

**Boards and Commissions
in Nebraska, 2000**

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BOARDS AND COMMISSIONS IN NEBRASKA, 2000

Introduction

Nebraska has more than 250 statutorily created boards, commissions, and other similarly situated entities (hereinafter, simply referred to as boards) that perform a variety of governmental functions. Often, boards serve narrow functions within larger agencies of government, e.g., the Alcoholism and Drug Abuse Advisory Committee within the Department of Health and Human Services. Boards also comprise a large segment of what are known as the “noncode” agencies of state government, e.g., the Corn Board, the Nebraska Liquor Control Commission, and the Foster Care Review Board. Boards are also created to carry out a study or oversee implementation of a new program and then, once the task is finished, the boards “sunset” or terminate. Among the many tasks assigned to them, boards provide oversight of governmental programs, regulate and license professionals, and serve numerous state agencies in an advisory capacity.

In 1997, the Executive Board of the Legislative Council requested that the Legislative Research Division compile and annually update a list of statutorily created boards. This publication contains that updated list.

Legislative Action Affecting Boards and Commissions

In 2000, the Legislature created 18 new boards and terminated 23 – including 18 in one bill. The introduction and subsequent passage of LB 1135, which originally proposed eliminating some 40 state boards, began the legislative discussion in earnest as to whether Nebraska has too many boards. Further, the Legislature combined three boards dealing with early child education into one, collapsed two juvenile justice grant committees into one, and merged another board with an existing state agency to create the new Department of Natural Resources.

New Boards

Task Force to Study the State Patrol (LB 153). This task force was created to study the mission, structure, and staffing of the Nebraska State Patrol. Its membership consists of the superintendent of Law Enforcement and Public Safety, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice or designee, and the director of the Legislative Research Division or designee and 12 other members appointed by the Executive Board of the Legislative Council. The legislative appointees are to include two legislators, one representative each from the State Troopers’ Association of Nebraska and the Fraternal Order of Police, a county sheriff or police chief from each of the six Nebraska State Patrol troop sites,

and two at-large members from the general public. An initial report from the task force is due November 30, 2000. The final report, outlining its findings and recommendations, is due to the Governor and the Legislature no later than June 30, 2001. The College of Public Affairs and Community Service of the University of Nebraska at Omaha is given responsibility for providing administrative support to the task force and for producing and distributing the final report. The task force sunsets on June 30, 2001.

Commission for the Blind and Visually Impaired (LB 352). This commission was created to serve blind and visually impaired Nebraskans. It is an independent state agency, governed by five commissioners who are appointed by the Governor with the approval of the Legislature. Board members must have "reasonable knowledge or experience in issues related to blindness" and three of the members must be blind. Employees of the commission, except for the director who serves at the pleasure of the commission board, are included within the State Personnel System. LB 352 transfers resources and personnel from the Division of Rehabilitation Services in the Department of Health and Human Services to the new independent commission. Among its duties, the commission is to administer the vending facility program pursuant to the federal Randolph-Sheppard Act and to promote self-sufficiency of blind persons by providing vocational rehabilitation, activities, and services aimed at securing employment for the blind. The commission is also authorized to accept the provisions of the federal Rehabilitation Act of 1973 and to receive federal funds for vocational rehabilitation of blind persons as provided in the act and in Titles II and XVI of the federal Social Security Act.

Nebraska Grape and Winery Board (LB 477). This board was created to promote the fledgling Nebraska wine industry. Specifically, the board is to establish a "public forum" for wine producers to discuss the board's policies; to approve the Nebraska Department of Agriculture's use of the Winery and Grape Producers Promotional Fund, established by LB 477; to serve as an advisory panel to the Nebraska Liquor Control Commission in all matters pertaining to the wine industry; and to adopt and promulgate rules and regulations to carry out the provisions of LB 477. Members of the board are appointed by the Governor and must be citizens of Nebraska, at least 21 years of age, and either engaged in or previously engaged in wine or grape production or research in Nebraska.

Women's Health Initiative Advisory Council (LB 480). This council was created to advise the Women's Health Initiative within the Department of Health and Human Services. The Women's Health Initiative is charged with improving the health of women in Nebraska by fostering the development of a comprehensive system of coordinated services, policy development, advocacy, and education. The council may also solicit private funds to support the Women's Health

Initiative. The council is not to exceed 30 members, who are appointed by the Governor from the health care field and from female health-care consumers. Additionally, the membership includes representatives from the University of Nebraska Medical Center and Creighton Medical School, the executive director of the Nebraska Commission on the Status of Women or designee, the chief medical officer of the Department of Health and Human Services Regulation and Licensure, and the Title V director of the Department of Health and Human Services. The council terminates on December 31, 2004.

Education and Career Preparation Task Force (LB 495). This task force was created to study and make recommendations on the scope of and need for career preparation and technical education at the middle- and high-school levels. The task force includes one member each of the Legislature's Education Committee and Business and Labor Committee, the Commissioner of Education or designee, a representative of the Governor's Policy Research Office, a representative each from business and from labor, as well as students, educators, and taxpayers. The task force is to report its findings to the Clerk of the Legislature and the Education Committee. The task force terminates on December 31, 2000.

