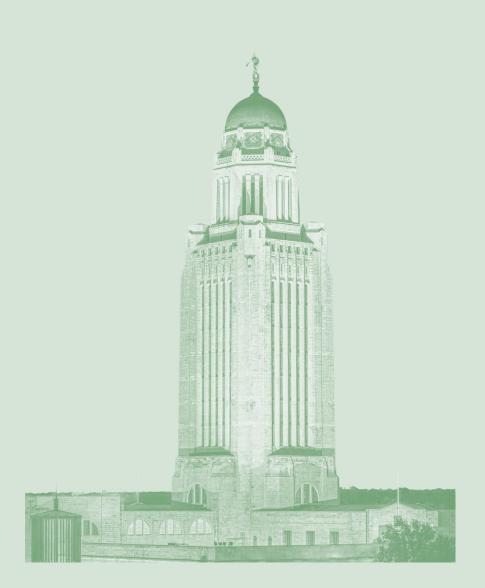
# Boards and Commissions in Nebraska

# 2023



**Legislative Research Office** 

Research Report 2024-2



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# Introduction

Nebraska has more than 230 statutorily created boards, commissions, and other similar entities (boards). Among the many tasks assigned to them, boards provide oversight of governmental programs, regulate licensed professionals, carry out studies, oversee implementation of new programs, advocate for certain constituencies, and advise state agencies.

In 1997, the Executive Board of the Legislative Council requested that the Legislative Research Office compile and annually update a list of statutorily created boards. This publication contains that list. The list does not include (1) boards created by executive order, by agency rule or regulation, or pursuant to federal mandates, unless enacted via state statute; (2) commissions or councils created pursuant to interstate compacts; or (3) boards created via state statute but which serve local governments.

# The Legislature's Role in Boards and Commissions

The Legislature plays a pivotal role in the establishment, administration, and operation of the state's boards and commissions.

First, as evidenced by the number of statutorily created boards, the Legislature creates boards via passage of legislation. In addition to creating boards, the legislation establishes membership and prescribes powers and duties.

Second, legislators often serve as ex officio board members and appoint members or provide nominees for appointment by the Governor. Information about those boards can be found in Table 2 and Table 3.

Finally, members of the Legislature are frequently required to confirm specific board members appointed by the Governor.



Forty-six boards have members who must be confirmed by a majority vote of the Legislature. The boards are identified in Table 5 at the end of this report.

# **Boards Created in the Nebraska Constitution**

Twelve boards are created in the Nebraska Constitution. They are the:

- Board of Parole
- Board of Pardons
- State Board of Education
- Public Service Commission
- Commission on Industrial Relations
- Board of Educational Lands and Funds
- Coordinating Commission for Postsecondary Education
- Board of Trustees of the Nebraska State Colleges
- Tax Equalization and Review Commission
- University of Nebraska Board of Regents
- Commission on Judicial Qualifications
- Judicial Nominating Commissions

#### **Boards as Agencies of State Government**

Of the 236 statutorily created boards documented in this report, 51 are state agencies.

The *Nebraska Blue Book* defines state agencies as entities which have their own staffs, are not affiliated with another agency or entity, and appear as distinct items within the state budget.

Nebraska state agencies are categorized as "code agencies" or "noncode agencies"; however, neither designation is statutorily defined, making categorizing agencies more art than science.<sup>1</sup>

Generally, a code agency is an agency whose executive director or chief official is appointed by the Governor. The appointee serves at the pleasure of and answers directly to the Governor. On the other hand, a non-code agency is an agency whose executive director or chief official is appointed by the governing agency board (whose members are usually gubernatorial appointees themselves).

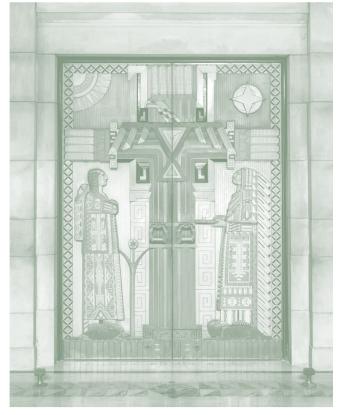


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## **Other Statutorily Created Boards**

Many of the remaining state boards are created or housed within other state agencies. The health profession licensing boards within the Department of Health and Human Services are examples.

However, a significant number of boards defy categorization; they are not full-fledged state agencies nor are they completely under the control of another state agency.

The *Nebraska Blue Book* classifies these boards as "other state governmental bodies" and describes them as follows: "[M]iscellaneous boards, commissions, committees, councils, authorities and quasi-governmental bodies and bodies with members from more than one branch of state government. None of these entities are full-fledged state agencies, but they have a degree of independence that keeps them from being classified within any department or agency."<sup>2</sup> Among this diverse group of boards are the Environmental Trust Board, Nebraska Investment Finance Authority, and the State Anatomical Board.

All of these boards are listed within the Nebraska Boards and Commissions Master List found in Table 5.

<sup>&</sup>lt;sup>1</sup> The terms "code" and "noncode" harken back to 1919, when the Legislature adopted the Civil Administrative Code. Essentially, the 1919 legislation reorganized the executive branch of state government. The legislation abolished over 20 boards, commissions, and other departmental subdivisions and replaced them with six departments, each headed by a gubernatorial appointee. Those agencies and subsequent, similarly structured agencies came to be called "code agencies." Because sources disagree on how boards are classified and consistent statutory guidance is lacking, this report uses the Governor's Office classification of code and noncode agency boards, as generally reflected in the *Nebraska Blue Book*.

<sup>&</sup>lt;sup>2</sup> The *Nebraska Blue Book*, 2020-21, p.697.

# New Boards and Commissions Enacted in 2023

#### Nebraska Sentencing Reform Task Force Laws 2023, LB50)

The Nebraska Sentencing Reform Task Force is charged with identifying and recommending changes to Nebraska's criminal justice laws, policies and practices to improve public safety and more effectively allocate the resources of the state's criminal justice system.

The 11-member committee includes the Governor and Attorney General, or their designees; three members of the Judiciary Committee selected by the Executive Board of the Legislature; and two representatives from each of following groups: law enforcement; county attorneys; and criminal defense attorneys, all to be appointed by the Governor.

The task force is to submit its first report to the Legislature no later than November 15, 2023, and its second report no later than November 15, 2024.

