sessions as the board may direct in
24 accordance with the Open Meetings Act. The board shall cause to be kept a
25 record of all public meetings and proceedings of the board. The
26 commissioner, or his or her designated representative, shall be present
27 at all meetings except when the order of business for the board is the
28 selection of a Commissioner of Education.

29 (3) The members of the State Board of Education shall receive no
30 compensation for their services but shall be reimbursed for ~~actual and~~
31 ~~essential~~ expenses incurred in attending meetings or incurred in the

1 performance of duties as directed by the board as provided in sections
2 81-1174 to 81-1177.

3 Sec. 90. Section 79-546, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-546 Except as provided in section 79-1217, all members of a
6 school board, board of education, or other governing board created
7 pursuant to Chapter 79 shall not receive a per diem. Each such board may
8 provide or reimburse members for ~~their actual and necessary~~ expenses
9 incurred while carrying out their duties. Mileage expenses shall be
10 computed at the rate provided in section 81-1176. Sections 81-1174,
11 81-1175, and 81-1177 shall serve as guidelines for such boards when
12 determining allowable expenses and reimbursement for such expenses.

13 Sec. 91. Section 79-760.03, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 79-760.03 (1) For school year 2009-10 and each school year
16 thereafter, the State Board of Education shall implement a statewide
17 system for the assessment of student learning and for reporting the
18 performance of school districts and learning communities pursuant to this
19 section. The assessment and reporting system shall measure student
20 knowledge of subject matter materials covered by measurable academic
21 content standards selected by the state board.

22 (2) The state board shall adopt a plan for an assessment and
23 reporting system and implement and maintain the assessment and reporting
24 system according to such plan. The plan shall be submitted annually to
25 the State Department of Education, the Governor, the chairperson of the
26 Education Committee of the Legislature, and the Clerk of the Legislature.
27 The plan submitted to the committee and the Clerk of the Legislature
28 shall be submitted electronically. The state board shall select grade
29 levels for assessment and reporting required pursuant to subsections (4)
30 through (7) of this section. The purposes of the system are to:

31 (a) Determine how well public schools are performing in terms of

1 achievement of public school students related to the state academic
2 content standards;

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

5 (c) Provide information for the public and policymakers on the
6 performance of public schools; and

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

9 (3) The Governor shall appoint a technical advisory committee to
10 review (a) the statewide assessment plan, (b) state assessment
11 instruments, and (c) the accountability system developed under the
12 Quality Education Accountability Act. The technical advisory committee
13 shall consist of three nationally recognized experts in educational
14 assessment and measurement, one administrator from a school in Nebraska,
15 and one teacher from a school in Nebraska. The members shall serve terms
16 of three years, except that two of the members shall be appointed for
17 initial terms of two years. Any vacancy shall be filled by the Governor
18 for the remainder of the term. One of the members shall be designated as
19 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~
20 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177. The
21 committee shall advise the Governor, the state board, and the State
22 Department of Education on the development of statewide assessment
23 instruments and the statewide assessment plan. The appointments to the
24 committee shall be confirmed by the Legislature.

25 (4) Through school year 2016-17, the state board shall prescribe a
26 statewide assessment of writing that relies on writing samples in each of
27 three grades selected by the state board. Each year at least one of the
28 three selected grades shall participate in the statewide writing
29 assessment with each selected grade level participating at least once
30 every three years.

31 (5) For school year 2009-10 and for each school year thereafter, the

1 state board shall prescribe a statewide assessment of reading. The
2 statewide assessment of reading shall include assessment instruments for
3 each of the grade levels three through eight and for one grade in high
4 school and standards adopted by the state board pursuant to section
5 79-760.01. For school year 2017-18 and each school year thereafter, the
6 statewide assessment of reading shall include a component of writing as
7 determined by the state board.

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

14 (7) For no later than school year 2011-12 and each school year
15 thereafter, the state board shall prescribe a statewide assessment of
16 science. The statewide assessment of science shall include assessment
17 instruments for each of the grade levels selected by the state board and
18 standards adopted by the state board pursuant to section 79-760.01. The
19 grade levels shall include at least one grade in elementary school, one
20 grade in middle school or junior high school, and one grade in high
21 school.

22 (8) The department shall conduct studies to verify the technical
23 quality of assessment instruments and demonstrate the comparability of
24 assessment instrument results required by the act. The department shall
25 annually report such findings to the Governor, the Legislature, and the
26 state board. The report submitted to the Legislature shall be submitted
27 electronically.

28 (9) The state board shall recommend national assessment instruments
29 for the purpose of national comparison. Beginning with school year
30 2017-18, the state board shall select a national assessment instrument
31 that is also used as a standard college admission test which shall be

1 administered to students in the eleventh grade in every public high
2 school in each school district. Each school district shall report
3 individual student data for scores and sub-scores according to procedures
4 established by the state board and the department pursuant to section
5 79-760.05.

6 (10) The aggregate results of assessment instruments and national
7 assessment instruments shall be reported by the district on a building
8 basis to the public in that district, to the learning community
9 coordinating council if such district is a member of a learning
10 community, and to the department. Each learning community shall also
11 report the aggregate results of any assessment instruments and national
12 assessment instruments to the public in that learning community and to
13 the department. The department shall report the aggregate results of any
14 assessment instruments and national assessment instruments on a learning
15 community, district, and building basis as part of the statewide
16 assessment and reporting system.

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

18 (i) Provide for the confidentiality of the results of individual
19 students; and

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

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

24 The department may determine appropriate accommodations for the
25 assessment of students with disabilities or any student receiving special
26 education programs and services pursuant to section 79-1139. Alternate
27 academic achievement standards in reading, mathematics, and science and
28 alternate assessment instruments aligned with the standards may be among
29 the accommodations for students with severe cognitive disabilities.

30 (12) The state board may select additional grade levels, subject
31 areas, or assessment instruments for statewide assessment consistent with

1 federal requirements.

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

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

8 Sec. 92. Section 79-760.07, Revised Statutes Cumulative Supplement,
9 2018, is amended to read:

10 79-760.07 (1) For each school designated as a priority school, the
11 Commissioner of Education shall appoint an intervention team. The
12 intervention team shall assist the school district with diagnosing issues
13 that negatively affect student achievement in the priority school,
14 designing and implementing strategies to address such issues through the
15 progress plan, and developing measurable indicators of progress.

16 (2) The intervention team shall be composed of up to five people
17 with the education and experience to carry out the responsibilities of
18 the team. Any member of the intervention team may receive pay for work
19 performed in conjunction with his or her duties as a member of such team.
20 Such pay shall be determined and provided (a) by the State Department of
21 Education for any member of the intervention team who is not an employee
22 of the school district containing the priority school for which such
23 intervention team is appointed or (b) by the school district containing
24 the priority school for which the intervention team is appointed for any
25 member of the intervention team who is an employee of such school
26 district. Any member of the intervention team who is eligible to receive
27 pay from the department pursuant to subdivision (a) of this subsection
28 shall also be eligible for reimbursement of ~~actual and necessary~~ expenses
29 incurred in carrying out his or her duties as a member of such team as
30 provided in sections 81-1174 to 81-1177. Reimbursement of ~~actual and~~
31 ~~necessary~~ expenses for any member of the intervention team who is an

1 employee of the school district containing the priority school for which
2 the intervention team is appointed shall be provided in accordance with
3 the policies and procedures of such school district.

4 (3) The intervention team, in collaboration with the priority school
5 staff and the administration and school board of the school district with
6 control of the priority school, shall develop a progress plan for
7 approval by the State Board of Education. Any progress plan shall include
8 specific actions required by the school and the district in order to
9 remove its classification as a priority school, including any required
10 level of progress as indicated by the measurable indicators.

11 (4) Compliance with progress plans shall be a requirement to
12 maintain accreditation for any school district that contains a priority
13 school. The state board shall annually review any progress plans and
14 determine whether any modifications are needed. If a school has been
15 designated as a priority school for the third consecutive school year,
16 the state board shall reevaluate the progress plan to determine if (a) a
17 significant revision of the progress plan is necessary, (b) an entirely
18 new progress plan is developed, or (c) an alternative administrative
19 structure is warranted.

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

25 (6) The Commissioner of Education shall annually report to the
26 Governor and electronically to the Clerk of the Legislature and the
27 chairperson of the Education Committee of the Legislature on all schools
28 designated as priority schools. The report shall include the name of the
29 school, the grades included in the priority school designation, the name
30 of the school district, the years for which the school was designated a
31 priority school, a summary of the progress plan, and the level of

1 progress as indicated by the measurable indicators.

2 Sec. 93. Section 79-808, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-808 (1) The board shall establish, adopt, and promulgate
5 appropriate rules, regulations, and procedures governing the issuance,
6 renewal, conversion, suspension, and revocation of certificates and
7 permits to teach, provide special services, and administer based upon (a)
8 earned college credit in humanities, social and natural sciences,
9 mathematics, or career and technical education, (b) earned college
10 credit, or its equivalent in professional education, for particular
11 teaching, special services, or administrative assignments, (c) criminal
12 history record information if the applicant has not been a continuous
13 Nebraska resident for five years immediately preceding application for
14 the first issuance of a certificate, (d) human relations training, (e)
15 successful teaching, administration, or provision of special services,
16 and (f) moral, mental, and physical fitness for teaching, all in
17 accordance with sound educational practices. Such rules, regulations, and
18 procedures shall also provide for endorsement requirements to indicate
19 areas of specialization on such certificates and permits.

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

23 (3) Members of any advisory committee established by the board to
24 assist the board in teacher education and certification matters shall be
25 reimbursed for ~~their actual and necessary~~ expenses as provided in
26 sections 81-1174 to 81-1177. Each school district which has an employee
27 who serves as a member of such committee and which is required to hire a
28 person to replace such member during the member's attendance at meetings
29 or activities of the committee or any subcommittee thereof shall be
30 reimbursed from the Certification Fund for the expense it incurs from
31 hiring a replacement. School districts may excuse employees who serve on

1 such advisory committees from certain duties which conflict with any
2 advisory committee duties.

3 Sec. 94. Section 79-861, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-861 (1) The Governor shall appoint a Professional Practices
6 Commission of twelve members nominated by the teaching profession and
7 existing teachers professional organizations. Members shall be
8 representative of elementary classroom teachers, secondary classroom
9 teachers, school administrators, and postsecondary education. Members
10 shall be appointed for staggered terms of three years. No member may
11 succeed himself or herself more than once. Members shall be reimbursed
12 for ~~their actual and necessary~~ expenses as provided in sections 81-1174
13 to 81-1177. Compensation of members who are public employees shall not be
14 reduced by the agency or body by which they are regularly employed for
15 any absence from service occasioned by attendance upon the business of
16 the commission or any panel, committee, or subcommittee of the
17 commission. Each school district which employs a member of the commission
18 and which is required to employ a person to replace such member during
19 his or her attendance at meetings of the commission or any panel,
20 committee, or subcommittee of the commission shall be reimbursed from the
21 Professional Practices Commission Fund for the expense the district
22 incurs from employing a replacement.