Carbon Sequestration Advisory Committee (LB 957). This committee was created to assist with the study of the carbon sequestration potential of agricultural lands in Nebraska. LB 957 provides for an assessment to be performed by the Nebraska Natural Resources Commission. LB 957 gives the committee the duty to advise the Director of Natural Resources on this assessment. Also, the committee is to recommend policies or programs to enhance agricultural producers' ability to participate in carbon trading and to encourage the development of educational and advisory materials pertaining to carbon sequestration on agricultural lands and participation in systems of carbon or greenhouse emissions trading. Committee members include the directors of the departments of Agriculture, Natural Resources, and Environmental Quality. Additional committee members are drawn from farming and livestock production, the natural resources districts, the ethanol industry, and academia. The Director of Natural Resources must provide a report on the carbon sequestration potential of agricultural lands to the Legislature by December 1, 2001.

State Disbursement Advisory Commission (LB 972). This commission was created to advise the Department of Health and Human Services on ways to improve the State Disbursement Unit (SDU) and the Customer Service Unit for child support collection. Additionally, the commission's duties include recommending legislation that would clarify and improve state law pertaining to child support and the SDU and preparing an annual report of its activities and recommendations for the Executive Board of the Legislative Council. The Executive Board is given the duty to manage and administer the commission.

The membership must include: a district court judge whose jurisdiction includes domestic relations; a representative of the Governor's office; a county attorney who works in child support; a district court clerk; a child support worker; a member of the Legislature; an employer with more than 75 employees who provides income withholding; an employer with less than 25 employees who provides income withholding; a custodial parent who has a court order to receive child support; a noncustodial parent who is under a court order to pay child support; the vendor operating the SDU or designee; and the director of the Title IV-D division of the Department of Health and Human Services or designee.

Nebraska Center for Nursing Board (LB 1025). This board was created as a policy-setting entity for the Nebraska Center for Nursing, which was enacted via LB 1025. The board's statutory duties include implementing the major functions of the Nebraska Center for Nursing, seeking nonstate funds to carry out center policy, and appointing a multidisciplinary advisory council for input and advice on policy matters. Its members are drawn from health fields, particularly nursing. The Nebraska Center for Nursing was created to study the nursing shortage, suggest solutions to this shortage, and enhance and promote nursing. The Nebraska Center for Nursing Act terminates on July 1, 2005.

Greenbelt Advisory Committee (LB 1124). This committee was created to assist and advise the Property Tax Administrator and the Legislature on issues related to the state's greenbelt property tax laws. The committee is required to meet annually in order to provide recommendations by October on developing methods for uniformly and proportionately valuing greenbelt property. The committee membership must include two active farmers; an active rancher; a real estate appraiser with expertise in the appraisal of agricultural real estate; a professor of agricultural economics at the University of Nebraska Institute of Agriculture and Natural Resources; an elected county assessor or designee; a local planning and zoning official; an elected county official who has served or is serving on an agricultural and horticultural land valuation board; and a county attorney who has an understanding of appraisal processes and problems encountered in valuing real property.

Juvenile Diversion, Detention, and Probation Services Implementation Team (LB 1167). This team was created to study the state's juvenile justice system. Included among its tasks are the development of a plan for regional secure juvenile detention facilities and services and the development of standards for juvenile diversion services throughout the state. Further, the team is to examine juvenile detention practices and recommend a standardized juvenile detention screening instrument to the Office of Probation Administration by

December 15, 2000. Finally, the team is to review the structure, purpose, and function of juvenile probation and recommend changes. The team membership largely consists of officials from state and local government and juvenile services, with two at-large members. The team sunsets on June 1, 2002.

Task Force to Explore Health Insurance Opportunities (LB 1217). This task force was created to study the ways in which the state, the University of Nebraska, state colleges, community colleges, and other political subdivisions provide health insurance to their employees. The Governor appoints the 20 members of the task force, with staff support provided by the Department of Insurance. The task force is to issue its final report by December 15, 2000, to the Governor and the Legislature.

Advisory Committee to the Department of Environmental Quality for the Study of Water Quality Monitoring (LB 1234). This advisory committee was created to assist the Department of Environmental Quality (DEQ) in conducting a comprehensive study of water quality monitoring in Nebraska. The water quality monitoring study is set up in two phases. In the first phase, members of the advisory committee are to include representatives from the following agencies: the American Consulting Engineers Council of Nebraska, the Department of Agriculture, the Nebraska Natural Resources Commission, the Department of Health and Human Services Regulation and Licensure, the Department of Water Resources, the League of Nebraska Municipalities, the Nebraska Association of Resource Districts, the Game and Parks Commission, the United States Geological Survey, and the University of Nebraska. All of these representatives are to be included as members for phase two of the study, plus representatives from groups deemed by DEQ to be "significant stakeholders in the water quality area." The study's final report must be submitted to the Legislature's Natural Resources Committee by June 30, 2001.

Ethanol Pricing Task Force (LB 1234). This task force was created to study how ethanol is priced in Nebraska, including a comparison of ethanol prices to other motor fuel prices. Members of the task force include one representative each from petroleum marketers, motor fuel retailers, and the ethanol industry; an agricultural producer; a member of the Nebraska Ethanol Board; a representative of the Motor Fuel Tax Enforcement and Collection Division of the Department of Revenue; a representative of environmental interests; the chairperson of the Legislature's Natural Resources Committee; and one other member of the Legislature. The task force is to present its findings and recommendations to the Legislature by December 1, 2000, and terminates on December 31, 2000.