The task force is scheduled to terminate on December 31, 2024.

#### Underground Excavation Safety Committee (Laws 2022, LB683)

The purpose of the seven-member Underground Excavation Safety Committee is to review investigations completed pursuant to subdivision (2)(a) of <u>Neb. Rev.</u> <u>Stat.</u> section 76-2325 and determine whether any violation described in subdivision (2) (b) of the statute has been committed. If a violation is identified, the committee will determine the appropriate civil penalty if one is assessed.

The committee includes the State Fire Marshal or someone designated by the State Fire Marshal, three representatives of operators and three representatives of excavators appointed by the Governor and confirmed by the Legislature. The statute also requires that alternate representatives be appointed to fill in if a regular committee member is not able to participate.

The committee is required to meet monthly and at such times as may be determined necessary by the committee chairperson.

#### Nuclear and Hydrogen Industry Work Group (Laws 2023, LB565)

The Nebraska Department of Economic Development is to establish the Nuclear and Hydrogen Industry Work Group. The 12-member work group will examine the workforce training needs of the state's nuclear and hydrogen industries and will work to foster collaboration between the two industries and the state and community college systems in developing educational curricula and training courses to meet the workforce needs that are identified.

The work group will include the Director of Economic Development or a designee of the director, and nine members to be appointed by the Governor including one representative each from the state college system and the community college system; two representatives each from the nuclear industry and the hydrogen industry; one power district representative; and two at-large members. The chairpersons of the Natural Resources Committee and the Government, Military and Veterans Affairs Committees will serve as ex officio, nonvoting members.

Upon the recommendation of the work group, the department will award grants to community colleges and state colleges that implement educational courses designed to meet the workforce training needs of the industry.

#### **Board of Behavior Analysts** (Laws 2023, LB227)

The Board of Behavior Analysts is a five-member board appointed by the State Board of Health. Its primary purpose is to oversee the credentialling and practice of licensed behavior analysts and licensed assistant behavior analysts.

The Board includes three Applied Behavior Analyst members, one Assistant Applied Behavior Analyst Member and one public member.

The Board is required to meet six times per year.

# **Nebraska Boards and Commissions Tables**

- Table 1 lists the boards created during the 2023 legislative session.
- Table 2 lists the boards on which state senators serve as members.
- Table 3 lists the boards with members who are nominated or appointed by the Legislature.
- Tables 4A and 4B list the boards that are agencies of state government.
- Table 5 is a comprehensive listing of all statutorily created boards tracked by this report. (For reference, termination date refers to the termination date listed in statute for that particular board. Terminated boards continue to be listed until they are removed from statute by enacted legislation.)

#### Table 1

## **Boards Created by the Legislature in 2023**

Board/Commission	Bill Number	Statute	Legislative Confirmation Required	Termination Date	Expenses
Board of Behavior Analysts	LB227	38-4404	No	Unspecified	No
Nebraska Sentencing Reform Task Force	LB50	50-433	No	12/31/24	No
Nuclear and Hydrogen Industry Work Group	LB565	66-2305	No	Unspecified	Yes
Underground Safety Excavation Committee	LB683	76-2333	Yes	Unspecified	Yes

#### Table 2

## **Boards with State Senators as Members**

Board/Commission	Statute	Members	Voting Member	Administering Agency
Bridge to Independence Advisory Committee	43-4513	<ul> <li>Membership must include "representatives from all three branches of government"</li> </ul>	No	Dept. of Health and Human Services
Capitol Commission, Nebraska	81-1108.32	• Speaker of the Legislature	Yes	Office of the Capitol Commission



## **Boards with State Senators as Members**

Board/Commission	Statute	Members	Voting Member	Administering Agency
Chief Standing Bear National Statuary Hall Selection Committee	82-706	<ul> <li>Member of the State Tribal Relations Committee</li> </ul>	Unspecified	Commission on Indian Affairs
Child Support Advisory Commission	43-3342.05	<ul> <li>Chair, Judiciary Committee;</li> <li>Chair, Health and Human Services Committee</li> </ul>	Unspecified	Legislative Council
Children's Commission, Nebraska	43-4202	<ul> <li>Chair, Health and Human Services Committee;</li> <li>Chair, Judiciary Committee;</li> <li>Chair, Appropriations Committee (or their designees)</li> </ul>	No	Foster Care Review Office
Climate Assessment Response Committee	2-4901	<ul> <li>Chair, Agriculture Committee;</li> <li>Chair, Natural Resources Committee</li> </ul>	No	Office of the Governor
Council on Educational Opportunity for Military Children, State	79-2204	Chair, Education Committee	No	State Dept. of Education
First Regiment Nebraska Volunteer Infantry at Fort Donelson Committee	82-803	<ul> <li>Chair, Government, Military and Veterans Affairs Committee</li> </ul>	Unspecified	
Health Information Technology Board	81-6,127	<ul> <li>Chair, Health and Human Services Committee;</li> <li>Chair, Appropriations Committee</li> </ul>	No	
Healthy Soils Task Force	2-402	<ul> <li>Chair, Agriculture Committee;</li> <li>Chair, Natural Resources Committee</li> </ul>	No	Dept. of Agriculture
Homeland Security Policy Group	81-830	<ul> <li>Member of the Government, Military and Veterans Affairs Committee;</li> <li>Member of the Appropriations Committee</li> </ul>	No	Nebraska Emergency Management Agency, Nebraska Military Dept.
Information Technology Commission, Nebraska	86-515	<ul> <li>Member of the Transportation and Telecommunications Committee</li> </ul>	No	Dept. of Admin. Services; Nebraska Educational Telecommunications Commission