23 (2) The members of the commission shall elect a chairperson pursuant
24 to the working rules of the commission. The chairperson shall call
25 meetings of the commission, preside at all meetings of the commission en
26 banc, assign the work of the commission to the members, and perform such
27 other supervisory duties as required.

28 (3) A majority of the commission members shall constitute a quorum
29 to transact business. A hearing panel of not less than seven commission
30 members shall hear cases brought before the commission. Members of the
31 hearing panel shall be assigned on a rotating basis. For purposes of

1 hearings, the act or decision of a majority of the commission members
2 sitting on the hearing panel shall in all cases be deemed the final act
3 or decision of the commission.

4 Sec. 95. Section 79-863, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 79-863 The clerk of the commission shall receive such salary as the
7 commission with the approval of the Governor determines. Such salary
8 shall be payable in the same manner as the salaries of other state
9 employees, and the clerk shall be reimbursed for ~~his or her actual~~
10 expenses incurred in the performance of his or her duties as provided in
11 sections 81-1174 to 81-1177.

12 Sec. 96. Section 79-1104.04, Reissue Revised Statutes of Nebraska,
13 is amended to read:

14 79-1104.04 (1) The board of trustees shall include the following six
15 members:

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

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

19 (c) The following persons appointed by the Governor, in his or her
20 discretion:

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

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

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

26 (2) The terms of office for members initially appointed under
27 subsection (1) of this section shall be three years. Upon completion of
28 the initial terms of such members, the Governor shall appoint the two
29 members under subdivision (1)(c)(i) of this section for terms of one and
30 two years, the member under subdivision (1)(c)(ii) of this section for a
31 term of three years, and the member under subdivision (1)(c)(iii) of this

1 section for a term of two years. Succeeding appointees shall be appointed
2 for terms of three years. An appointee to a vacancy occurring from an
3 unexpired term shall serve out the term of his or her predecessor.
4 Members whose terms have expired shall continue to serve until their
5 successors have been appointed and qualified.

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

8 (4) The members of the board of trustees shall be reimbursed for
9 ~~their actual and necessary~~ expenses incurred while engaged in the
10 performance of their official duties as provided in sections 81-1174 to
11 81-1177.

12 (5) The Governor shall, in his or her discretion, appoint one member
13 to the board of trustees who resides or works in an at-risk urban area
14 consisting of not less than ten contiguous census tracts, as determined
15 by the United States Bureau of the Census for the 2000 United States
16 Census, within a city of the metropolitan class, which each contain a
17 percentage of families below the poverty line of greater than twenty
18 percent, as reported by the United States Bureau of the Census for the
19 2000 United States Census.

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

26 Sec. 97. Section 79-1217, Revised Statutes Cumulative Supplement,
27 2018, is amended to read:

28 79-1217 (1) All educational service units shall be governed by a
29 board to be known as the Board of Educational Service Unit No.
30 Until the first Thursday after the first Tuesday in January 2009, the
31 educational service unit board, except the board of an educational

1 service unit with only one member school district, shall be composed of
2 one member from each county and four members at large, all of whom shall
3 reside within the geographical boundaries of the educational service
4 unit, but no more than two of the members at large shall be appointed or
5 elected from the same county unless any one county within the educational
6 service unit has a population in excess of one hundred fifty thousand
7 inhabitants or the educational service unit consists of only one county.
8 Beginning on the first Thursday after the first Tuesday in January 2009,
9 the educational service unit board, except the board of an educational
10 service unit with only one member school district, shall be composed of
11 one member elected to represent each election district established
12 pursuant to section 79-1217.01. Successors to the members initially
13 appointed pursuant to section 79-1212 shall be elected pursuant to
14 section 32-515.

15 (2) Vacancies in office shall occur as set forth in section 32-560,
16 except as otherwise provided in section 79-1212 regarding the requirement
17 to live in the district represented, or in the case of absences, unless
18 excused by a majority of the remaining members of the board, when a
19 member is absent from the geographical boundaries of the educational
20 service unit for a continuous period of sixty days at one time or from
21 more than two consecutive regular meetings of the board. Whenever any
22 vacancy occurs on the board, the remaining members of such board shall
23 appoint an individual residing within the election district of the
24 educational service unit for which the vacancy exists and meeting the
25 qualifications for the office to fill such vacancy for the balance of the
26 unexpired term.

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

31 (4) Any joint school district located in two or more counties shall

1 be considered a part of the educational service unit in which the greater
2 number of school-age children of such joint school district reside.

3 (5) The administrator of each educational service unit, prior to
4 July 1 of each year in which a statewide primary election is to be held,
5 shall certify to the election commissioner or county clerk of each county
6 located within the unit the corporate name of each school district, as
7 described in section 79-405, located within the county. If a school
8 district is a joint school district located in two or more counties, the
9 administrator shall certify to each election commissioner or county clerk
10 the educational service unit of which the school district is considered
11 to be a part.

12 (6) An educational service unit may consist of a single school
13 district if the single school district is either a Class IV or Class V
14 school district. An educational service unit with only one member school
15 district shall be governed by the school board of such school district
16 and shall participate in one or more of the statewide projects managed by
17 the Educational Service Unit Coordinating Council.

18 Sec. 98. Section 79-1816, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 79-1816 The members of the authority shall receive no compensation
21 for the performance of their duties as members, but each such member
22 shall be reimbursed for ~~paid his or her actual and necessary~~ expenses
23 while engaged in the performance of such duties as provided in sections
24 81-1174 to 81-1177 from any funds legally available therefor.

25 Sec. 99. Section 79-2204, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 79-2204 (1) The State Council on Educational Opportunity for
28 Military Children is created within the department. The council shall
29 consist of:

30 (a) The following ex officio members:

31 (i) The Commissioner of Education;

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

3 (iii) The compact commissioner appointed pursuant to section
4 79-2205; and

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

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

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

11 (ii) A representative of a military installation located in this
12 state.

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

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

19 (a) To advise the department with regard to the state's
20 participation in and compliance with the Interstate Compact on
21 Educational Opportunity for Military Children; and

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

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

27 Sec. 100. Section 80-318, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 80-318 For the purpose of determining continued eligibility of
30 members to remain in one of the Nebraska veterans homes and for the
31 purpose of recommending matters of policy, rules and regulations,

1 administration, and maintenance pertaining to each of the Nebraska
2 veterans homes, the Veterans' Homes Board is established. The board shall
3 be composed of two members selected by each of the recognized veterans
4 organizations in Nebraska identified in subdivision (1) of section
5 80-401.01, and the Director of Veterans' Affairs who shall serve as the
6 permanent board secretary. Such members shall be selected in the manner
7 and serve for such term as the veterans organization may prescribe. If a
8 member selected by any such veterans organization is unavailable to
9 attend a meeting of the board or unable to serve for any reason, the
10 incumbent department commander of such organization may appoint some
11 other member of his or her organization to serve on the board. The
12 chairperson shall be selected from among the members of the board. No
13 salary shall be paid to any member of the board, but ~~actual~~ expenses of
14 the members of the board when attending regularly called meetings of that
15 board shall be paid as provided in sections 81-1174 to 81-1177 from the
16 administrative funds of the Department of Veterans' Affairs.

17 Sec. 101. Section 80-401.02, Reissue Revised Statutes of Nebraska,
18 is amended to read:

19 80-401.02 There is hereby created a department of government to be
20 known as the Department of Veterans' Affairs. The chief administrative
21 officer of the department shall be the director to be known as the
22 Director of Veterans' Affairs. He or she shall be appointed by the
23 Governor, subject to confirmation by the Legislature. No person shall be
24 eligible to receive appointment as director unless such person has the
25 following qualifications: (1) Resident of the State of Nebraska for at
26 least five years immediately prior to his or her appointment; (2) citizen
27 of the United States; and (3) served in the armed forces of the United
28 States during any of the periods identified in section 80-401.01 and
29 discharged or otherwise separated with a characterization of honorable
30 from such service. The director shall serve until a new director to
31 succeed him or her is appointed and has qualified. If a vacancy occurs in

1 the office of director when the Legislature is not in session, the
2 Governor shall make a temporary appointment until the next meeting of the
3 Legislature, when the Governor shall present to the Legislature a
4 recommendation for the office. The director shall receive an annual
5 salary to be fixed by the Governor, payable in equal monthly
6 installments. He or she shall be reimbursed for ~~entitled to the necessary~~
7 ~~and actual~~ expenses involved in the performance of his or her official
8 duties as provided in sections 81-1174 to 81-1177. He or she shall be
9 bonded or insured as required by section 11-201. The director shall
10 appoint state service officers and assistants, whose appointments shall
11 be approved by the Veterans' Advisory Commission.

12 The department shall be the designated state agency to advocate on
13 behalf of veterans.

14 Sec. 102. Section 80-401.08, Reissue Revised Statutes of Nebraska,
15 is amended to read:

16 80-401.08 The members of the Veterans' Advisory Commission shall
17 annually appoint one of its members as chairperson and one as secretary.
18 The members of the commission shall each qualify by taking and
19 subscribing an oath of office. No member shall receive any salary for his
20 or her services, but each shall be reimbursed for ~~his or her actual and~~
21 ~~necessary~~ expenses incurred by him or her in performing his or her duties
22 as provided in sections 81-1174 to 81-1177 ~~for state employees~~.

23 Sec. 103. Section 81-175, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 81-175 The compensation of the members of the task force shall be
26 established by the Governor on a per diem basis, and they shall work the
27 days and hours required to accomplish the task. Members of the task force
28 shall be reimbursed for ~~their actual and necessary~~ expenses incurred in
29 the performance of their duties as provided in sections 81-1174 to
30 81-1177 ~~for state employees~~.

31 Sec. 104. Section 81-502.02, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 81-502.02 The board shall select from among its members a
3 chairperson and adopt and promulgate rules and regulations to govern its
4 procedures. Any vacancy occurring in the board shall be filled in the
5 manner in which original appointments are made. No person shall receive
6 any compensation for services rendered as a member of the board. Each
7 member of the board shall be reimbursed for ~~his or her actual and~~
8 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177 ~~for state~~
9 ~~employees~~. The board shall meet at such times as the business of the
10 board requires and at such places as may be established by its
11 chairperson. When requested to do so by the State Fire Marshal, it shall
12 be the duty of the board to make a study of the specific problems,
13 questions, or appeals presented to the board. No member of the board
14 shall sit in hearing upon any question in which such member or any
15 corporation of which he or she is a shareholder or employee is a party.