Electronic Benefit System Task Force (LB 1234). This task force was created to provide recommendations and assistance to the Department of Health and Human Services (HHS) and the HHS Policy Cabinet during development and following implementation of an electronic benefit system – essentially a swipe-card system – to replace the old system of paper food stamps. Task force members represent state government, the grocery industry, the banking industry, and public assistance recipients or their advocates. The State Treasurer, who is a task force member, must prepare a report of the task force's findings and recommendations by December 1 of each year. The task force terminates on January 1, 2004.

Task Force on the Productive Integration of the Immigrant Workforce Population (LB 1363). This task force was created to study state statutes and investigate the current practices of state and local governments pertaining to services provided the immigrant workforce in Nebraska. The areas targeted for study include, but are not limited to, education, housing, transportation, criminal justice, and health care. For administrative and budgetary purposes, the task force is within the Commission on Mexican-Americans. Task force members represent the fields of immigration law, health care, secondary education, labor unions, and housing; they also include representatives from the Commission on Mexican-Americans, the Nebraska Equal Opportunity Commission, the Department of Health and Human Services, the Department of Labor, the Legislature, a community service organization, and the livestock slaughtering industry. The task force is to submit a final report to the Legislature and Governor by August 31, 2001.

Teacher Salary Task Force (LB 1399). This task force was created to study various aspects of teacher pay in Nebraska and to make recommendations. Among the issues the task force is directed to study are (1) paying teachers for what they know and how they perform and (2) appropriate compensation levels for attracting and retaining teachers. The chairperson of the Legislature's Education Committee serves as chairperson of the task force. Additionally, the chairpersons of the Appropriations and Revenue committees, as well as persons representing teachers, former teachers, school boards, school administrators, business, retirement concerns, a tax research organization, and taxpayers will serve on the task force. The task force must report its findings and recommendations to the Clerk of the Legislature and the Education Committee by October 1, 2000. The task force terminates on December 31, 2000.

Nebraska Lewis and Clark Bicentennial Commission (LB 1410). This commission was created to coordinate and promote the observance of Nebraska's bicentennial commemoration of the Lewis and Clark expedition. The commission is directed to seek designation as a

nonprofit organization under section 501(c)(3) of the Internal Revenue Code. In addition to eight members appointed by the Governor (one of whom must be an enrolled member of a Nebraska Indian tribe and one of whom must be an African-American, and all of whom must have an interest in the history of the Lewis and Clark expedition), the members include the director of the Nebraska State Historical Society, the secretary of the Game and Parks Commission, the head of the Travel and Tourism Division of the Department of Economic Development, the president of the University of Nebraska, and the executive director of the Commission on Indian Affairs or their designees. The commission sunsets on December 31, 2007.

Teen Tobacco Education and Prevention Project Committee (LB 1436). This committee was created to combat teen smoking. A portion of Nebraska's share of the tobacco settlement will fund the committee's activities, which include reviewing anti-tobacco policy proposals from high school students statewide and selecting winners from four categories based on class and population size. Winners chosen by the committee will receive a \$5,000 scholarship and their sponsors will also be awarded \$5,000. The committee is also to adopt and establish project criteria and guidelines. The committee membership is not to exceed 15, all of whom are appointed by the Governor. Committee members are drawn from the following categories: high school teachers or advisors; one high school student from each of the four categories enumerated in the bill; a physician; persons with advertising or broadcasting expertise; tobacco control advocates; public health representatives; and business persons. The committee sunsets on January 1, 2003.

Disbanded Boards

Commission on Informational Technology (LB 654). This commission, created to develop a statewide telecommunications strategy for state services, was to have issued its final report by September 30, 1996. LB 654 was a cleanup bill for the Department of Administrative Services; among its many provisions, it repealed Neb. Rev. Stat. secs. 81-1120.32 to 81-1120.34.

Nebraska Constitutional Revision Commission (LB 887). This commission made its final report to the Legislature June 6, 1997, and ceased to meet after completion of its work in 1997. LB 887 was a revisor's bill that deleted statutory references to the commission (Neb. Rev. Stat. secs. 49-1601 to 49-1603).

Advisory Committee to the Department of Health and Human Services (LB 889). This advisory committee was composed of representatives of nonprofit agencies who provide services to low-income Nebraskans. It was statutorily supposed to exist "for three years after

June 14, 1995.” LB 889 was a revisor’s bill that deleted statutory references to the advisory committee (Neb. Rev. Stat. sec. 68-704).

Managed Care Commission (LB 892). This commission was created to assist the Department of Health and Human Services Regulation and Licensure with developing a plan to implement a medical managed care system for state aid recipients. The commission terminated on April 1, 1997. LB 892 was a revisor’s bill that deleted references to the commission (Neb. Rev. Stat. sec. 68-1052 et seq.).

State Communications Advisory Board (LB 893). This advisory board was created by the Division of Communications of the Department of Administrative Services to assist in the “development, management, administration, and operation of a consolidated communications system to meet the communications requirements of all departments and agencies of state government.” (Neb. Rev. Stat. sec. 81-1120.18) LB 893 was a revisor’s bill that eliminated references to this board. However, the statutory power to create additional boards via Neb. Rev. Stat. sec. 81-1120.18 still exists.