## **Boards with State Senators as Members**

Board/Commission	Statute	Members	Voting Member	Administering Agency
Mental Health Crisis Hotline Task Force	50-701	<ul> <li>Chair, Health and Human Services Committee;</li> <li>Chair, Judiciary Committee;</li> <li>Chair, Transportation and Telecommunications Committee;</li> <li>Two at-large members of the Legislature appointed by the Executive Board</li> </ul>	Yes	
Nuclear and Hydrogen Industry Work Group	66-2305	<ul> <li>Chair, Government, Military and Veterans Affairs Committee;</li> <li>Chair, Natural Resources Committee</li> </ul>	No	Dept. of Economic Development
Rural Broadband Task Force	86-1102	<ul> <li>Chair, Transportation and Telecommunications Committee;</li> <li>Legislator selected by the Executive Board</li> </ul>	No	Nebraska Informa- tion Technology Commission
Sentencing Reform Task Force, Nebraska	50-433	• Three members of the Judiciary Committee appointed by the Executive Board	Yes	
Strengthening Families Act Committee, Nebraska	43-4716	<ul> <li>Representatives of the Legislature</li> </ul>	No	Nebraska Children's Commission
Veterinary Prescription Monitoring Program Task Force	71-2454.01	<ul> <li>A member of the Health and Human Services Committee;</li> <li>Two at-large legislators</li> </ul>	Yes	
Whiteclay Public Health Emergency Task Force	50-601	<ul> <li>Chair and one other member of the State Tribal Relations Committee;</li> <li>Chair, Health and Human Services Committee;</li> <li>Chair, Appropriations Committee;</li> <li>Chair, Judiciary Committee</li> </ul>	Yes	



Table 3

# **Boards with Members Nominated or Appointed by the Legislature**

Board	Statute	Nomination or Appointment
Accountability and Disclosure Commission, Nebraska	49-14,105	The Governor selects two members from lists provided by the Legislature.
Chief Standing Bear National Statuary Hall Committee	82-706	The chair of the State-Tribal Relations Committee appoints a member of the committee.
Economic Forecasting Advisory Board, Nebraska	77-27,157	Five of the nine members of the advisory board are appointed by and serve at the pleasure of the Executive Board of the Legislative Council.
Foster Care Advisory Committee	43-1302	The Health and Human Services Committee provides the Governor with three lists of nominees, each list representing specific qualifications, from which the Governor selects five members.
Homeland Security Policy Group	81-830	The Executive Board of the Legislative Council selects one member each from the Government, Military and Veterans Affairs Committee and the Appropriations Committee.
Mental Health Crisis Hotline Task Force	50-701	Legislative members of the task force appoint nonvoting members representing practitioners, advocacy groups, educational institutions, law enforcement, government, and the telecommunications industry.
Nebraska Information Technology Commission	86-515	The Executive Board of the Legislative Council selects a member of the Transportation and Telecommunications Committee.
Rural Broadband Task Force	86-1102	The Executive Board selects a member of the Legislature.
Small Business Compliance Advisory Panel	81-1505.03	Four of the panel's seven members are selected by the Legislature.
Veterinary Prescription Monitoring Program Task Force	71-2454.01	The chair of the Health and Human Services Committee appoints the members.



# **Boards as Agencies of State Government**

#### Table 4A Code Agency Boards

Name	Statute	Compensation	Members	Terms	Year Created
Commission on Law Enforcement and Criminal Justice, Nebraska	81-1416	Expenses	18	6 years	1969
Environmental Quality Council	81-1503	Expenses; \$40 per diem	17	4 years	1971
Natural Resources Commission, Nebraska	2-1504	Expenses; \$50 per diem	16	4 years	1937 <sup>3</sup>

#### Table 4B Noncode Agency Boards

Name	Statute	Compensation	Members	Terms	Term Limits	Year Created
Abstracters Board of Examiners	76-540	Expenses; \$50 per diem	5	5 years	Yes	1965
Accountability and Disclosure Commission, Nebraska	49-14,105	Expenses	9	6 years	No	1976
African American Affairs, Commission on	81-2601	Expenses; \$50 per diem	14	4 years	No	2020
Arts Council, Nebraska	82-309	Expenses	15	3 years	Yes	1965 <sup>4</sup>
Barber Examiners, Board of	71-221	Expenses; \$75 per diem	3	3 years	No	1927
Blind and Visually Impaired, Commission for the	71-8604	Expenses; \$70 per diem	5	4 years	Yes	2000
Brand Committee, Nebraska	54-191	Expenses	5	4 years	No	1941

<sup>&</sup>lt;sup>3</sup> The Natural Resources Commission was created in 1937 (Laws 1937, c. 8, sec. 4, p. 94) as the State Soil Conservation Committee, later the Soil and Water Conservation Commission. It was renamed the Nebraska Natural Resources Commission in 1972. The Department of Natural Resources was established in 2000 via the merger of the commission and the Department of Water Resources (Laws 2000, LB 900).

<sup>&</sup>lt;sup>4</sup> In 1973, the Legislature repealed the original act and replaced it with new legislation creating a 15-member council.

Name	Statute	Compensation	Members	Terms	Term Limits	Year Created
Coordinating Commission for Postsecondary Education	Const. Art. VII, sec. 14 85-1403	Expenses	11	6 years	No	1976 <sup>5</sup>
Corn Development, Utilization, and Marketing Board	2-3604	Expenses; \$25 per diem	9 <sup>6</sup>	3 years	No	1978
Dairy Industry Development Board	2-3951	Expenses	Set by formula	3 years	No	1992
Deaf and Hard of Hearing, Commission for the	71-4720	Expenses	9	3 years	Yes	1979
Dry Bean Commission	2-3745	Expenses	9 <sup>7</sup>	3 years	Yes	1987
Dry Pea and Lentil Commission	2-4103	Expenses	5	3 years	Yes	2020
Education, State Board of <sup>8</sup>	Const. Art. VII, sec. 3 79-301	Expenses	8	4 years <sup>9</sup>	No	1952 <sup>10</sup>
Educational Lands and Funds, Board of	Const. Art. VII, sec. 6 72-201	Expenses	5	5 years	No	1875 <sup>11</sup>
Educational Telecommunications Commission, Nebraska	79-1313	Expenses	11	4 years	No	1963
Electrical Board, State	81-2103	Expenses	7	5 years	No	1975 <sup>12</sup>
Engineers and Architects, Board of	81-3428	Expenses; \$60 per diem	8	5 years	No	1937

<sup>&</sup>lt;sup>5</sup> In 1990, Nebraska voters approved placing the commission in the State Constitution.

<sup>&</sup>lt;sup>6</sup> Additionally, the Director of Agriculture, the vice chancellor of the University of Nebraska Institute of Agriculture and Natural Resources, and the president of the Nebraska Corn Growers Association serve as ex officio, nonvoting members.