16 Sec. 105. Section 81-829.53, Reissue Revised Statutes of Nebraska,
17 is amended to read:

18 81-829.53 Personnel of state emergency response teams while on duty,
19 whether within or without the state, shall: (1) If they are employees of
20 the state, have the powers, duties, rights, privileges, and immunities
21 and receive the compensation incidental to their employment; (2) if they
22 are employees of a political subdivision of the state, and whether
23 serving within or without such political subdivision, have the powers,
24 duties, rights, privileges, and immunities and receive the compensation
25 incidental to their employment; and (3) if they are not employees of the
26 state or a political subdivision thereof, be entitled to compensation by
27 the state at rates to be established by the Governor and shall be
28 entitled to the same rights and immunities as are provided by law for the
29 employees of this state. State emergency response teams shall, while on
30 duty, be subject to the operational control of the authority in charge of
31 emergency management activities in the area in which they are serving and

1 shall be reimbursed for ~~all actual and necessary travel and subsistence~~
2 expenses in accordance with sections 81-1174 to 81-1177.

3 Sec. 106. Section 81-829.54, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 81-829.54 (1) The state shall reimburse a political subdivision for
6 (a) the compensation paid and ~~actual and necessary travel, subsistence,~~
7 ~~and maintenance~~ expenses of employees of such political subdivision while
8 serving as members of a state emergency response team as provided in
9 sections 81-1174 to 81-1177, (b) all payments for death, disability, or
10 injury of such employees incurred in the course of such duty as provided
11 in the Nebraska Workers' Compensation Act, and (c) all losses of or
12 damage to supplies and equipment of such political subdivision resulting
13 from the operation of such state emergency response team.

14 (2) The state shall pay a fee for rental of privately owned
15 equipment used in the operation of a state emergency response team and
16 shall also pay for any loss or damage to privately owned equipment used
17 in emergency response. The fee for rental of such privately owned
18 equipment shall be fixed, and any loss or damage to such equipment shall
19 be assessed by a board consisting of three persons to be appointed by the
20 Governor, one of whom shall be the materiel administrator of the materiel
21 division of the Department of Administrative Services.

22 Sec. 107. Section 81-885.07, Reissue Revised Statutes of Nebraska,
23 is amended to read:

24 81-885.07 (1) There is hereby created the State Real Estate
25 Commission which shall consist of the Secretary of State, who shall be
26 chairperson of the commission, and six members appointed by the Governor.
27 Three of the members of the commission appointed by the Governor shall be
28 active and licensed real estate brokers who have engaged in the real
29 estate business as brokers or associate brokers for not less than five
30 years, which members shall be appointed by the Governor, one from each of
31 the three congressional districts as the districts were constituted on

1 January 1, 2006. The remaining members shall be appointed at large, one
2 of whom shall be representative of the public, one of whom shall be a
3 licensed real estate salesperson who has engaged in the real estate
4 business as a salesperson for not less than three years, and one of whom
5 shall be an active and licensed real estate broker who has engaged in the
6 real estate business as a broker or associate broker for not less than
7 five years. The member representing the former congressional district 1
8 on July 14, 2006, shall represent congressional district 1 for the
9 balance of his or her term. The member representing the former
10 congressional district 2 on July 14, 2006, shall represent congressional
11 district 2 for the balance of his or her term. The member representing
12 the former congressional district 3 on July 14, 2006, shall become an at-
13 large member for the balance of his or her term. The member representing
14 the former congressional district 4 on July 14, 2006, shall represent
15 congressional district 3 for the balance of his or her term.

16 (2) At the expiration of the term of any member of the commission,
17 the Governor shall appoint a successor for a term of six years. Any
18 appointed member shall be limited to one six-year term, in addition to
19 any partial term served. In the event of a vacancy on the commission, the
20 Governor shall fill such vacancy by appointing a member to serve during
21 the unexpired term of the member whose office has become vacant. In the
22 absence of the chairperson, the senior member of the commission in point
23 of service present shall serve as presiding officer. Not less than four
24 members of the commission must be present at any official meeting of the
25 commission. The action of the majority of the members of the commission
26 shall be deemed the action of the commission. No appointed person may act
27 as a member of the commission while holding any other elective or
28 appointive state or federal office.

29 (3) Each member of the commission shall receive as compensation for
30 each day actually spent on official duties at scheduled meetings the sum
31 of one hundred dollars and ~~actual and necessary~~ expenses incurred in the

1 performance of his or her official duties as provided in sections 81-1174
2 to 81-1177.

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

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

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

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

30 Sec. 108. Section 81-8,189, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-8,189 Members of the board shall serve without compensation
2 except that they shall be reimbursed for ~~their actual and necessary~~
3 expenses incurred in the discharge of their duties pursuant to the
4 Professional Landscape Architects Act as provided in sections 81-1174 to
5 81-1177.

6 Sec. 109. Section 81-8,267, Reissue Revised Statutes of Nebraska, is
7 amended to read:

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

12 Sec. 110. Section 81-1108.32, Reissue Revised Statutes of Nebraska,
13 is amended to read:

14 81-1108.32 The Nebraska Capitol Commission is hereby created. The
15 commission shall consist of the Governor, the Speaker of the Legislature,
16 the Chief Justice of the Supreme Court, the dean of the College of
17 Architecture at the University of Nebraska-Lincoln, the Director of the
18 Nebraska State Historical Society, and three other residents of Nebraska
19 appointed by the Governor. One appointive member shall be appointed from
20 each congressional district. The terms of the appointive members shall be
21 staggered so that one term expires on March 1, 1994, one term expires on
22 March 1, 1995, and one term expires on March 1, 1996. As the terms of the
23 appointive members expire, the Governor shall, on or before March 1 of
24 each year, appoint or reappoint a member of the commission for a term of
25 three years to succeed the member whose term expires. Any member
26 appointed after March 1 shall serve for the remaining portion of the
27 three-year term.

28 The Governor shall serve as the chairperson of the Nebraska Capitol
29 Commission, the Speaker of the Legislature shall serve as the vice-
30 chairperson of the commission, and the State Capitol Administrator or his
31 or her representative shall serve as the nonvoting secretary of the

1 commission.

2 In the absence of the Governor, he or she may designate the
3 Lieutenant Governor as his or her representative. In the absence of the
4 Speaker of the Legislature, he or she may designate the chairperson of
5 the Executive Board of the Legislative Council or the Clerk of the
6 Legislature as his or her representative. In the absence of the Chief
7 Justice of the Supreme Court, he or she may designate the State Court
8 Administrator as his or her representative. Representatives of the
9 Governor, the Speaker of the Legislature, and the Chief Justice shall
10 have full voting privileges for the meeting in attendance.

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

15 Sec. 111. Section 81-1120.18, Reissue Revised Statutes of Nebraska,
16 is amended to read:

17 81-1120.18 The division of communications may form temporary
18 advisory boards to provide advice in the development, management,
19 administration, and operation of a consolidated communications system to
20 meet the communications requirements of all departments and agencies of
21 state government. Board members shall be selected by the division and
22 shall receive no compensation for duties performed as members of a board,
23 but shall be reimbursed for ~~actual~~ expenses incurred while engaged in the
24 performance of their duties under the provisions of sections ~~23-1715,~~
25 81-1108.02, 81-1120.01 to 81-1120.03, 81-1120.15 to 81-1120.28, and
26 81-1423 as provided in sections 81-1174 to 81-1177 ~~for state employees.~~

27 Sec. 112. Section 81-1174, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 81-1174 (1) Whenever any state officer, state employee, or member
30 of any commission, council, committee, or board of the state is seeking
31 reimbursement for ~~actual~~ expenses incurred by him or her in the line of

1 duty, he or she shall be required to present a request for payment or
2 reimbursement to the Director of Administrative Services not later than
3 sixty days after the final day on which expenses were incurred for which
4 reimbursement is sought.

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

8 (b) Each request for any meal or incidental expense incurred during
9 travel status shall be paid or reimbursed pursuant to a percentage of the
10 federal General Services Administration per diem rates as determined by
11 and in accordance with policies established by the Director of
12 Administrative Services. Such percentage shall not exceed one hundred
13 percent nor be less than seventy-five percent of the federal per diem
14 rate. Any meal expense charged directly to and paid for by the state
15 shall be identified on the request for reimbursement and deducted from
16 the per diem based on the percentage established for the meal provided.

17 (3) When reimbursement is requested for mileage by automobile, air
18 travel by commercial carrier, air travel in airplanes chartered by the
19 department or agency, or air travel by personally rented airplane, the
20 points between which such travel occurred, the times of arrival and
21 departure, and the necessity and purpose of such travel shall be stated
22 on such request. When reimbursement is requested for mileage by
23 automobile, the motor vehicle license plate number, the total miles
24 traveled, and the rate per mile being requested shall also be shown on
25 each request.

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

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

8 (6) The statement of expenses shall be duly verified and supported
9 by receipts for all of such expenditures, ~~except immaterial items~~
10 ~~identified by the director,~~ for which reimbursement is requested except
11 for (a) items reimbursed through a per diem payment and (b) immaterial
12 items identified by the director.

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

15 (8) No personal maintenance expenses shall be allowed to any state
16 officer, state employee, or member of any commission, council, committee,
17 or board of the state when such expenses are incurred in the city or
18 village town in which the residence or primary work location of such
19 individual is located, except that individuals required to attend
20 official functions, conferences, or hearings within such location, not to
21 include normal day-to-day operations of the department, agency,
22 commission, council, committee, or board, may be paid or reimbursed in
23 accordance with policies established by the Director of Administrative
24 Services. The approval to attend a function, conference, or hearing shall
25 be obtained from the director of the department, agency, commission,
26 council, committee, or board prior to an individual's attendance at such
27 function, conference, or hearing.

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

31 Sec. 113. Section 81-1180, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-1180 Any member of any state commission, council, committee, or
3 board who is not entitled to reimbursement under ~~the provisions of~~
4 section 81-1178 or 81-1179 shall be entitled to be reimbursed for ~~his or~~
5 ~~her necessary and actual~~ expenses as provided in sections 81-1174 to
6 81-1177 if an appropriation is made for such purpose and if the
7 reimbursement is approved by the Governor or, in cases in which the
8 commission, council, committee, or board has been created to assist the
9 Legislature in the performance of its duties, by the Executive Board of
10 the Legislative Council.

11 Sec. 114. Section 81-11,104, Reissue Revised Statutes of Nebraska,
12 is amended to read:

13 81-11,104 (1) The Department of Administrative Services shall
14 establish an annual performance evaluation process for the administrative
15 head of each state agency that is not created by the Constitution of
16 Nebraska and that has an administrative head who is not appointed by the
17 Governor and who has an annual base salary in excess of thirty thousand
18 dollars. The first evaluation of an administrative head pursuant to this
19 section shall not occur prior to the completion of one year of service by
20 the administrative head. The results of the evaluation shall be provided
21 to the governing body which appoints the administrative head unless the
22 evaluation is waived under subsection (3) of this section.