Boards eliminated by LB 1135. The Government, Military and Veterans Affairs Committee, in response to concerns about accountability raised by the number of boards performing services in Nebraska, introduced LB 1135, which originally proposed eliminating 40 state boards. These boards were selected for elimination because they failed to respond to a committee survey, did not have a contact person available to the committee, or were no longer needed. As amended, LB 1135 eliminated 18 boards and combined three boards dealing with early childhood education into one. The 18 boards eliminated by LB 1135 are:

- ***Nebraska Pesticide Board,*** Neb. Rev. Stat. sec. 2-5104
- ***Nebraska Highway Bond Commission,*** Neb. Rev. Stat. sec. 39-2202
- ***Committee on Continuing Pharmacy Education,*** Neb. Rev. Stat. sec. 71-1,144.02
- ***Social Work Committee,*** Neb. Rev. Stat. sec. 71-1,313
- ***Professional Counseling Committee,*** Neb. Rev. Stat. sec. 71-1,313
- ***Marriage and Family Therapy Committee,*** Neb. Rev. Stat. sec. 71-1,313
- ***Building Energy Conservation Standards Board,*** Neb. Rev. Stat. sec. 81-1610

- *Bessey Memorial Fund Commission*, Neb. Rev. Stat. sec. 85-166
- *Gaming Commission*, Neb. Rev. Stat. sec. 9-1,102
- *Laboratory Advisory Board*, Neb. Rev. Stat. sec. 71-6829
- *Capitol Mural Commission*, Neb. Rev. Stat. sec. 72-720
- *Nebraska Commission on Intergovernmental Cooperation*, Neb. Rev. Stat. sec. 81-818
- *Nebraskaplex Commission*, Neb. Rev. Stat. sec. 90-405
- *Title XXI Committee*, Neb. Rev. Stat. sec. 68-1037.6
- *Task Force to Study Service Delivery for Mental Illness and Substance Abuse*, Neb. Rev. Stat. sec. 71-5054
- *Review Incentives Program Committee*, Neb. Rev. Stat. sec. 77-5102
- *Transition Commission*, Neb. Rev. Stat. sec. 79-1183.01
- *Nebraska Education Council*, Neb. Rev. Stat. sec. 79-150

Actions Affecting Existing Boards

This annual publication does not track every legislative change made to the state's boards. However, significant changes (for example, those affecting a board's structure, essential function, or funding) are briefly noted below.

Rehabilitation Council to the Commission for the Blind and Visually Impaired (LB 352). This council was created to aid in providing services for blind persons. It formerly was an advisory council to the Department of Health and Human Services (HHS). (Prior to the enactment of LB 352 and the creation of the independent Commission for the Blind and Visually Impaired, HHS provided services to the blind.) The council membership is not to exceed 15 persons, who are appointed by the Governor per qualifications outlined in LB 352. The bill gives the council numerous duties, among them: reviewing services provided to the blind by the Commission for the Blind and Visually Impaired and by other organizations and programs; coordinating with other state councils that serve disabled persons; and preparing an annual report on the status of vocational rehabilitation services operated by the commission.

Nebraska Natural Resources Commission (LB 900). This commission and the Department of Water Resources were merged into a

new state agency, the Department of Natural Resources via LB 900. The commission retains its 16-member makeup and most of its responsibilities, except floodplain management and approval of water planning and review reports. The commission is also directed to act in an advisory capacity to the Director of Natural Resources.

Community-Based Neurobehavioral Rehabilitation Advisory Board (LB 1115). This advisory board was to sunset July 31, 2000. LB 1115 extends that date until July 31, 2001, so that the state can continue to try to win a federal grant to provide community-based neurobehavioral rehabilitation programs for persons disabled by brain or head injuries. The advisory board was created to advise and assist the State Department of Education in applying for grants to serve this population. This provision was originally found in LB 898, but was amended into LB 1115.

Early Childhood Interagency Coordinating Council (LB 1135). This council was created by merging the preexisting Child Care and Early Childhood Education Coordinating Committee, the Family Child Care Rules and Regulations Advisory Committee, and the Nebraska Interagency Coordinating Council. The council's duties include advising and assisting the collaborating agencies in carrying out the provisions of the Early Intervention Act, the Quality Child Care Act, and other early childhood care and education initiatives under state supervision. The members of the Interagency Coordinating Council as of the effective date of LB 1135 became the members of the new council. This change was originally part of LB 1231.

Nebraska Coalition for Juvenile Justice (LB 1167). This coalition was created by merging two advisory groups within the Nebraska Commission on Law Enforcement and Criminal Justice (crime commission) in order to streamline the juvenile justice grant process. The coalition replaces the Juvenile Services Grant Committee, a statutory committee, and the former Nebraska Coalition for Juvenile Justice, a nonstatutory entity mandated through the state's participation in the federal Juvenile Justice and Delinquency Prevention Act. The coalition makes grant award recommendations to the crime commission on juvenile services grants (state funds) and Juvenile Justice and Delinquency Prevention grants (federal funds). The new coalition must have 15-33 members, appointed by the Governor. One-fifth of the coalition's membership must be under the age of 24 when appointed and no more than half of the membership can be full-time government employees. These provisions were originally found in LB 1164.