<sup>&</sup>lt;sup>7</sup> The director of the Panhandle Research and Extension Center serves as an ex officio, nonvoting member.

<sup>&</sup>lt;sup>8</sup> The State Board of Education also served as the State Board of Vocational Education until 2017 when the State Board of Vocational Education was eliminated by LB 512.

<sup>&</sup>lt;sup>9</sup> The State Board of Education is an elective office.

<sup>&</sup>lt;sup>10</sup> A constitutional amendment to create a State Department of Education, governed by a State Board of Education, was approved by voters in 1952. Legislation the next year established this structure in statute.

<sup>&</sup>lt;sup>11</sup> The Nebraska Constitution of 1875 provided for a "board of commissioners for the sale, leasing, and general management of all lands and funds set apart for educational purposes...." It was composed of the Governor, Secretary of State, Treasurer, Attorney General, and the Commissioner of Public Lands and Buildings. In 1954, voters approved a constitutional amendment changing the composition of the board from state officers to gubernatorial appointees. The Legislature codified this in 1955.

<sup>&</sup>lt;sup>12</sup> Prior to 1975, the State Electrical Board was a division within the State Fire Marshal's Office.

Name	Statute	Compensation	Members	Terms	Term Limits	Year Created
Equal Opportunity Commission	48-1116	Expenses; \$50 per diem	7	3 years	No	1965
Ethanol Board, Nebraska	66-1335	Expenses; \$25 per diem	7	4 years	No	1971 <sup>13</sup>
Foster Care Advisory Committee	43-1302	Expenses	5	3 years	Yes	2012
Game and Parks Commission	37-101	Expenses; \$35 per diem	10	4 years	Yes	1879 <sup>14</sup>
Geologists, Board of	81-3520	Expenses	7	5 years	No	1998
Grain Sorghum Development, Utilization, and Marketing Board	2-4002	Expenses	7 <sup>15</sup>	3 years	No	1981
Hemp Commission	2-517	Expenses	9	4 years	No	2019
Historical Society Board of Trustees, Nebraska State	82-101	Expenses	15	3 years	Yes	1878 <sup>16</sup>
Indian Affairs, Commission on	81-2501	Expenses; \$50 per diem	14	4 years	No	1971
Industrial Relations, Commission of	Const. Art. XV, sec. 9 48-803	Expenses; \$475 per diem	5	6 years	No	1947
Investment Council, Nebraska	72-1237	Expenses; \$75 per diem	5 <sup>17</sup>	5 years	No	1969
Land Surveyors, Board of Examiners for	81-8,110	Expenses	5 <sup>18</sup>	5 years	No	1957 <sup>19</sup>

<sup>&</sup>lt;sup>13</sup> The Agricultural Products Industrial Utilization Committee was created by Laws 1971, LB 776. Over time the committee came to be known as the Gasohol Committee, which was the precursor to the Ethanol Authority and Development Board. It was renamed the Nebraska Ethanol Board in 1993.

<sup>&</sup>lt;sup>14</sup> The commission originated in 1879 as the Board of Fish Commissioners and has undergone numerous reorganizations since then. In 1929, the Legislature merged the Bureau of Game and Fish in the Department of Agriculture with the State Park Board to create the Game, Forestation and Parks Commission. In 1967, the Legislature created the position of State Forester and removed oversight of forests from the commission, which then became the Game and Parks Commission.

<sup>&</sup>lt;sup>15</sup> The Director of Agriculture and the vice chancellor of the University of Nebraska Institute of Agriculture and Natural Resources are ex officio, nonvoting board members.

<sup>&</sup>lt;sup>16</sup> The Historical Society was founded in 1878. It became a state institution in 1883 and, in 1994, it became a state agency.

<sup>&</sup>lt;sup>17</sup> The State Treasurer and the executive director of the State Employees Retirement Systems serve as ex officio, nonvoting members.

<sup>&</sup>lt;sup>18</sup> The State Surveyor serves as the ex officio secretary of the board.

<sup>&</sup>lt;sup>19</sup> The board became an independent state agency in 1971.

Name	Statute	Compensation	Members	Terms	Term Limits	Year Created
Landscape Architects, State Board of	81-8,186	Expenses	6	5 years	No	1967
Latino-Americans, Commission on	81-8,262	Expenses; \$35 per diem	10 <sup>20</sup>	3 years	No	1972 <sup>21</sup>
Library Commission	51-401	Expenses	6	3 years	Yes	1901
Liquor Control Commission, Nebraska	53-105	Expenses; \$12,500 annual salary <sup>22</sup>	3	6 years	No	1935
Motor Vehicle Industry Licensing Board	60-1402	Expenses; \$50 per diem	9 plus 1 <sup>23</sup>	3 years	Yes	1957
Nebraska State Colleges, Board of Trustees of	Const. Art. VII, sec. 13 85-301	Expenses	7 <sup>24</sup>	6 years	No	1867
Oil and Gas Conservation Commission, Nebraska	57-904	Expenses; \$50 per diem	3	4 years	No	1959
Parole, Board of	Const. Art. IV, sec. 13 83-188	Annual salary, as fixed by the Governor. Service is considered a full-time job.	5	6 years	No	1969
Power Review Board, Nebraska	70-1003	Expenses; \$60 per diem	5	4 years	Yes	1963
Public Accountancy, Nebraska State Board of	1-107	Expenses; \$100 per diem	8	4 years	Yes	1909 <sup>25</sup>
Public Advocacy, Commission on	29-3923	Expenses	9	6 years	No	1995

<sup>&</sup>lt;sup>20</sup> The board is composed of 9 members appointed by the Governor, along with the Governor or his or her designee, who serves as an ex officio member with the power to vote.

<sup>&</sup>lt;sup>21</sup> The commission was originally known as the Commission on Mexican-Americans.

<sup>&</sup>lt;sup>22</sup> Neb. Rev. Stat. sec. 53-106 prohibits members of the Liquor Control Commission from holding any other position or office under state law, the laws of other states, or the federal government. The commission is just one of five boards or commissions that is salaried. (The others are the Parole Board, the Public Service Commission, the Tax Equalization and Review Commission., and the State Racing and Gaming Commission.

<sup>&</sup>lt;sup>23</sup> The Director of Motor Vehicles serves as the board's chair.