23 (2) The department shall establish and maintain a pool of
24 individuals who are qualified to conduct performance evaluations of
25 administrative heads and shall schedule annual performance evaluations
26 for each administrative head who is subject to evaluation. The pool shall
27 consist of not less than twenty qualified individuals. Each evaluation
28 shall be conducted by a panel of not less than three and not more than
29 five individuals as determined by the Director of Administrative Services
30 and selected at random from the pool by the director or his or her
31 designee. Each member of the panel shall be paid a daily or hourly fee

1 set by the department at a level necessary to keep qualified individuals
2 in the pool. The panel shall also be reimbursed for ~~actual and necessary~~
3 expenses as provided in sections 81-1174 to 81-1177.

4 (3) The department shall provide staff support and model procedures
5 and processes for the evaluations. After conducting an evaluation, the
6 panel shall recommend one of the following to the governing body: (a)
7 Retain; (b) no comments; (c) retain with qualifications; or (d)
8 discharge. The rest of the evaluation shall be kept confidential, except
9 that the governing body may discuss the evaluation with the panel in
10 executive session and the administrative head may make any part of the
11 evaluation results public. Evaluation work product and results shall not
12 be deemed public records and may be withheld from the public pursuant to
13 section 84-712.05. Each agency shall pay for the cost of the annual
14 performance evaluation of its administrative head. If a governing body
15 conducts an annual performance evaluation of the administrative head
16 using procedures which meet the approval of the department, the annual
17 performance evaluation under this section may be waived by the director.

18 Sec. 115. Section 81-1348, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 81-1348 There is hereby created the Suggestion Award Board. The
21 membership of such board shall consist of the Director of Personnel, the
22 Director of Administrative Services, the Auditor of Public Accounts or
23 his or her designee, and three persons, each to serve a term of three
24 years, selected and appointed by the Governor from the bargaining units
25 listed in section 81-1373, except that the first three appointments made
26 after February 23, 2000, shall be for terms of one year, two years, and
27 three years, as designated by the Governor. Of the persons selected from
28 such bargaining units, one person shall be selected from each of such
29 bargaining units as follows:

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

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

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

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

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

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

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

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

16 Sec. 116. Section 81-1409, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 81-1409 The members of the council shall serve without compensation,
19 but they shall be entitled to receive reimbursement for ~~any actual~~
20 expenses incurred ~~as a necessary~~ incident to such service as provided in
21 sections 81-1174 to 81-1177 ~~for state employees~~.

22 Sec. 117. Section 81-1421, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 81-1421 The members of the commission shall serve without
25 compensation, but they shall be entitled to receive reimbursement for ~~any~~
26 ~~actual~~ expenses incurred ~~as necessary~~ incident to such service as
27 provided in sections 81-1174 to 81-1177 ~~for state employees~~.

28 Sec. 118. Section 81-1430, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 81-1430 (1) A task force is hereby established within the Nebraska
31 Commission on Law Enforcement and Criminal Justice for the purposes of

1 investigating and studying human trafficking, the methods for advertising
2 human trafficking services, and the victimization of individuals coerced
3 to participate in human trafficking.

4 (2) The task force shall examine the extent to which human
5 trafficking is prevalent in this state, the scope of efforts being taken
6 to prevent human trafficking from occurring, and the services available
7 to victims of human trafficking in this state. The task force shall
8 utilize information and research available from the Innocence Lost
9 National Initiative. The task force shall research and recommend a model
10 of rehabilitative services for victims of human trafficking that includes
11 input from the areas of law enforcement, social services, the legal
12 profession, the judiciary, mental health, and immigration. The task force
13 shall also investigate the limitations upon victims who wish to come
14 forward and seek medical attention; investigate the potential to stop
15 human trafficking; and investigate the potential to promote recovery, to
16 protect families and children who may be profoundly impacted by such
17 abuse, and to save lives.

18 (3)(a) The Department of Labor shall work with the task force to
19 develop or select informational posters for placement around the state.
20 The posters shall be in English, Spanish, and any other language deemed
21 appropriate by the task force. The posters shall include a toll-free
22 telephone number a person may call for assistance, preferably the
23 National Human Trafficking Resource Center Hotline (888)373-7888.

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

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

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

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

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

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

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

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

15 (g) A county sheriff;

16 (h) A county attorney;

17 (i) A county commissioner;

18 (j) A mayor or city manager;

19 (k) A person involved with the control or prevention of juvenile
20 delinquency;

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

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

23 (n) The director of the Commission on Latino-Americans or his or her
24 designee; and

25 (o) Six members, at least three of whom shall be women, from the
26 public at large.

27 (5) The Governor shall appoint the members of the task force listed
28 in subdivisions (4)(e) through (l) and (o) of this section for terms as
29 provided in subsection (6) of this section. The membership of the task
30 force shall represent varying geographic areas and large and small
31 political subdivisions. One member from the public at large shall be a

1 professional representing child welfare, and one member of the public at
2 large shall represent juvenile pretrial diversion programs.

3 (6) The members of the task force appointed by the Governor shall
4 serve six-year terms, except that of the members first appointed, four
5 shall serve initial two-year terms, four shall serve initial four-year
6 terms, and six shall serve initial six-year terms from January 1 next
7 succeeding their appointments. Thereafter, all members shall serve six-
8 year terms. A member may be reappointed at the expiration of his or her
9 term. Any vacancy occurring otherwise than by expiration of a term shall
10 be filled for the balance of the unexpired term in the same manner as the
11 original appointment.

12 (7) No member shall serve beyond the time when he or she holds the
13 office, employment, or status by reason of which he or she was initially
14 eligible for appointment. Any member of the task force appointed by the
15 Governor may be removed from the task force for cause upon notice and an
16 opportunity to be heard at a public hearing. One of the causes for
17 removal shall be absence from three regularly scheduled meetings of the
18 task force during any six-month period when the member has failed to
19 advise the task force in advance of such meeting that he or she will be
20 absent and stating a reason therefor.

21 (8) The chairperson of the task force shall be designated by the
22 Governor to serve at the pleasure of the Governor. The chairperson shall
23 be the chief executive officer of the task force but may delegate such of
24 his or her duties to other members of the task force as may be authorized
25 by the task force.

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

30 (10) The members of the task force shall serve on the task force
31 without compensation, but they shall be entitled to receive reimbursement

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

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

7 (12) Every July 1 and December 1, the task force shall report
8 electronically to the Clerk of the Legislature the results of its
9 investigation and study and its recommendations, if any, together with
10 drafts of legislation necessary to carry its recommendations into effect
11 by filing the report with the clerk.

12 Sec. 119. Section 81-1449, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 81-1449 Members of the advisory council to the Office of Violence
15 Prevention shall serve without compensation but may be reimbursed for
16 ~~their actual and necessary~~ expenses incurred in the performance of their
17 duties as provided in sections 81-1174 to 81-1177.

18 Sec. 120. Section 81-1503, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 81-1503 (1)(a) The Environmental Quality Council is hereby created.

21 (b) Until April 28, 2005, the council shall consist of sixteen
22 members to be appointed by the Governor with the advice and consent of
23 the Legislature as follows:

24 (i) One representative of the food products manufacturing industry;

25 (ii) One representative of conservation;

26 (iii) One representative of the agricultural processing industry;

27 (iv) One representative of the automotive or petroleum industry;

28 (v) One representative of the chemical industry;

29 (vi) One representative of heavy industry;

30 (vii) One representative of the power generating industry;

31 (viii) One representative of agriculture actively engaged in crop

1 production;

2 (ix) One representative of labor;

3 (x) One professional engineer experienced in control of air and
4 water pollution and solid wastes;

5 (xi) One physician knowledgeable in the health aspects of air,
6 water, and land pollution;

7 (xii) One representative from county government;

8 (xiii) Two representatives from municipal government, one of whom
9 shall represent cities other than those of the primary or metropolitan
10 class;

11 (xiv) One representative of the livestock industry; and

12 (xv) One representative of the public at large.

13 (c) On and after April 28, 2005, the council shall consist of
14 seventeen members to be appointed by the Governor with the advice and
15 consent of the Legislature as follows:

16 (i) One representative of the food products manufacturing industry;

17 (ii) One representative of conservation;

18 (iii) One representative of the agricultural processing industry;

19 (iv) One representative of the automotive or petroleum industry;

20 (v) One representative of the chemical industry;

21 (vi) One representative of heavy industry;

22 (vii) One representative of the power generating industry;

23 (viii) One representative of agriculture actively engaged in crop
24 production;

25 (ix) One representative of labor;

26 (x) One professional engineer experienced in control of air and
27 water pollution and solid wastes;

28 (xi) One physician knowledgeable in the health aspects of air,
29 water, and land pollution;

30 (xii) One representative from county government;

31 (xiii) Two representatives from municipal government, one of whom

1 shall represent cities other than those of the primary or metropolitan
2 class;

3 (xiv) One representative of the livestock industry;

4 (xv) One representative of minority populations; and

5 (xvi) One biologist.

6 (d)(i) Except as otherwise provided in this subdivision, members of
7 the council serving on April 28, 2005, shall continue to serve on the
8 council as representatives of the entity they were appointed to represent
9 until their current terms of office expire and their successors are
10 appointed and confirmed. The member representing the public at large
11 shall serve until the member representing minority populations is
12 appointed.

13 (ii) The Governor shall appoint members pursuant to subdivisions (1)
14 (c)(xv) and (1)(c)(xvi) of this section within ninety days after April
15 28, 2005.

16 (2) Members shall serve for terms of four years. All appointments
17 shall be subject to confirmation by the Legislature when initially made.
18 As the term of an appointee to the council expires, the succeeding
19 appointee shall be a representative of the same segment of the public as
20 the previous appointee. In the case of appointees to vacancies occurring
21 from unexpired terms, each successor shall serve out the term of his or
22 her predecessor. Members whose terms have expired shall continue to serve
23 until their successors have been appointed. All members shall be citizens
24 and residents of the State of Nebraska.

25 (3) Members may be removed by the Governor for inefficiency, neglect
26 of duty, or misconduct in office but only after delivering to the member
27 a copy of the charges and affording him or her an opportunity to be
28 publicly heard in person or by counsel, in his or her own defense, upon
29 not less than ten days' notice. Such hearing shall be held before the
30 Governor. When a member is removed, the Governor shall file, in the
31 office of the Secretary of State, a complete statement of all charges

1 made against such member and the findings thereon, together with a
2 complete record of the proceedings.

3 (4) The council shall elect from its members a chairperson and a
4 vice-chairperson, who shall hold office at the pleasure of the council.
5 The vice-chairperson shall serve as chairperson in case of the absence or
6 disability of the chairperson. The director shall serve as secretary of
7 the council and shall keep all records of meetings of and actions taken
8 by the council. He or she shall be promptly advised as to such actions by
9 the chairperson.

10 (5) The members of the council, while engaged in the performance of
11 their official duties, shall receive a per diem of forty dollars while so
12 serving, including travel time. In addition, members of the council shall
13 receive reimbursement for ~~actual and necessary~~ expenses as provided in
14 sections 81-1174 to 81-1177.