Niobrara Council (LB 1234). The Niobrara Council is a reconstituted version of the preexisting Niobrara Scenic River Local Management Council. The change was deemed necessary to comply with the federal court ruling in *National Parks and Conservation Association v.*

National Park Service, which essentially said that the then-existing management arrangement between the council and the National Park Service was inadequate. LB 1234 gives the Niobrara Council express authority and responsibility to manage the Niobrara scenic river corridor in conjunction with the National Park Service. These changes were originally found in LB 1381.

Board of Directors to Manage the Comprehensive Health Insurance Pool (LB 1253). This board was created to oversee the state's program to provide health insurance coverage to Nebraskans otherwise considered uninsurable or who are underinsured due to a preexisting medical condition. LB 1253 made several changes to this board, including decreasing the number of members from nine to seven. The Director of Insurance will select the members of the new board beginning January 1, 2001. Four members must be representatives of domestic insurers. The other members of the new board must consist of one representative of the general public, one representative of individuals eligible for CHIP coverage, and one representative of health agencies involved in advocating for individuals with special health care needs. Further, LB 1253 imposes conflict-of-interest conditions on board members. For example, the representative of health agencies and the representative of an individual eligible for pool CHIP coverage cannot be an employee, officer, or member of the board of directors of any insurer. And the representative of the general public cannot be a member of the board of directors, an officer, or an employee of an insurer or of a health agency involved in advocating for individuals with special health care needs nor an individual qualified for selection as the representative of individuals eligible for CHIP coverage. These provisions were originally found in LB 1208.

Nebraska Boards and Commissions Tables

The following tables list the statutorily created boards in Nebraska, whether legislative confirmation is required for appointees, the per diem rate if paid, and whether expenses are authorized within the statute creating the board. (Neb. Rev. Stat. secs. 81-1178, 81-1179, and 81-1180 authorize expense reimbursement to board members whether or not the statute creating the board specifies this.) The first table, the 2000 Update, lists only those boards created during the 2000 legislative session. The second table lists all of the statutorily created boards.

TABLE 1

Nebraska Boards and Commissions Created by the Legislature in 2000

Legislative Confirmation and Statutorily Authorized Per Diems/Expenses

Board/Commission	Bill Number	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
Blind and Visually Impaired, Commission for the	LB 352	71-8604	✓	\$70	Y
Carbon Sequestration Advisory Committee	LB 957	2-5302			Y
Education and Career Preparation Task Force	LB 495	79-766			Y
Electronic Benefit System Task Force	LB 1234	68-1725.01			Y
Ethanol Pricing Task Force	LB 1234	66-1350			Y
Greenbelt Advisory Committee	LB 1124	77-1355			Y
Juvenile Diversion, Detention, and Probation Services Implementation Team	LB 1167	43-360			Y
Nebraska Center for Nursing Board	LB 1025	71-1799			Y
Nebraska Grape and Winery Board	LB 477	53-301			Y
Nebraska Lewis and Clark Bicentennial Commission	LB 1410	81-8,309			Y
State Disbursement Advisory Commission	LB 972	43-3342.05			Y

Board/Commission	Bill Number	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
State Patrol, Task Force to Study the	LB 153	81-2013.02; 81-2013.04			Y
Task Force on the Productive Integration of the Immigrant Workforce Population	LB 1363	48-2401			Y
Task Force to Explore Health Insurance Opportunities	LB 1217	Laws 2000, LB 1217			Y
Teacher Salary Task Force	LB 1399	79-8,118			Y
Teen Tobacco Education and Prevention Project Committee	LB 1436	71-5715			Y
Water Quality Monitoring, Advisory Committee to the Department of Environmental Quality for the Study of	LB 1234	46-1302			N
Women's Health Initiative Advisory Council	LB 480	71-702			Y