<sup>&</sup>lt;sup>24</sup> The Commissioner of Education serves as an ex officio member; the governor also annually appoints three nonvoting student trustees, one each from the states three state colleges

<sup>&</sup>lt;sup>25</sup> The predecessor board was known as the Board of Examiners of Public Accountants; the current board was statutorily established in

Name	Statute	Compensation	Members	Terms	Term Limits	Year Created
Public Employees Retirement Board	84-1501	Expenses; \$75 per diem	9 <sup>26</sup>	5 years	No	1971
Public Service Commission	Const. Art. IV, sec. 20 75-101	Expenses; \$75,000 annual salary <sup>27</sup>	5 <sup>28</sup>	6 years	No	1906 <sup>29</sup>
Racing and Gaming Commission, State	2-1201	Expenses; \$1,000 per month	7 <sup>30</sup>	4 years	No	1935
Real Estate Commission, State	81-885.07	Expenses; \$100 per diem	7 <sup>31</sup>	6 years	Yes	1973
Real Property Appraiser Board	76-2222	Expenses; \$100 per diem	5	5 years	Yes	1990
State Fair Board	2-101	None in statute	13 <sup>32</sup>	3 years	Yes	2002
Tax Equalization and Review Commission	Const. Art. IX, sec. 28 77-5003	Expenses; Salaried (set by Governor)	3	6 years	No	1995
Tourism Commission, Nebraska	81-3710	None in statute	9	4 years	No	2012
University of Nebraska Board of Regents	Const. Art. VI, sec. 10 85-103	Expenses	8	6 years	No	1869
Wheat Development, Utilization, and Marketing Board, Nebraska	2-2302	Expenses	7 <sup>33</sup>	5 years	No	1955

<sup>&</sup>lt;sup>26</sup> The State Investment Officer serves as an ex officio, nonvoting member.

<sup>&</sup>lt;sup>27</sup> The commission's salary is set by the Legislature.

<sup>&</sup>lt;sup>28</sup> The Nebraska Constitution allows the commission to have between 3 and 7 members; the current board has 5 members.

<sup>&</sup>lt;sup>29</sup> The Public Service Commission is another board that has undergone numerous changes over its lifetime. Its lineage traces back to the Railway Commission, which was established in 1885 and composed of state constitutional officers. In 1906, voters ratified a constitutional amendment creating an elective Railway Commission.

<sup>&</sup>lt;sup>30</sup> Significant changes were made to the commission in 2021 including increasing the number of members from 5 to 7, providing for a monthly salary, and expanding the commission's areas of oversight. (Laws 2021, LB 561)

<sup>&</sup>lt;sup>31</sup> The Secretary of State serves as the commission chairperson.

<sup>&</sup>lt;sup>32</sup> The State Fair Board was known as the State Board of Agriculture until 2002, when the Legislature changed its name and made numerous other changes to the board's membership provisions, powers, and duties. (Laws 2002, LB 1236)

<sup>&</sup>lt;sup>33</sup> The Director of Agriculture and the vice chancellor of the University of Nebraska Institute of Agriculture and Natural Resources serve as ex officio, nonvoting members. When established, Marketing was located in the Department of Agriculture and Inspection. In 1981, legislation was enacted making it an independent agency. (Laws 1981, LB 11)



## Table 5 Nebraska Boards and Commissions Master List

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses <sup>34</sup>	Per Diems <sup>35</sup>
1	911 Service System Advisory Committee	86-1025.01			N	
2	Abstracters Board of Examiners	76-540			Y	\$50
3	Accountability and Disclosure Commission, Nebraska	49-14,105	Y		Y	
4	Accreditation Committee, State	79-703			N	
5	Advanced Practice Registered Nurses, Board of	38-204			Y	\$30
6	Aeronautics Commission, Nebraska	3-104			Y	
7	African American Affairs, Commission on	81-2601			Y	\$50
8	Aging, Division of Medicaid and Long-Term Care Advisory Committee on	68-1101			Y	
9	Alcohol and Drug Counseling, Board of	38-308			Y	\$30
10	Alzheimer's Disease and Other Dementia Advisory Council	71-564			Y	
11	Anatomical Board, State	71-1001			N	
12	Appraisers for Educational Lands and Funds, Board of	72-224.03			Y	\$50
13	Aquaculture Board, Nebraska	2-5003			Y	
14	Arts Council, Nebraska	82-309	Y		Y	
15	Athletic Training, Board of	38-401			Y	\$30
16	Audiology and Speech Language Pathology, Board of	38-504			Y	\$30

<sup>&</sup>lt;sup>34</sup> A "Y" in this column indicates that a provision authorizing expenses exists in the statute creating the board or commission; an "N" indicates the enacting statute makes no mention of allowing expenses. However, Neb. Rev. Stat. sec. 81-1178 provides: "Any member of any state commission, council, committee, or board which has been created by statute shall be entitled to be reimbursed for expenses in the same manner as provided in sections 81-1174 to 81-1177 for state employees whether or not specific reference is made to such sections."

<sup>&</sup>lt;sup>35</sup> Unless otherwise noted, per diems listed are the maximum allowable in statute for that particular board. Since some statutes indicate that the permissible per diem is "at least" or "up to", the actual per diem paid to a given board member could be less than that listed. As per Neb. Rev. Stat. sec. 71-112, the professional boards in the various health-related fields receive expenses as well as a per diem not to exceed \$30. Additionally, the per diem and expenses cannot be greater than "is received in fees from the applicants taking the examination in any particular profession." Each individual board sets its own per diem within those parameters. Additionally, these boards may set per diems and pay the expenses up to this rate for any subcommittees they create.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
17	Barber Examiners, Board of	71-221			Y	\$75
18	Behavior Analysts, Board of	38-4404			N	
19	Beginning Farmer Board	77-5204	Y		Y	
20	Blind and Visually Impaired, Commission for the	71-8604	Y		Y	\$70
21	Boiler Safety Code Advisory Board	81-5,184	Y		Y	\$50
22	Brain Injury Oversight Committee	71-3703			Y	
23	Brand Committee, Nebraska	54-191			Y	
24	Breast and Cervical Cancer Advisory Committee	71-7012			Y	
25	Bridge to Independence Advisory Committee	43-4513			N	
26	Building Renewal, Task Force for (LB 309 Task Force)	81-174			Y	Y <sup>36</sup>
27	Canvassers, Board of State	32-1037			N	
28	Capital Facilities Planning Committee, State Comprehensive	81-1108.41			N	
29	Capitol Commission, Nebraska	81-1108.32			Y	
30	Chief Standing Bear National Statuary Hall Selection Committee	82-706		06/30/23	N	
31	Child Abuse Prevention Fund Board, Nebraska	43-1903	Y		Y	
32	Child Death Review Team, State	71-3406			Y	
33	Child Support Advisory Commission	43-3342.05			Y	
34	Children and Juveniles Data Feasibility Study Advisory Group	43-1306		12/31/19	N	
35	Children's Behavioral Health Task Force	43-4001			Y	
36	Children's Commission, Nebraska	43-4202			Y	
37	Children's Commission, Advisory Committee to monitor use of alternative response	28-712			N	