15 (6) The council shall hold at least two regular meetings each year,
16 at a time and place fixed by the council and shall keep a record of its
17 proceedings which shall be open to the public for inspection. Special
18 meetings may be called by the chairperson. Such special meetings must be
19 called by him or her upon receipt of a written request signed by two or
20 more members of the council. Written notice of the time and place of all
21 meetings shall be mailed in advance to the office of each member of the
22 council by the secretary. A majority of the members of the council shall
23 constitute a quorum.

24 (7) The council shall submit to the Governor a list of names from
25 which he or she shall appoint the Director of Environmental Quality who
26 shall be experienced in air, water, and land pollution control and who
27 may be otherwise an employee of state government. The director shall be
28 responsible for administration of the department and all standards,
29 rules, and regulations adopted pursuant to Chapter 81, article 15, the
30 Integrated Solid Waste Management Act, and the Livestock Waste Management
31 Act. All such standards, rules, and regulations shall be adopted by the

1 council after consideration of the recommendations of the director. All
2 grants to political subdivisions under the control of the department
3 shall be made by the director in accordance with priorities established
4 by the council, unless otherwise directed by statute. A majority of the
5 members of the council shall constitute a quorum for the transaction of
6 business. The affirmative vote of a majority of all members of the
7 council shall be necessary for the adoption of standards, rules, and
8 regulations.

9 (8) Before the director enters upon the duties of his or her office,
10 he or she shall take and subscribe to the constitutional oath of office
11 and shall, in addition thereto, swear and affirm that he or she holds no
12 other public office nor any position under any political committee or
13 party, that he or she has not during the two years immediately prior to
14 his or her appointment received a significant portion of his or her
15 income directly or indirectly from permitholders or applicants for a
16 permit under the Environmental Protection Act, and that he or she will
17 not receive such income during his or her term as director, except that
18 such requirements regarding income prior to the term of office shall not
19 apply to employees of any agency of the State of Nebraska or any
20 political subdivision which may be a permitholder under the Environmental
21 Protection Act. Such oath and affirmation shall be filed with the
22 Secretary of State.

23 Sec. 121. Section 81-1505.03, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 81-1505.03 (1) There is hereby created the Small Business Compliance
26 Advisory Panel. The panel shall consist of the following:

27 (a) Two members who are not owners or representatives of owners of
28 small business stationary sources of air emissions selected by the
29 Governor to represent the general public;

30 (b) Four members selected by the Legislature who are owners or who
31 represent owners of small business stationary sources of air emissions;

1 and

2 (c) One member selected by the director.

3 (2) The panel shall be responsible for all requirements of the Clean
4 Air Act, 42 U.S.C. 7401 et seq., as such act existed on January 1, 2004.
5 Members shall be reimbursed for ~~their actual and necessary~~ expenses as
6 provided in sections 81-1174 to 81-1177. The panel shall conduct its
7 meetings in accordance with the Open Meetings Act and shall submit an
8 annual report to the Governor no later than January 1 of each year. The
9 panel shall receive necessary staff support from the department.

10 Sec. 122. Section 81-15,171, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 81-15,171 The citizen members of the board shall be appointed for
13 terms of six years, except that of the members first appointed, except
14 directors of agencies, the terms of three shall expire at the end of the
15 second year, three at the end of the fourth year, and three at the end of
16 the sixth year, as designated at the time of appointment. Any member
17 appointed to fill a vacancy occurring prior to the expiration of the term
18 for which his or her predecessor was appointed shall be appointed for the
19 remainder of such term. A vacancy on the board shall exist in the event
20 of the death, disability, or resignation of a member. All members shall
21 be reimbursed for ~~their actual and necessary travel~~ expenses as provided
22 in sections 81-1174 to 81-1177.

23 Sec. 123. Section 81-15,175, Revised Statutes Cumulative Supplement,
24 2018, is amended to read:

25 81-15,175 (1) The board may make an annual allocation each fiscal
26 year from the Nebraska Environmental Trust Fund to the Nebraska
27 Environmental Endowment Fund as provided in section 81-15,174.01. The
28 board shall make annual allocations from the Nebraska Environmental Trust
29 Fund and may make annual allocations each fiscal year from the Nebraska
30 Environmental Endowment Fund for projects which conform to the
31 environmental categories of the board established pursuant to section

1 81-15,176 and to the extent the board determines those projects to have
2 merit. The board shall establish a calendar annually for receiving and
3 evaluating proposals and awarding grants. To evaluate the economic,
4 financial, and technical feasibility of proposals, the board may
5 establish subcommittees, request or contract for assistance, or establish
6 advisory groups. Private citizens serving on advisory groups shall be
7 reimbursed for ~~their actual and necessary~~ expenses pursuant to sections
8 81-1174 to 81-1177.

9 (2) The board shall establish rating systems for ranking proposals
10 which meet the board's environmental categories and other criteria. The
11 rating systems shall include, but not be limited to, the following
12 considerations:

13 (a) Conformance with categories established pursuant to section
14 81-15,176;

15 (b) Amount of funds committed from other funding sources;

16 (c) Encouragement of public-private partnerships;

17 (d) Geographic mix of projects over time;

18 (e) Cost-effectiveness and economic impact;

19 (f) Direct environmental impact;

20 (g) Environmental benefit to the general public and the long-term
21 nature of such public benefit; and

22 (h) Applications recommended by the Director of Natural Resources
23 and submitted by the Department of Natural Resources pursuant to
24 subsection (7) of section 61-218 shall be awarded fifty priority points
25 in the ranking process for the 2011 grant application if the Legislature
26 has authorized annual transfers of three million three hundred thousand
27 dollars to the Water Resources Cash Fund for each of fiscal years 2011-12
28 and 2012-13 and has stated its intent to transfer three million three
29 hundred thousand dollars to the Water Resources Cash Fund in fiscal year
30 2013-14. Priority points shall be awarded if the proposed programs set
31 forth in the grant application are consistent with the purposes of

1 reducing consumptive uses of water, enhancing streamflows, recharging
2 ground water, or supporting wildlife habitat in any river basin
3 determined to be fully appropriated pursuant to section 46-714 or
4 designated as overappropriated pursuant to section 46-713.

5 (3) A grant awarded under this section pursuant to an application
6 made under subsection (7) of section 61-218 shall be paid out in the
7 following manner:

8 (a) The initial three million three hundred thousand dollar
9 installment shall be remitted to the State Treasurer for credit to the
10 Water Resources Cash Fund no later than fifteen business days after the
11 date that the grant is approved by the board;

12 (b) The second three million three hundred thousand dollar
13 installment shall be remitted to the State Treasurer for credit to the
14 Water Resources Cash Fund no later than May 15, 2013; and

15 (c) The third three million three hundred thousand dollar
16 installment shall be remitted to the State Treasurer for credit to the
17 Water Resources Cash Fund no later than May 15, 2014, if the Legislature
18 has authorized a transfer of three million three hundred thousand dollars
19 from the General Fund to the Water Resources Cash Fund for fiscal year
20 2013-14.

21 (4) It is the intent of the Legislature that the Department of
22 Natural Resources apply for an additional three-year grant from the
23 Nebraska Environmental Trust Fund that would begin in fiscal year 2014-15
24 and a three-year grant that would begin in fiscal year 2017-18 and such
25 application shall be awarded fifty priority points in the ranking process
26 as set forth in subdivision (2)(h) of this section if the following
27 criteria are met:

28 (a) The Natural Resources Committee of the Legislature has examined
29 options for water funding and has submitted a report electronically to
30 the Clerk of the Legislature and the Governor by December 1, 2012,
31 setting forth:

1 (i) An outline and priority listing of water management and funding
2 needs in Nebraska, including instream flows, residential, agricultural,
3 recreational, and municipal needs, interstate obligations, water quality
4 issues, and natural habitats preservation;

5 (ii) An outline of statewide funding options which create a
6 dedicated, sustainable funding source to meet the needs set forth in the
7 report; and

8 (iii) Recommendations for legislation;

9 (b) The projects and activities funded by the department through
10 grants from the Nebraska Environmental Trust Fund under this section have
11 resulted in enhanced streamflows, reduced consumptive uses of water,
12 recharged ground water, supported wildlife habitat, or otherwise
13 contributed towards conserving, enhancing, and restoring Nebraska's
14 ground water and surface water resources. On or before July 1, 2014, the
15 department shall submit electronically a report to the Natural Resources
16 Committee of the Legislature providing demonstrable evidence of the
17 benefits accrued from such projects and activities; and

18 (c) In addition to the grant reporting requirements of the trust, on
19 or before July 1, 2014, the department provides to the board a report
20 which includes documentation that:

21 (i) Expenditures from the Water Resources Cash Fund made to natural
22 resources districts have met the matching fund requirements provided in
23 subdivision (5)(a) of section 61-218;

24 (ii) Ten percent or less of the matching fund requirements has been
25 provided by in-kind contributions for expenses incurred for projects
26 enumerated in the grant application. In-kind contributions shall not
27 include land or land rights; and

28 (iii) All other projects and activities funded by the department
29 through grants from the Nebraska Environmental Trust Fund under this
30 section were matched not less than forty percent of the project or
31 activity cost by other funding sources.

1 (5) The board may establish a subcommittee to rate grant
2 applications. If the board uses a subcommittee, the meetings of such
3 subcommittee shall be subject to the Open Meetings Act. The subcommittee
4 shall (a) use the rating systems established by the board under
5 subsection (2) of this section, (b) assign a numeric value to each rating
6 criterion, combine these values into a total score for each application,
7 and rank the applications by the total scores, (c) recommend an amount of
8 funding for each application, which amount may be more or less than the
9 requested amount, and (d) submit the ranked list and recommended funding
10 to the board for its approval or disapproval.

11 (6) The board may commit funds to multiyear projects, subject to
12 available funds and appropriations. No commitment shall exceed three
13 years without formal action by the board to renew the grant or contract.
14 Multiyear commitments may be exempt from the rating process except for
15 the initial application and requests to renew the commitment.

16 (7) The board shall adopt and promulgate rules and regulations and
17 publish guidelines governing allocations from the fund. The board shall
18 conduct annual reviews of existing projects for compliance with project
19 goals and grant requirements.

20 (8) Every five years the board may evaluate the long-term effects of
21 the projects it funds. The evaluation may assess a sample of such
22 projects. The board may hire an independent consultant to conduct the
23 evaluation and may report the evaluation findings to the Legislature and
24 the Governor. The report submitted to the Legislature shall be submitted
25 electronically.

26 Sec. 124. Section 81-15,211, Reissue Revised Statutes of Nebraska,
27 is amended to read:

28 81-15,211 (1) The commission shall annually elect a chairperson from
29 among its citizen members. The commission shall meet at least twice each
30 year and may meet more often at the call of the chairperson or at the
31 request of any three members.