TABLE 2

Nebraska Boards and Commissions

Legislative Confirmation and Statutorily Authorized Per Diems/Expenses

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
1. Abstracters Board of Examiners	76-540 et seq.		\$50	Y
2. Accessibility Advisory Committee	81-5, 149 et. seq.			Y
3. Accountability and Disclosure Commission, Nebraska	49-14, 105 et seq.	✓	\$50	Y
4. Accreditation Committee, State	79-703			N
5. Advanced Registered Nurse Practitioners, Board of	71-1718.01 et seq.		\$30	Y
6. Advocacy, Commission on Public	29-3923			Y
7. Advisory Council, State	48-610		\$40	Y
8. Aeronautics Commission, Nebraska	3-104			Y
9. Affirmative Action Committee	81-1363, et seq.			Y
10. Affordable Housing Committee, Nebraska	81-1281			Y
11. Aging Advisory Committee	68-1101			Y
12. Agricultural Structure Assessment Task Force	2-5201			Y
13. Agriculture, Nebraska State Board of (State Fair Board)	2-101			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized in Statute ¹
14. Alcoholism and Drug Abuse Advisory Committee	71-5024 et seq.			Y
15. Anatomical Board, State	71-1001 et seq.			N
16. Antique Farm Machinery and Equipment Commission	51-601			Y
17. Appraisers for Educational Lands and Funds, Board of	72-22403(1)		\$50	Y
18. Aquaculture Board	2-5003			Y
19. Arts Council, Nebraska	82-309 et seq.	✓		Y
20. Athletic Advisory Committee	81-8, 139.01			Y
21. Athletic Training, Board of Examiners in	71-112 et seq.		\$20	Y
22. Audiology and Speech Language Pathology, Board of Examiners in	71-112 et seq.		\$20	Y
23. Barber Examiners, Board of	71-221		\$75	Y
24. Beginning Farmer Board	77-5204 et seq.	✓		Y
25. Big Blue River Compact Administration	1-115 Appendix			Y
26. Biopower Steering Committee	66-1701			Y
27. Blind and Visually Impaired, Commission for the	71-8604	✓	\$70	Y
28. Boiler Safety Code Advisory Board	48-739 et seq.	✓	\$50	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
29. Boundary Commission, Nebraska	1-120 Appendix			Y
30. Brand Committee, Nebraska	54-135 et seq.			Y
31. Breast and Cervical Cancer Advisory Committee	71-7012			Y
32. Building Renewal, Task Force for, "LB 309 Task Force"	81-174 et seq.		— ²	Y
33. Canvassers, State Board of	32-1037 et seq.			N
34. Capitol Commission, Nebraska	81-1108-32			Y
35. Capitol Environs Commission, Nebraska State	90-306 et seq.			N
36. Capital Facilities Planning Committee, State Comprehensive	81-1108.41			Y
37. Carbon Sequestration Advisory Committee	2-5302	✓		Y
38. Central Interstate Low-Level Radioactive Waste Commission	71-3521 & 81-1599.02			N
39. Certified Nurse Midwifery, Council of	71-1758 et seq.			N
40. Certified Registered Nurse Anesthetists, Advisory Council of	71-1736			N
41. Child Abuse Prevention Fund Board, Nebraska	43-1903 et seq.	✓		Y
42. Child Death Review Team	71-3406 et seq.			Y
43. Child Support Commission	42-383 et seq.			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
44. Chiropractic, Board of	71-112		\$30	Y
45. Claims Board, State	81-8, 220 et seq.		— ³	Y
46. Climate Assessment Response Committee	2-4901 et seq.	✓		Y
47. Collection Agency Licensing Board	45-603 et seq.			Y
48. Colleges, Board of Trustees of Nebraska State	85-301 et seq.	✓		Y
49. Commission of Industrial Relations	48-803 et seq.	✓	\$250	Y
50. Commission on Public Advocacy	29-3923			Y
51. Communications Relay Advisory Committee	86-1307			N
52. Community-Based Neurobehavioral Rehabilitation Advisory Board	79-11,145			Y
53. Community College Aid, Grant, and Contract Review Committee, Nebraska	85-1539			N
54. Community College Board of Governors	85-1506 et seq.			Y
55. Community Development Block Grant Advisory Committee	81-1201.08			Y
56. Compulsive Gambling, Nebraska Advisory Commission on	83-162.01 et seq.	✓		Y
57. Coordinating Commission for Postsecondary Education	85-1403 et seq.	✓		Y
58. Corn Development, Utilization and Marketing Board	2-3604 et seq.		\$25	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
59. Cosmetology, Board of	71-373		\$50	Y
60. County Attorney Standards Advisory Council	23-1213 et seq.			Y
61. County, Highway and City Street Superintendents, Board of Examiners for	39-2301 et seq.			Y
62. Crime Victim's Reparations Committee	81-1802 et seq.	✓		Y
63. Critical Incident Stress Management Council	71-7105			N
64. Dairy Industry Development Board, Nebraska	2-3951 et seq.			Y
65. Deaf and Hard of Hearing, Commission for the	71-4720	✓		Y
66. Deaf and Hard of Hearing, Special Committee for the Commission for the	71-4728.03			N
67. Dentistry, Board of	71-112		\$30	Y
68. Developmental Disabilities, Advisory Committee on	83-1212.01			Y
69. Dispute Resolution, Advisory Council on	25-2905			Y
70. Dry Bean Commission	2-3745 et seq.	✓		Y
71. Early Childhood Interagency Coordinating Council	LB 1135			Y
72. Economic Development Commission	81-1201.02 et seq.			Y
73. Economic Forecasting Advisory Board, Nebraska	77-27, 156 et seq.	— ^A		Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
74. Education and Career Preparation Task Force	79-766			Y
75. Education Commission of the States	79-1501 et seq.			N
76. Education, State Board of	79-301 Const. Art. VII, sec.3			Y
77. Education Technology Consortium	79-1301 et seq.			N
78. Educational Finance Authority	85-1710 et seq.			Y
79. Educational Lands and Funds, Board of	72-201 et seq.	✓	\$40	Y
80. Electrical Board, State	81-2103 et seq.	✓		Y
81. Electronic Benefit System Task Force	68-1725.01			Y
82. Electronic Information Committee	50-440			N
83. Elementary and Secondary School Finance Authority, Nebraska	79-1810 et seq.			Y
84. Emergency Medical Services, Board of	71-5176	✓		Y
85. Emergency Response Commission	81-15,210 et seq.			Y
86. Engineers and Architects, Board of	81-3428 et seq.		\$30	Y
87. Environmental Health Specialists, Board of Registration for	71-3705.01		\$25	Y
88. Environmental Quality Council	81-1503	✓	\$40	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
89. Environmental Trust Board, Nebraska	81-15, 170 et seq.	✓		Y
90. Equal Opportunity Commission, Nebraska	48-1116 et seq.		\$50	Y
91. Ethanol Board, Advisory Committee to the Ethanol Board, Nebraska	66-1337			N
92. Ethanol Board, Nebraska	66-1335 et seq.	✓	\$25	Y
93. Ethanol Pricing Task Force	66-1350			Y
94. Excellence in Education Council	9-812			N
95. Excellence in Health Care Council	71-7614			Y
96. Expert Review Panel for Infected Health Care Workers	71-535 et seq.			N
97. Fire Safety Appeals Board, Nebraska	81-502.01 et seq.			Y
98. Firefighters Training Advisory Committee	81-5, 154 et seq.			Y
99. Foster Care Review Board	43-1302 et seq.	✓		Y
100. Funeral Directing and Embalming, Board of	71-112		\$30	Y
101. Game and Parks Commission	37-101 et seq.	✓	\$35	Y
102. Geographic Information System Steering Committee	81-2602 et seq.			Y
103. Geologists, Board of	81-3520 et seq.		— ⁵	Y
104. Governor's Residence Advisory Commission	72-2101 et seq.			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
105. Grain Sorghum Development, Utilization and Marketing Board	2-4002 et seq.			Y
106. Greenbelt Advisory Committee	77-1355			Y
107. Hall of Fame Commission, Nebraska	72-724 et seq.			N
108. Health Advisory Board	60-4,118.02 et seq.			Y
109. Health & Human Services System Partnership Council	81-3010 et seq.	✓	\$40	Y
110. Health, State Board of	71-2601	✓	\$20	Y
111. Hearing Aid Instrument Dispensers and Fitters, Board of	71-4715		\$25	Y
112. Highway Commission, State	39-1101 et seq.	✓	\$20	Y
113. Historical Society Board of Trustees, Nebraska State	82-101			Y
114. Housing Trust Fund Advisory Committee	58-704			N
115. Human Genetic Technologies, Nebraska Commission on	71-8101 et seq.			Y
116. Indian Affairs, Commission on	81-2501 et seq.		\$50	Y
117. Industrial Competitiveness Alliance Board	81-1201.14			N
118. Inquiry and Review, Board of (Veterans)	80-318			Y
119. Instructional Telecommunications Advisory Committee	79-1327			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
120. Interagency Management Committee	71-7106			N
121. Intergovernmental Data Communications Advisory Council	81-2304 et seq.			Y
122. Interrelated Water Review Committee of the Nebraska Natural Resources Commission	46-656.61			N
123. Interstate Agricultural Grain Marketing Commission	Appendix DD			N
124. Investment Council, Nebraska	72-1237	✓	\$20	Y
125. Investment Finance Authority, Nebraska (NIFA)	58-226 et seq.			Y
126. Jail Standards Board	83-4,124 et seq.			Y
127. Job Training Council, Nebraska	48-1611 et seq.			N
128. Juvenile Diversion, Detention, and Probation Services Implementation Team	43-360			Y
129. Judicial Nominating Commission	24-801			N
130. Judicial Qualifications Commission	24-715			Y
131. Judicial Resources Commission	24-1201 et seq.			Y
132. Juvenile Justice Task Force	43-2802 et seq.			Y
133. Juvenile Services Grant Committee	43-2411 et seq.			Y
134. Labor, State Advisory Board to the Commissioner of	48-610		\$40	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
135. Land Surveyors, Board of Examiners for	81-8, 110 et seq.			Y
136. Landscape Architects, State Board of	81-8, 186 et seq.			Y
137. Law Enforcement and Criminal Justice, Nebraska Commission on	81-1416 et seq.			Y
138. Library Commission, Nebraska	51-401 et seq.			Y
139. Liquor Control Commission, Nebraska	53-105 et seq.	✓	— ⁶	Y
140. Livestock Auction Market Board	54-1160		\$10	Y ⁷
141. Local Government Innovation and Restructuring, Nebraska Commission on	13-2301 et seq.			Y
142. Local Monitoring Committee (low-level waste)	81-15, 101.01			Y
143. Manufactured Home and Recreational Vehicle Advisory Committee	71-4609(2)			N
144. Massage Therapy, Board of	71-112 et seq.		\$30	Y
145. Medical Nutrition Therapy, Board of Examiners in	71-112, et seq.		\$30	Y
146. Medical Literature Review Panel ⁸	44-788			Y
147. Medical Review Panel	44-2841 et seq.		\$30	Y
148. Medically Handicapped Children's Committee	71-1401			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
149. Medicine and Surgery, Board of	71-112 et seq.		\$30	Y
150. Mental Health Planning and Evaluation Council, State	71-5008			Y
151. Mental Health Practitioners, Board of	71-112 et seq.		\$30	Y
152. Mental Health Regional Governing Boards ⁹	71-5004			Y
153. Mental Health Regional Governing Boards, Advisory Committees to ¹⁰	71-5006			Y
154. Mental Health Regional Quality Review Teams	71-5003.01			Y
155. Midwestern Higher Education Commission	85-1301 et seq.			Y
156. Missouri Basin Natural Resources Council	2-32, 103 et seq.			N
157. Mexican-Americans, Commission on	81-8,262 et seq.		\$35	Y
158. Modular Housing Advisory Board	71-1565			Y
159. Motor Carrier Advisory Council	75-387 et seq.	✓		Y
160. Motor Vehicle Industry Licensing Board	60-1402 et seq.	✓	\$50	Y
161. Motorcycle Safety Advisory Committee	60-2122 et seq.			Y
162. Native American Foster Home Licensing Advisory Committee	71-1906.02			N
163. Natural Resources Data Bank, Technical Advisory Committee to the	2-1570			N