<sup>&</sup>lt;sup>36</sup> Compensation for members of the Task Force for Building Renewal is on a per diem established by the Governor.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
38	Chiropractic, Board of	38-804			Y	\$30
39	Claims Board, State	81-8,220			Y	
40	Climate Assessment Response Committee	2-4901	Y		Y	
41	Collection Agency Licensing Board	45-603			Y	
42	Committee of experts to advise the Department of Agriculture on the development of an assessment matrix	81-2,294			N	
43	Committee to examine structure and responsibilities of the Office of Juvenile Services	43-4203			N	
44	Community College Student Performance and Occupational Education Grant Committee, Nebraska	85-1539			N	
45	Comprehensive Health Insurance Pool Board of Directors	44-4216			Y	Y <sup>37</sup>
46	Convention Center Facility Financing Assistance Act, State Board to Administer	13-2603			N	
47	Conveyance Advisory Committee	81-5,212			Y	
48	Coordinating Commission for Postsecondary Education	Const. Art. VII, sec. 14 85-1403	Y		Y	
49	Corn Development, Utilization, and Marketing Board	2-3604			Y	\$25
50	Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art, Board of	38-1007			Y	\$50
51	County Attorney Standards Advisory Council	23-1213			Y	
52	County Highway and City Street Superintendents, Board of Examiners for	39-2304			Y	
53	Craft Brewery Board, Nebraska	53-501			Y	
54	Crime Victim's Reparations Committee	81-1802	Y		Y	

<sup>&</sup>lt;sup>37</sup> Paid only when traveling for business of the CHIP board, at the rate set by the pool administrator.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
55	Critical Incident Stress Management Council	71-7105			N	
56	Dairy Industry Development Board, Nebraska	2-3951			Y	
57	Deaf and Hard of Hearing, Commission for the	71-4720	Y		Y	
58	Deaf and Hard of Hearing, language assessment advisory committee to the Commission on	71-4747		07/01/22	N	
59	Deaf and Hard of Hearing, Special Committee for the Commission of the	71-4728.03			N	
60	Dentistry, Board of	38-1106			Y	\$30
61	Developmental Disabilities, Advisory Committee on	83-1212.01			Y	
62	Disability Services Stakeholder Olmstead Planning Advisory Committee <sup>38</sup>	81-6,122			N	
63	Dispute Resolution, Advisory Council on	25-2905			Y	
64	Domestic Abuse Death Review Team, State	71-3416			Y	
65	Dry Bean Commission	2-3745			Y	
66	Dry Pea and Lentil Commission	2-4103			Y	
67	Early Childhood Education Endowment Board of Trustees	79-1104.03			Y	
68	Early Childhood Interagency Coordinating Council	43-3401			Y	
69	Economic Forecasting Advisory Board, Nebraska	77-27,156			Y	
70	Education, State Board of	Const. Art. VII, sec. 3 79-301			Y	
71	Educational, Health, Cultural, and Social Services Finance Authority, Nebraska	58-813			Y	

<sup>&</sup>lt;sup>38</sup> The committee members chose the name Disability Services Stakeholder Olmstead Planning Advisory Committee. The committee was not given a name in the enacting legislation (Laws 2016, LB 1033).

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
72	Educational Lands and Funds, Board of	Const. Art. VII, sec. 6 72-201	Y		Y	\$50
73	Educational Opportunity for Military Children, State Council on	79-2204			Y	
74	Educational Service Unit Coordinating Council	79-1245			Ν	
75	Educational Telecommunications Commission, Nebraska	79-1313	Y		Y	
76	Electrical Board, State	81-2103	Y		Y	
77	Elementary and Secondary School Finance Authority, Nebraska	79-1810			Y	
78	Emergency Medical Services, Board of	38-1206	Y		Y	
79	Emergency Response Commission, State	81-15,210	Y		Y	
80	Engineers and Architects, Board of	81-3428			Y	\$60
81	Enhanced Wireless 911 Advisory Board	86-461			Y	
82	Environmental Health Specialists, Board of Registered	38-1307			Y	\$25
83	Environmental Quality Council	81-1503	Y		Y	\$40
84	Environmental Trust Board, Nebraska	81-15,170	Y		Y	
85	Equal Opportunity Commission	48-1116			Y	\$50
86	Ethanol Board, Nebraska	66-1335	Y		Y	\$25
87	Fire Safety Appeals Board, Nebraska	81-502.01			Y	
88	First Regiment Nebraska Volunteer Infantry at Fort Donelson Committee	82-803		Upon completion of its purpose	Ν	
89	Foster Care Advisory Committee	43-1302	Y		Y	
90	Foster Care Reimbursement Rate Committee	43-4216			Ν	

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
91	Funeral Directing and Embalming, Board of	38-1405			Y	\$30
92	Game and Parks Commission	37-101	Y		Y	\$35
93	Geographic Information Systems Council	86-570			Y	
94	Geologists, Board of	81-3520			Y	Y <sup>39</sup>
95	Governor's Residence Advisory Commission	72-2101			Y	
96	Grain Sorghum Development, Utilization, and Marketing Board	2-4002			Y	
97	Grape and Winery Board, Nebraska	53-301			Y	
98	Hall of Fame Commission, Nebraska	72-724			N	
99	Health Information Technology Board	81-6,127	Y		Y	
100	Health Professions, Technical Advisory Committee for the Regulation of	71-6224			Y	
101	Health, State Board of	71-2601	Y		Y	\$20
102	Healthy Soils Task Force	2-402		01/01/21	Y	
103	Hearing Instrument Specialists, Board of	38-1503			Y	\$25
104	Hemp Commission, Nebraska	2-517			Y	
105	Highway Commission, State	39-1101	Y		Y	\$20
106	Historical Society Board of Trustees, Nebraska State	82-101			Y	
107	Homeland Security Policy Group	81-830			N	
108	Housing and Homelessness, Nebraska Commission on <sup>40</sup>	58-704; 81-1281			Y	

<sup>&</sup>lt;sup>39</sup> LB 1161 states: "Each member of the board shall receive as compensation the same per diem and travel expenses as other state employees for each day actually spent in traveling to and from and while attending sessions of the board and its committees or authorized meetings of the National Association of State Boards of Geology, or their subdivisions or committees, and all necessary expenses incident to the performance of his or her duties under the Geologists Regulation Act as provided in sections 81-1174 to 81-1177."