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

3 Sec. 125. Section 81-15,245, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 81-15,245 The Private Onsite Wastewater Treatment System Advisory
6 Committee is created. The advisory committee shall be composed of the
7 following eleven members:

8 (1) Seven members appointed by the director as follows:

9 (a) Five private onsite wastewater treatment system professionals;
10 and

11 (b) Two registered environmental health specialists or officials
12 representing local public health departments which have established
13 programs for regulating private onsite wastewater treatment systems;

14 (2) The chief executive officer of the Department of Health and
15 Human Services or his or her designee;

16 (3) The Director of Environmental Quality or his or her designated
17 representative; and

18 (4) One representative with experience in soils and geology and one
19 representative with experience in biological engineering, both of whom
20 shall be designated by the vice chancellor of the University of Nebraska
21 Institute of Agriculture and Natural Resources.

22 Members shall be reimbursed for ~~their actual and necessary~~ expenses
23 as provided in sections 81-1174 to 81-1177. The department shall provide
24 administrative support for the advisory committee.

25 Sec. 126. Section 81-1603, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 81-1603 The office shall have the power to do such things as are
28 necessary to carry out sections 81-1601 to 81-1605, including but not
29 limited to the following:

30 (1) To adopt rules and regulations, pursuant to the Administrative
31 Procedure Act, to carry out the purposes of sections 81-1601 to 81-1605;

1 (2) To make all contracts pursuant to sections 81-1601 to 81-1605
2 and do all things to cooperate with the federal government, and to
3 qualify for, accept, expend, and dispense public or private funds
4 intended for the implementation of sections 81-1601 to 81-1605;

5 (3) To contract for services, if such work or services cannot be
6 satisfactorily performed by employees of the agency or by any other part
7 of state government;

8 (4) To enter into such agreements as are necessary to carry out
9 energy research and development with other states;

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

12 (6) To cooperate and participate with the approval of the Governor
13 in the activities of organizations of states relating to the
14 availability, conservation, development, and distribution of energy;

15 (7) To engage in such activities as will seek to insure that the
16 State of Nebraska and its citizens receive an equitable share of energy
17 supplies at a fair price; and

18 (8) To form advisory committees of citizens of Nebraska to advise
19 the director of the energy office on programs and policies relating to
20 energy and to assist in implementing such programs. Such committees shall
21 be of a temporary nature and no member shall receive any compensation for
22 serving on any such committee but, with the approval of the Governor,
23 members shall receive reimbursement for ~~actual and necessary~~ expenses as
24 provided in sections 81-1174 to 81-1177. The minutes of meetings of and
25 actions taken by each committee shall be kept and a record shall be
26 maintained of the name, address, and occupation or vocation of every
27 individual serving on any committee. Such minutes and records shall be
28 maintained in the State Energy Office and shall be available for public
29 inspection during regular office hours.

30 Sec. 127. Section 81-1805, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-1805 Members of the committee shall receive no reimbursement for
2 the performance of their duties as members of the committee, except that
3 such members shall receive reimbursement for ~~actual and necessary~~
4 expenses as provided in sections 81-1174 to 81-1177.

5 Sec. 128. Section 81-2105, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 81-2105 There is hereby created the Electrical Division Fund. All
8 money received under the State Electrical Act shall be remitted to the
9 State Treasurer for credit to the fund. Each member of the board shall be
10 reimbursed for ~~the actual and necessary~~ expenses incurred in the
11 performance of his or her duties pursuant to sections 81-1174 to 81-1177
12 to be paid out of the fund. Transfers may be made from the fund to the
13 General Fund at the direction of the Legislature.

14 Sec. 129. Section 81-2506, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-2506 The members of the commission shall each receive fifty
17 dollars for each day spent in the performance of their duties and shall
18 receive reimbursement for ~~any actual and necessary~~ expenses as provided
19 in sections 81-1174 to 81-1177.

20 Sec. 130. Section 81-3521, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 81-3521 Each member of the board shall be a citizen of the United
23 States and a resident of the State of Nebraska for at least one year
24 immediately preceding his or her appointment. Each professional member
25 shall have been engaged in the active practice of geology for at least
26 ten years, shall have had responsible charge of work for at least five
27 years at the time of his or her appointment, and shall be licensed in
28 geology. Each member of the board shall receive as compensation the same
29 per diem and travel expenses as other state employees for each day
30 actually spent in traveling to and from and while attending sessions of
31 the board and its committees or authorized meetings of the National

1 Association of State Boards of Geology, or its ~~their~~ subdivisions or
2 committees, and shall be reimbursed for ~~all necessary~~ expenses incident
3 to the performance of his or her duties under the Geologists Regulation
4 Act as provided in sections 81-1174 to 81-1177.

5 Sec. 131. Section 82-310, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 82-310 The term of office of each member shall be three years with
8 the terms of one-third of the members expiring every year. No member of
9 the council who serves two consecutive three-year periods shall be
10 eligible for reappointment during a one-year period following the
11 expiration of his or her term. The Governor shall designate a chairperson
12 and a vice-chairperson from the members of the council, to serve as such
13 at the pleasure of the Governor. The chairperson shall be the chief
14 executive officer of the council. All vacancies shall be filled for the
15 balance of the unexpired term in the same manner as original appointments
16 are made. The members of the council shall not receive any compensation
17 for their services but shall be reimbursed for ~~their actual and necessary~~
18 expenses incurred in the performance of their duties as provided in
19 sections 81-1174 to 81-1177 ~~for state employees~~.

20 Sec. 132. Section 83-4,124, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 83-4,124 (1) It is hereby declared to be the policy of the State of
23 Nebraska that all criminal detention facilities in this state shall
24 conform to certain minimum standards of construction, maintenance, and
25 operation and that all juvenile detention facilities and staff secure
26 juvenile facilities in this state shall conform to certain minimum
27 standards relating to the operation and physical structure of such
28 facilities and the care of, programs for, and discipline of juveniles at
29 such facilities.

30 (2) To further such policy, the Jail Standards Board is hereby
31 created. For administrative and budgetary purposes such board shall be

1 within the Nebraska Commission on Law Enforcement and Criminal Justice.
2 The board shall consist of the Director of Correctional Services or, if
3 the Director of Correctional Services chooses not to serve on the board,
4 a person appointed by the director to serve in lieu of the director, the
5 State Fire Marshal or his or her designee, and ten appointive members,
6 three of whom shall be from each of the three congressional districts, to
7 be appointed by the Governor. The appointive members of the board shall
8 be appointed from recommendation lists containing at least three names
9 submitted by the Nebraska Association of County Officials, the Nebraska
10 County Sheriffs Association, the Nebraska State Bar Association, and the
11 Police Officers Association of Nebraska. The appointive members of the
12 board shall consist of: (a) Two county commissioners or supervisors; (b)
13 one county sheriff; (c) one municipal police chief; (d) one member of the
14 Nebraska State Bar Association; (e) two lay people; (f) one person who at
15 the time of his or her appointment is serving as an administrator
16 responsible for the operation and maintenance of a juvenile detention
17 facility; (g) one person who at the time of his or her appointment is
18 serving as an administrator responsible for the operation and maintenance
19 of a staff secure juvenile facility; and (h) one person who at the time
20 of his or her appointment is serving as an administrator or jailer
21 responsible for the operation and maintenance of a criminal detention
22 facility having an average daily population of greater than fifty
23 persons.

24 (3) The terms of office for all members initially appointed shall be
25 three years. Upon completion of the initial term of the board, the
26 Governor shall appoint one member from each congressional district for a
27 term of one year, one member from each congressional district for a term
28 of two years, and one member from each congressional district for a term
29 of three years. Succeeding appointees shall be representative of the same
30 congressional district and shall be appointed for terms of three years.
31 An appointee to a vacancy occurring from an unexpired term shall serve

1 out the term of his or her predecessor. Members whose terms have expired
2 shall continue to serve until their successors have been appointed. The
3 member authorized by Laws 2013, LB561, shall be appointed by the Governor
4 within ninety days after May 30, 2013.

5 (4) The members of the board shall serve without compensation, but
6 they shall be reimbursed for ~~their actual~~ expenses while engaged in the
7 performance of their official duties as provided in sections 81-1174 to
8 81-1177.

9 Sec. 133. Section 83-1212.01, Revised Statutes Cumulative
10 Supplement, 2018, is amended to read:

11 83-1212.01 (1) There is hereby created the Advisory Committee on
12 Developmental Disabilities. The advisory committee shall consist of a
13 representative of a statewide advocacy organization for persons with
14 developmental disabilities and their families, a representative of
15 Nebraska's designated protection and advocacy organization, a
16 representative of the Nebraska Planning Council on Developmental
17 Disabilities, a representative of the University Center for Excellence in
18 Developmental Disability Education, Research and Service as defined in
19 section 68-1114, and not more than fifteen additional members. At least
20 fifty-one percent of the members shall be persons with developmental
21 disabilities and family members of persons with developmental
22 disabilities.

23 (2) The members shall be appointed by the Governor for staggered
24 terms of three years. Any vacancy shall be filled by the Governor for the
25 remainder of the term. One of the members shall be designated as
26 chairperson by the Governor. Members shall be reimbursed for ~~their actual~~
27 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

28 (3) The advisory committee shall advise the department regarding all
29 aspects of the funding and delivery of services to persons with
30 developmental disabilities.

31 (4) The advisory committee shall (a) provide sufficient oversight to

1 ensure that persons placed in the custody of the department under the
2 Developmental Disabilities Court-Ordered Custody Act are receiving the
3 least restrictive treatment and services necessary and (b) oversee the
4 design and implementation of the quality management and improvement plan
5 described in section 83-1216.01.

6 (5) The department shall inform the advisory committee of proposed
7 systemic changes to services for persons with developmental disabilities
8 at least thirty days prior to implementation of the changes so that the
9 advisory committee may provide for a response to the proposed changes. If
10 the director determines that circumstances require implementation of the
11 changes prior to such notice, the department shall inform the advisory
12 committee as soon as possible. The advisory committee, in partnership
13 with the director, shall establish criteria for the process of providing
14 the information and receiving the response.

15 Sec. 134. Section 84-931, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 84-931 (1) An agency may employ or enter into a contract for the
18 services of an organization or individual to serve as a convenor or
19 facilitator for a negotiated rulemaking committee or may use the services
20 of a state employee to act as a convenor or facilitator for a committee.

21 (2) An agency shall determine whether a person under consideration
22 as a convenor or facilitator of a negotiated rulemaking committee has any
23 financial or other interest that would preclude the person from serving
24 in an impartial and independent manner. A person disqualified under this
25 criterion shall be dropped from further consideration.

26 (3) Members of a negotiated rulemaking committee shall be
27 responsible for their own expenses of participation. However, an agency
28 may reimburse ~~pay for~~ a committee member for ~~member's actual and~~
29 ~~necessary~~ expenses incurred in serving on the committee as provided in
30 sections 81-1174 to 81-1177 and a reasonable per diem rate of
31 compensation if:

1 (a) The committee member certifies a lack of adequate financial
2 resources to participate in the committee; and

3 (b) The agency determines that the committee member's participation
4 in the committee is necessary to ensure an adequate representation of the
5 interests of the members.