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
164. Natural Resources Commission, Nebraska	2-1504	✓	\$50	Y
165. Nebraska Budget Act Advisory Board	13-504.01			Y
166. Nebraska Coalition for Juvenile Justice	43-2411			Y
167. Nebraska Center for Nursing Board	71-1799			Y
168. Nebraska Grape and Winery Board	53-301			Y
169. Nebraska Information Technology Commission	86-1505 et seq.	✓		Y
170. Nebraska Lewis and Clark Bicentennial Commission	81-8,307			Y
171. Nebraska Transit and Rail Advisory Council	74-1504 et seq.	✓		Y
172. Niobrara Council	LB 1234			Y
173. Nurse-Practitioner-Anesthetist Advisory Council	71-1736			N
174. Nursing Home Administration, Board of Examiners in	71-6065 et seq.		\$20	Y
175. Nursing Home Advisory Council	71-6044 et seq.			Y
176. Nursing, Board of	71-1,132.07 et seq.		\$25 ¹¹	Y
177. Occupational Therapy Practice, Board of	71-6115			Y
178. Oil and Gas Conservation Commission	57-904 et seq.	✓	\$50	Y
179. Optometry, Board of	71-112 et seq.		\$30	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
180. Pardons, Board of	83-1,126 et seq.			N
181. Parole, Board of	83-188 et seq.	✓	— ¹²	N
182. Personnel Board, State	81-1318 et seq.	✓		N
183. Pharmacy, Board of	71-112 et seq.		\$30	Y
184. Physical Therapy, Board of	71-112 et seq.		\$30	Y
185. Physician Assistant Committee	71-1,107.25			Y
186. Podiatry, Board of	71-112 et seq.		\$30	Y
187. Police Standards Advisory Council	81-1406 et seq.			Y
188. Potato Development Committee, Nebraska	2-1803			Y
189. Poultry and Egg Development, Utilization and Marketing Committee, Nebraska	2-3404 et seq.		\$25	Y
190. Power Review Board, Nebraska	70-1003 et seq.	✓	\$60	Y
191. Private Postsecondary Career Schools Advisory Council	85-1607			N
192. Private Postsecondary Career Schools Tuition Recovery Cash Fund Advisory Committee	85-1655			N
193. Professional Practices Commission	79-861 et seq.			Y
194. Propane Education and Research Council	66-1617 et seq.			N