<sup>&</sup>lt;sup>40</sup> The Commission on Housing and Homelessness was formed by Executive Order 98-4 and combines three advisory bodies created by statute or executive order: the Nebraska Affordable Housing Commission, the Nebraska Interagency Council on Homelessness, and the Affordable Housing Trust Fund Advisory Committee.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
109	Housing and Homelessness Continuum of Care, Nebraska Commission on <sup>41</sup>	68-1605(3)			Y	
110	Human Trafficking Task Force	81-1430			Y	
111	Indian Affairs, Commission on	81-2501			Y	\$50
112	Industrial Relations, Commission of	Const. Art. XV, sec. 9 48-803	Y		Y	\$475
113	Information Technology Commission, Nebraska	86-515	Y		Y	
114	Information Technology Commission, Technology Review Panel for the Nebraska	86-521			N	
115	Interagency Management Committee	71-7106			N	
116	Interpreter Review Board	71-4728.05			Y	
117	Interrelated Water Review Board <sup>42</sup>	46-719			N	
118	Invasive Species Council, Nebraska	37-1403			N	
119	Invest Nebraska Board	77-5508			N	
120	Investment Council, Nebraska	72-1237	Y		Y	\$75
121	Investment Finance Authority, Nebraska (NIFA)	58-226			Y	
122	Jail Standards Board	83-4,124			Y	
123	Judicial Branch Education Advisory Committee	24-205.01			N	

<sup>&</sup>lt;sup>41</sup> In 2002, the former Advisory Committee on Families with Special Needs Housing became the Commission on Housing and Homelessness Continuum of Care, which serves as the advisory committee to the Nebraska Homeless Assistance Program. Its parent agency is the Department of Health and Human Services.

<sup>&</sup>lt;sup>42</sup> "The board, when appointed and convened, shall continue in existence only until it has resolved a dispute referred to it pursuant [to statute]." Neb. Rev. Stat. sec. 46-719(1a).

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
124	Judicial nominating commissions <sup>43</sup>	Const. Art. V, sec. 21 24-801			N	
125	Judicial Qualifications, Commission on	Const. Art. V, sec. 28 24-715			Y	
126	Judicial Resources Commission	24-1201			Y	
127	Juvenile Justice, Nebraska Coalition for	43-2411			Y	
128	Land Surveyors, Board of Examiners for	81-8,110			Y	
129	Landscape Architects, State Board of	81-8,186			Y	
130	Latino-Americans, Commission on	81-8,262			Y	\$35
131	Law Enforcement and Criminal Justice, Nebraska Commission on	81-1416			Y	
132	Legal Education for Public Service and Rural Practice Loan Repayment Assistance Board	7-204			Y	
133	Library Commission, Nebraska	51-401			Y	
134	Liquor Control Commission, Nebraska	53-105	Y		Y	\$12,500 annual salary
135	Massage Therapy, Board of	38-1704			Y	\$30
136	Maternal Death Review Team, State	71-3406			Y	
137	Medical Nutrition Therapy, Board of	38-1805			Y	\$30
138	Medical Radiography, Board of	38-1903			Y	
139	Medical Review Panel	44-2841			Y	\$50
140	Medicine and Surgery, Board of	38-2010			Y	\$30

<sup>&</sup>lt;sup>43</sup> There are actually 33 commissions of nine members each representing the various judicial districts and courts within the state.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
141	Mental Health Crisis Hotline Task Force	50-701		12/31/22	Y	
142	Mental Health Practice, Board of	38-2105			Y	\$30
143	Mental Health Services, State Advisory Committee on	71-814			Y	
144	Military and Veteran Affairs, Commission on	55-601			Y	
145	Motor Vehicle Industry Licensing Board	60-1402	Y		Y	\$50
146	Natural Gas Fuel Board	66-2001	Y		N	
147	Natural Resources Commission, Nebraska	2-1504	Y <sup>44</sup>		Y	\$50
148	Nebraska Center for Nursing Board	71-1799			Y	
149	Nebraska Sesquicentennial Commission	81-8,309		06/30/18	Y	
150	Nebraska State Colleges, Board of Trustees of	Const. Art. VII, sec. 13 85-301	Y		Y	
151	Niobrara Council	72-2007			Y	
152	Nuclear and Hydrogen Industry Work Group	66-2305			Y	\$60
153	Nursing, Board of	38-2204			Y	\$100
154	Nursing Home Administration, Board of	38-2406			Y	\$30
155	Occupational Therapy Practice, Board of	38-2505			Y	
156	Oil and Gas Conservation Commission, Nebraska	57-904	Y		Y	\$400 <sup>45</sup>
157	Optometry, Board of	38-2603			Y	\$30
158	Palliative Care and Quality of Life Advisory Group	71-4504			Y	
159	Pardons, Board of	Const. Art. IV, sec. 13 83-1,126			N	

<sup>&</sup>lt;sup>44</sup> The Legislature confirms the three gubernatorial appointees to the 16-member commission.