6 (4) An agency may accept grants or gifts from any source to fund the
7 negotiated rulemaking process if:

8 (a) Information on the name of the person giving the grant or gift
9 and the amount of the grant or gift is available to the public;

10 (b) The grant or gift is given to and accepted by the agency without
11 placing any condition on the membership of a negotiated rulemaking
12 committee or the outcome of the negotiated rulemaking process; and

13 (c) There is consensus among the members of the negotiated
14 rulemaking committee that the acceptance of the grant or gift will not
15 diminish the integrity of the negotiated rulemaking process.

16 Sec. 135. Section 84-1204, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 84-1204 (1) The State Records Board is hereby established. The board
19 shall:

20 (a) Advise and assist the administrator in the performance of his or
21 her duties under the Records Management Act;

22 (b) Provide electronic access to public records or electronic
23 information and services through the portal;

24 (c) Develop and maintain the portal for providing electronic access
25 to public records or electronic information and services;

26 (d) Provide appropriate oversight of a network manager;

27 (e) Approve reasonable fees for electronic access to public records
28 or electronic information and services pursuant to sections 84-1205.02
29 and 84-1205.03;

30 (f) Have the authority to enter into or renegotiate agreements
31 regarding the management of the portal in order to provide individuals,

1 businesses, and other entities with electronic access to public records
2 or electronic information and services;

3 (g) Explore ways and means of reducing the costs of agencies to
4 manage record retention, expanding the amount and type of public records
5 or electronic information and services provided through the portal, and,
6 when appropriate, implement changes necessary to effect such purposes;

7 (h) Explore new technologies as a means of improving access to
8 public records or electronic information and services by individuals,
9 businesses, and other entities and, if appropriate, implement the new
10 technologies;

11 (i) Explore options of expanding the portal and its services to
12 individuals, businesses, and other entities;

13 (j) Have the authority to grant funds to a state or local agency for
14 the development of programs and technology to improve electronic access
15 to public records or electronic information and services consistent with
16 the act; and

17 (k) Perform such other functions and duties as the act requires.

18 (2) In addition to the administrator, the board shall consist of:

19 (a) The Governor or his or her designee;

20 (b) The Attorney General or his or her designee;

21 (c) The Auditor of Public Accounts or his or her designee;

22 (d) The State Treasurer or his or her designee;

23 (e) The Director of Administrative Services or his or her designee;

24 (f) Three representatives appointed by the Governor to be broadly
25 representative of banking, insurance, and law groups; and

26 (g) Three representatives appointed by the Governor to be broadly
27 representative of libraries, the general public, and professional members
28 of the Nebraska news media.

29 (3) The administrator shall be chairperson of the board. Upon call
30 by the administrator, the board shall convene periodically in accordance
31 with its rules and regulations or upon call by the administrator.

1 (4) Six members of the board shall constitute a quorum, and the
2 affirmative vote of six members shall be necessary for any action to be
3 taken by the board. No vacancy in the membership of the board shall
4 impair the right of a quorum to exercise all the rights and perform all
5 the duties of the board.

6 (5) The representatives appointed by the Governor shall serve
7 staggered three-year terms as the Governor designates and may be
8 appointed for one additional term. Members of the board shall be
9 reimbursed for ~~actual and necessary~~ expenses as provided in sections
10 81-1174 to 81-1177.

11 Sec. 136. Section 84-1501, Revised Statutes Cumulative Supplement,
12 2018, is amended to read:

13 84-1501 (1) The Public Employees Retirement Board is hereby
14 established.

15 (2)(a) The board shall consist of eight appointed members as
16 described in this subsection and the state investment officer as a
17 nonvoting, ex officio member. Six of the appointed members shall be
18 active or retired participants in the retirement systems administered by
19 the board, and two of the appointed members (i) shall not be employees of
20 the State of Nebraska or any of its political subdivisions and (ii) shall
21 have at least ten years of experience in the management of a public or
22 private organization or have at least five years of experience in the
23 field of actuarial analysis or the administration of an employee benefit
24 plan.

25 (b) The six appointed members who are participants in the systems
26 shall be as follows:

27 (i) Two of the appointed members shall be participants in the School
28 Employees Retirement System of the State of Nebraska and shall include
29 one administrator and one teacher;

30 (ii) One of the appointed members shall be a participant in the
31 Nebraska Judges Retirement System as provided in the Judges Retirement

1 Act;

2 (iii) One of the appointed members shall be a participant in the
3 Nebraska State Patrol Retirement System;

4 (iv) One of the appointed members shall be a participant in the
5 Retirement System for Nebraska Counties; and

6 (v) One of the appointed members shall be a participant in the State
7 Employees Retirement System of the State of Nebraska.

8 (c) Appointments to the board shall be made by the Governor and
9 shall be subject to the approval of the Legislature. All appointed
10 members shall be citizens of the State of Nebraska.

11 (3)(a) Except as otherwise provided in this subsection, all members
12 shall serve for terms of five years or until a successor has been
13 appointed and qualified. The terms shall begin on January 1 of the
14 appropriate year.

15 (b) To ensure an experienced and knowledgeable board, the terms of
16 the appointed members shall be staggered as follows:

17 (i) One of the two members described in subdivisions (2)(a)(i) and
18 (ii) of this section shall be appointed to serve for a five-year term
19 which begins in 2017;

20 (ii) One of the two members described in subdivisions (2)(a)(i) and
21 (ii) of this section shall be appointed to serve for a five-year term
22 which begins in 2018;

23 (iii) The participant in the School Employees Retirement System of
24 the State of Nebraska who is a teacher shall be appointed for a five-year
25 term which begins in 2019;

26 (iv) The participant in the School Employees Retirement System of
27 the State of Nebraska who is an administrator and the participant in the
28 State Employees Retirement System of the State of Nebraska shall be
29 appointed for a five-year term which begins in 2020;

30 (v) The participant in the Retirement System for Nebraska Counties
31 and the participant in the Nebraska Judges Retirement System shall be

1 appointed to serve for a five-year term which begins in 2021; and

2 (vi) The participant in the Nebraska State Patrol Retirement System
3 shall be appointed to serve for a three-year term which begins in 2020,
4 and his or her successor shall be appointed to serve for a five-year term
5 which begins in 2023.

6 (4) In the event of a vacancy in office, the Governor shall appoint
7 a person to serve the unexpired portion of the term subject to the
8 approval of the Legislature.

9 (5) The appointed members of the board may be removed by the
10 Governor for cause after notice and an opportunity to be heard.

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

13 Sec. 137. Section 84-1502, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 84-1502 (1) Within thirty days after its appointment, the Public
16 Employees Retirement Board shall meet and select a chairperson and
17 secretary. Thereafter, the chairperson and the secretary shall be elected
18 in January of each year.

19 (2) The board shall meet upon call of the chairperson or upon the
20 request of three members of the board filed with the board office.
21 Meetings of the board shall be held in this state and may be held by
22 telecommunication equipment if the requirements of the Open Meetings Act
23 are met.

24 (3) The members of the board, except the state investment officer,
25 shall be paid fifty dollars per diem, and all members shall be reimbursed
26 for ~~their actual and necessary~~ expenses incurred in connection with the
27 performance of their duties as board members as provided in sections
28 81-1174 to 81-1177.

29 Sec. 138. Section 85-104, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 85-104 All meetings of the Board of Regents shall be open to the

1 public. The board may hold closed sessions in accordance with the Open
2 Meetings Act. Public record shall be made and kept of all meetings and
3 proceedings of the board. The regents shall meet at least twice each year
4 at the administration building. They shall receive for their services no
5 compensation, but they may be reimbursed for their~~actual~~ expenses
6 incurred in the performance of their official duties as provided in
7 sections 81-1174 to 81-1177.

8 Sec. 139. Section 85-301, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 85-301 The existing institutions known as the state colleges located
11 at Chadron, Peru, and Wayne shall hereafter be known and designated as
12 Chadron State College, Peru State College, and Wayne State College,
13 respectively. The general government thereof shall be vested, under the
14 direction of the Legislature, in a board of seven members, to be known as
15 the Board of Trustees of the Nebraska State Colleges, six of whom shall
16 be appointed by the Governor, with the advice and consent of the
17 Legislature, two each for terms of two, four, and six years and two each
18 biennium thereafter for terms of six years, and the Commissioner of
19 Education shall be a member ex officio. The duties and powers of the
20 board shall be prescribed by law, and the members thereof shall receive
21 no compensation for the performance of their duties but may be reimbursed
22 for their~~actual~~ expenses incurred therein, except that members of the
23 Board of Trustees of the Nebraska State Colleges shall not be entitled to
24 reimbursement for mileage or other traveling expense as part of such
25 ~~their~~~~actual~~ expenses except on the basis provided for in sections
26 81-1174 to 81-1177.

27 Sec. 140. Section 85-1408, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 85-1408 Members of the commission shall receive no compensation for
30 the performance of their duties but shall be reimbursed for ~~their~~~~actual~~
31 ~~and necessary~~ expenses as provided in sections 81-1174 to 81-1177.

1 Sec. 141. Section 85-1509, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 85-1509 Members of a board shall not receive a per diem. The board
4 may reimburse members for ~~their actual and necessary~~ expenses incurred
5 while carrying out their duties. Mileage expenses shall be computed at
6 the rate provided in section 81-1176. Sections 81-1174, 81-1175, and
7 81-1177 shall serve as guidelines for the board when determining
8 allowable expenses and reimbursement for such expenses.

9 Sec. 142. Section 86-461, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 86-461 (1) The Enhanced Wireless 911 Advisory Board is created to
12 advise the commission concerning the implementation, development,
13 administration, coordination, evaluation, and maintenance of enhanced
14 wireless 911 service. The advisory board shall be composed of nine
15 individuals appointed by the Governor, including:

16 (a) One sheriff;

17 (b) Two county officials or employees;

18 (c) Two municipal officials or employees;

19 (d) One representative from the state's wireless telecommunications
20 industry;

21 (e) One manager of a public safety answering point not employed by a
22 sheriff;

23 (f) One representative of the state's local exchange
24 telecommunications service industry; and

25 (g) One member of the public.

26 (2) The advisory board shall also include two ex officio members:

27 (a) One commissioner from the Public Service Commission or his or
28 her designee; and

29 (b) The Chief Information Officer or his or her designee.

30 (3) Members of the board as described in subdivisions (1)(a) through
31 (1)(g) of this section shall be appointed for a term of three years. Each

1 succeeding member of the board shall be appointed for a term of three
2 years. The board shall meet as often as necessary to carry out its
3 duties. Members of the board shall be reimbursed for ~~their actual and~~
4 ~~necessary~~ expenses as provided in sections 81-1174 to 81-1177.