<sup>&</sup>lt;sup>45</sup> Laws 2018, LB 713 increased the per diem from \$50 to no more than \$400 per day and raised the annual maximum from \$2,000 to \$4,000.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
160	Parole, Board of	Const. Art. IV, sec. 13 83-188	Y		N	Salaried
161	Peer Review and Quality Assurance Panel	83-4,164			N	
162	Personnel Board, State	81-1318	Y		N	
163	Pharmaceutical and Therapeutics Committee	68-953			Y	
164	Pharmacy, Board of	38-2808			Y	\$30
165	Physical Therapy, Board of	38-2905			Y	\$30
166	Physician Assistant Committee	38-2056			Y	
167	Podiatry, Board of	38-3003			Y	\$30
168	Police Standards Advisory Council, Nebraska	81-1406			Y	
169	Potato Development Committee, Nebraska	2-1803			Y	
170	Poultry and Egg Development, Utilization, and Marketing Committee, Nebraska	2-3404			Y	\$25
171	Power Review Board, Nebraska	70-1003	Y		Y	\$60
172	Primary Care Investment Council	71-7804		07/01/29	N	
173	Priority School Intervention Team	79-760.07			Y	
174	Private Onsite Wastewater Treatment System Advisory Committee	81-15,245			Y	
175	Private Postsecondary Career Schools Advisory Council	85-1607			N	
176	Problem Gambling, Nebraska Commission on	9-1003	Y		Y	
177	Professional Practices Commission	79-861			Y	
178	Propane Education and Research Council	66-1617			N	
179	Psychology, Board of	38-3103			Y	\$30

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
180	Public Accountancy, Educational Advisory Committee to the Board of	1-113			N	
181	Public Accountancy, Nebraska State Board of	1-107			Y	\$100
182	Public Advocacy, Commission on	29-3923			Y	
183	Public Employees Retirement Board	84-1501	Y		Y	\$75
184	Public Guardianship, Advisory Council on	30-4106			Y	
185	Public Roads Classifications and Standards, Board of	39-2106	Y		Y	\$20 <sup>46</sup>
186	Public Service Commission	Const. Art. IV, sec. 20 75-101			N	\$75,000 annual salary
187	Public Water Supply, Advisory Council on	71-5311			Y	
188	Quality Jobs Board	77-4908			N	
189	Racial Profiling Advisory Committee	20-506			N	
190	Racing and Gaming Commission, State	2-1201	Y		Y	\$1,000/ month
191	Real Estate Commission, State	81-885.07			Y	\$100 <sup>47</sup>
192	Real Property Appraiser Board	76-2222			Y	\$100
193	Records Board, State	84-1204			Y	
194	Redevelopment Board, Nebraska	58-503			N	
195	Rent-Restricted Housing Projects Valuation Committee	77-1333			N	
196	Reorganization of School Districts, State Committee for the	79-435			Y	
197	Residual Malpractice Insurance Authority	44-2837			N	

<sup>&</sup>lt;sup>46</sup> The three lay members of the board are the only members to receive a per diem, which is set at the same rate as that paid to the members of the State Highway Commission.

<sup>&</sup>lt;sup>47</sup> All members of the State Real Estate Commission receive a per diem except the chairman, who is an ex officio member, and the Nebraska Secretary of State.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
198	Respiratory Care Practice, Board of	38-3203			Y	\$30
199	Review, Evaluate, and Decide Team	28-712.01			N	
200	Rural Broadband Task Force	86-1102			Y	
201	Rural Health Advisory Commission	71-5654	Y		Y	
202	Safety Center Advisory Council, Nebraska	85-1008			N	
203	Semiquincentennial Commission	81-8,311		06/30/27	Y	
204	Sentencing Reform Task Force, Nebraska	50-433		12/31/24	N	
205	Small Business Compliance Advisory Panel	81-1505.3			Y	
206	Sports Arena Facility Financing Act, board to administer	13-3102			N	
207	Solid waste management programs, advisory committee to advise the Department of Environmental Quality regarding the study on the status of	81-15,159.01			N	
208	State Capitol Environs Commission, Nebraska	90-306			Ν	
209	State Fair Board, Nebraska	2-101	Y <sup>48</sup>		N	
210	Stem Cell Research Advisory Committee	71-8803	Y		Y	Y <sup>49</sup>
211	Strengthening Families Act Committee, Nebraska	43-4716			N	
212	Stroke System of Care Task Force	71-4209			N	
213	Substance Abuse Services, State Advisory Committee on	71-815			Y	
214	Suggestion Award Board	81-1348			Y	

<sup>&</sup>lt;sup>48</sup> Four of the 11 members are appointed by the Governor and confirmed by the Legislature.

<sup>&</sup>lt;sup>49</sup> Committee members who are not employed by Nebraska medical schools receive a stipend per meeting. The amount is determined by the Division of Public Health and the Department of Health and Human Serves based on standard consultation fees.

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
215	Tax Equalization and Review Commission	Const. Art. IX, sec. 28 77-5003	Y		Y	
216	Teacher Education and Certification Advisory Committee	79-808			Y	
217	Technical Advisory Committee on Statewide Assessment and Reporting	79-760.03	Y		Y	
218	Telecommunications Relay System Act, Special Advisory Committee to Administer the	86-315			N	
219	Telecommunications Universal Service Fund Advisory Board	86-327			N	
220	Tourism Commission, Nebraska	81-3710	Y		N	
221	Trauma Advisory Board, State	71-8236			Y	
222	Underground Excavation Safety Committee	76-2333	Y		Y	
223	University of Nebraska Board of Regents	Const. Art. VI, sec. 10 85-103			Y	
224	Vacant Building and Excess Land Committee	72-812			N	
225	Veterans' Advisory Commission	80-401.06			Y	
226	Veterans' Homes Board	80-318			Y	
227	Veterinary Medicine and Surgery, Board of	38-3306			Y	\$30
228	Veterinary Prescription Monitoring Program Task Force	71-2454.01			N	
229	Violence Prevention, Advisory Council to the Office of	81-1447			Y	
230	Water Well Standards and Contractors' Licensing Board	46-1217			Y	
231	Wheat Development, Utilization, and Marketing Board, Nebraska	2-2302			Y	
232	Whiteclay Public Health Emergency Task Force	50-601		12/31/19	N	

(Table 5 continued)

	Board/Commission	Statute	Legislative Confirmation Required	Termination Date	Expenses	Per Diems
233	Willa Cather National Statuary Hall Selection Committee	82-702		06/30/23	Ν	
234	Women's Health Initiative Advisory Council	71-702			Y	
235	Worker Training Board, Nebraska	48-622.03			N	
236	Wyuka Cemetery Board of Trustees	12-101			Ν	



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