5 Sec. 143. Section 86-515, Reissue Revised Statutes of Nebraska, is
6 amended to read:

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

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

28 (3) The members of the commission other than the legislative member
29 shall be appointed by the Governor with the approval of a majority of the
30 Legislature. Members of the commission shall serve for terms of four
31 years, except that two members initially appointed to represent the

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

11 (4) Members shall be reimbursed for ~~their actual and necessary~~
12 expenses as provided in sections 81-1174 to 81-1177.

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

19 Sec. 144. Section 86-570, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 86-570 (1) The Geographic Information Systems Council is hereby
22 created and shall consist of:

23 (a) The Chief Information Officer or his or her designee, the chief
24 executive officer or designee of the Department of Health and Human
25 Services, and the director or designee of the Department of Environmental
26 Quality, the Conservation and Survey Division of the University of
27 Nebraska, the Department of Natural Resources, and the Governor's Policy
28 Research Office;

29 (b) The Director-State Engineer or designee;

30 (c) The State Surveyor or designee;

31 (d) The Clerk of the Legislature or designee;

1 (e) The secretary of the Game and Parks Commission or designee;

2 (f) The Property Tax Administrator or designee;

3 (g) One representative of federal agencies appointed by the
4 Governor;

5 (h) One representative of the natural resources districts nominated
6 by the Nebraska Association of Resources Districts and appointed by the
7 Governor;

8 (i) One representative of the public power districts appointed by
9 the Governor;

10 (j) Two representatives of the counties nominated by the Nebraska
11 Association of County Officials and appointed by the Governor;

12 (k) One representative of the municipalities nominated by the League
13 of Nebraska Municipalities and appointed by the Governor;

14 (l) Two members at large appointed by the Governor; and

15 (m) Such other members as nominated by the Nebraska Information
16 Technology Commission and appointed by the Governor.

17 (2) The appointed members shall serve terms as determined by the
18 Nebraska Information Technology Commission.

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

21 Sec. 145. Section 86-571, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 86-571 (1) The Geographic Information Systems Council shall elect a
24 chairperson from its members and such other officers as the council deems
25 necessary.

26 (2) As the need arises, advisory committees may be established by
27 the council from various levels of government, industry, or the general
28 public to assist the council. The members of advisory committees shall be
29 reimbursed for ~~their actual and necessary~~ expenses as provided in
30 sections 81-1174 to 81-1177.

31 (3) The council shall meet quarterly or upon the call of the

1 chairperson.

2 Sec. 146. Section 86-1025.01, Revised Statutes Cumulative
3 Supplement, 2018, is amended to read:

4 86-1025.01 (1) The 911 Service System Advisory Committee is created.
5 The committee shall advise the commission concerning the implementation,
6 coordination, operation, management, maintenance, and funding of the 911
7 service system and provide input on technical training and quality
8 assurance. The state 911 director and the Chief Information Officer or
9 his or her designee shall serve as ex officio members. The committee
10 shall include the following individuals appointed by the commission:

11 (a) Four representatives of public safety agencies within the state,
12 including an emergency manager, a member of a law enforcement agency, a
13 member of a fire department, and a member of an emergency medical service
14 as defined in section 38-1207;

15 (b) Two county officials or employees;

16 (c) Two municipal officials or employees;

17 (d) Two representatives of the telecommunications industry;

18 (e) Two managers of public safety answering points, one of whom is
19 employed by a county sheriff and one of whom is not employed by a county
20 sheriff;

21 (f) One representative of the Nebraska Association of County
22 Officials; and

23 (g) One representative of the League of Nebraska Municipalities.

24 (2) Of the fourteen appointed members of the committee described in
25 subdivisions (1)(a) through (g) of this section, at least four members
26 shall be appointed from each of the three congressional districts. The
27 appointed members of the committee shall serve for terms of three years.
28 A vacancy shall be filled for the remainder of the unexpired term. The
29 committee shall annually select a chairperson and vice-chairperson and
30 meet as often as necessary to carry out its duties. Members of the
31 committee shall be reimbursed for ~~their actual and necessary~~ expenses as

1 provided in sections 81-1174 to 81-1177.

2 (3) The committee shall make any recommendations to the commission
3 regarding the exercise of the commission's duties administering the 911
4 service system pursuant to section 86-1025, including recommending the
5 adoption and promulgation of any rules and regulations necessary to carry
6 out the purposes of the 911 Service System Act or the introduction of any
7 legislation. The commission may consider and implement any such
8 recommendations.

9 Sec. 147. Section 86-1102, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 86-1102 (1) The Rural Broadband Task Force is hereby created. Task
12 force members shall include the chairperson of the Transportation and
13 Telecommunications Committee of the Legislature and a member of the
14 Legislature selected by the Executive Board of the Legislative Council
15 who shall both serve as nonvoting, ex officio members, a member of the
16 Public Service Commission who shall be selected by the chairperson of
17 such commission, the chairperson of the Nebraska Information Technology
18 Commission or his or her designee who shall act as chairperson of the
19 task force, the Director of Economic Development or his or her designee,
20 the Director of Agriculture or his or her designee, and the following
21 members to be appointed by the Governor: A representative of the
22 agribusiness community, a representative of the Nebraska business
23 community, a representative of the regulated wireline telecommunications
24 industry, a representative of the wireless telecommunications industry, a
25 representative of the public power industry, a representative of health
26 care providers, a representative of Nebraska postsecondary educational
27 institutions, and a representative of rural schools offering kindergarten
28 through grade twelve.

29 (2) The task force may appoint advisory groups to assist the task
30 force in providing technical expertise and advice on any issue. The
31 advisory groups may be composed of representatives of stakeholder groups

1 which may include, but not necessarily be limited to, representatives
2 from small and large wireline companies, wireless companies, public power
3 districts, electric cooperative corporations, cable television companies,
4 Internet service providers, low-income telecommunications and electric
5 utility customers, health care providers, and representatives of
6 educational sectors. No compensation or expense reimbursement shall be
7 provided to any member of any advisory group appointed by the task force.

8 (3) The Nebraska Information Technology Commission shall provide
9 staff assistance to the task force in consultation with staff from the
10 Public Service Commission and other interested parties. The task force
11 may hire consultants to assist in carrying out its duties. The task force
12 shall review issues relating to availability, adoption, and affordability
13 of broadband services in rural areas of Nebraska. In particular, the task
14 force shall:

15 (a) Determine how Nebraska rural areas compare to neighboring states
16 and the rest of the nation in average download and upload speeds and in
17 subscription rates to higher speed tiers, when available;

18 (b) Examine the role of the Nebraska Telecommunications Universal
19 Service Fund in bringing comparable and affordable broadband services to
20 rural residents and any effect of the fund in deterring or delaying
21 capital formation, broadband competition, and broadband deployment;

22 (c) Review the feasibility of alternative technologies and providers
23 in accelerating access to faster and more reliable broadband service for
24 rural residents;

25 (d) Examine alternatives for deployment of broadband services to
26 areas that remain unserved or underserved, such as reverse auction
27 programs described in section 86-330, public-private partnerships,
28 funding for competitive deployment, and other measures, and make
29 recommendations to the Public Service Commission to encourage deployment
30 in such areas;

31 (e) Recommend state policies to effectively utilize state universal

1 service fund dollars to leverage federal universal service fund support
2 and other federal funding;

3 (f) Make recommendations to the Governor and Legislature as to the
4 most effective and efficient ways that federal broadband rural
5 infrastructure funds received after July 1, 2018, should be expended if
6 such funds become available; and

7 (g) Determine other issues that may be pertinent to the purpose of
8 the task force.

9 (4) Task force members shall serve on the task force without
10 compensation but shall be entitled to receive reimbursement for ~~any~~
11 ~~actual~~ expenses incurred for such service as provided in sections 81-1174
12 to 81-1177.

13 (5) The task force shall meet at the call of the chairperson and
14 shall present its findings in a report to the Executive Board of the
15 Legislative Council no later than November 1, 2019, and by November 1
16 every odd-numbered year thereafter. The report shall be submitted
17 electronically.

18 (6) For purposes of this section, broadband services means high-
19 speed telecommunications capability at a minimum download speed of
20 twenty-five megabits per second and a minimum upload speed of three
21 megabits per second, and that enables users to originate and receive
22 high-quality voice, data, and video telecommunications using any
23 technology.

24 Sec. 148. This act becomes operative on January 1, 2020.

25 Sec. 149. Original sections 1-110, 2-1201, 2-1803, 2-2306, 2-3405,
26 2-3619, 2-3751, 2-4008, 2-4208, 2-4901, 2-5003, 7-205, 21-2307, 23-1215,
27 24-1003, 24-1103, 24-1203, 25-2907, 29-2259, 29-3925, 30-4108, 37-105,
28 37-106, 39-2304, 43-1302, 43-1903, 43-3342.05, 43-3401, 43-4001, 43-4202,
29 45-603, 46-538, 48-1116, 48-2503, 49-233, 50-415, 51-402, 53-112, 53-113,
30 53-302, 58-228, 66-1335, 68-953, 68-1105, 70-719, 70-1003, 71-219.03,
31 71-222, 71-702, 71-808, 71-1799, 71-2605, 71-3406, 71-4504, 71-4723,

1 71-4728.05, 71-5657, 71-6227, 71-6303, 71-6321, 71-7012, 71-8236,
2 71-8251, 71-8604, 71-8803, 72-201, 72-224.03, 72-1239, 72-2007, 72-2103,
3 75-104, 76-2222, 77-27,157, 77-5004, 77-5206, 79-317, 79-546, 79-808,
4 79-861, 79-863, 79-1104.04, 79-1816, 80-318, 80-401.02, 80-401.08,
5 81-175, 81-502.02, 81-829.53, 81-829.54, 81-885.07, 81-8,189, 81-8,267,
6 81-1108.32, 81-1120.18, 81-1174, 81-1180, 81-11,104, 81-1409, 81-1421,
7 81-1449, 81-1503, 81-1505.03, 81-15,171, 81-15,211, 81-15,245, 81-1805,
8 81-2105, 81-2506, 81-3521, 82-310, 83-4,124, 84-931, 84-1204, 84-1502,
9 85-104, 85-301, 85-1408, 85-1509, 86-461, 86-515, 86-570, and 86-571,
10 Reissue Revised Statutes of Nebraska, and sections 2-3951.01, 3-104,
11 9-1004, 29-2252, 39-2106, 43-2411, 49-14,120, 50-505, 53-502, 54-191,
12 55-604, 57-904, 58-819, 79-760.03, 79-760.07, 79-1217, 79-2204, 81-1348,
13 81-1430, 81-15,175, 81-1603, 83-1212.01, 84-1501, 86-1025.01, and
14 86-1102, Revised Statutes Cumulative Supplement, 2018, are repealed.

15 Sec. 150. The following section is outright repealed: Section
16 81-1181, Reissue Revised Statutes of Nebraska.