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
195. Psychologists, Board of	71-112 et seq.			Y
196. Public Accountancy, Educational Advisory Committee to the Board of	1-113			N
197. Public Accountancy, Nebraska State Board of	1-107		\$100	Y
198. Public Employees Retirement Board	84-1501 et seq.	✓		Y
199. Public Health Clinic Formulary Advisory Committee	71-1, 147.59			N
200. Public Roads Classifications and Standards, Board of	39-2106	✓	\$20	Y
201. Public Safety Wireless Communication Advisory Board	86-1811			Y
202. Public Service Commission	Ne. Const., Art. IV, sec. 20		— ¹³	N
203. Public Water Supply, Advisory Council on	71-5311			Y
204. Quality Jobs Board	77-4908			N
205. Racing Commission, State	2-1201			Y
206. Radiation Advisory Council	71-3506		\$20	Y
207. Railway Council, Nebraska	74-1403 et seq.	✓	\$60	Y
208. Real Estate Appraiser Board	76-2222 et seq.		\$100	Y
209. Real Estate Commission	81-885.07		\$100 ¹⁴	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized in Statute ¹
210. Redevelopment Board, Nebraska	58-503			N
211. Rehabilitation Advisory Council to the Commission for the Blind and Visually Impaired	LB 352		\$30	Y
212. Renal Disease Advisory Committee	71-4902		\$20	Y
213. Reorganization of School Districts, State Committee for the	79-435 et seq.			Y
214. Research and Development Authority	58-405 et seq.	✓	\$250	Y
215. Residual Malpractice Insurance Authority	44-2837 et seq.			N
216. Respiratory Care Practice, Board of	71-112 et seq.		\$30	Y
217. Rules and Regulations Advisory Council	2-2626(3)			N
218. Rural Development Commission	81-3601 et seq.			Y
219. Rural Health Advisory Commission	71-5654 et seq.	✓		Y
220. Safety Center Advisory Council	85-1008			N
221. School Finance Review Committee	79-1032			N
222. Small Business Compliance Advisory Panel	81-1505.3	— ¹⁵		Y
223. Small Employer Health Reinsurance Board, Nebraska	44-5261			N
224. Soybean Development, Utilization, and Marketing Board ¹⁶	2-3327			N

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
225. State Board to Administer the Convention Center Facility Financing Assistance Act	13-2603 et seq.			N
226. State Committee for the Reorganization of School Districts	79-435 et seq.			Y
227. State Disbursement Advisory Commission	43-3342.05			Y
228. State Patrol, Task Force to Study the	81-2013.02; 81-2013.04			Y
229. State Records Board	84-1204 et seq.			Y
230. State Tax Board	77-501 et seq.			N
231. Substance Abuse Treatment Task Force	83-4,148 et seq.			Y
232. Suggestion Award Board	81-1348 et seq.			Y
233. Task Force for Nebraska State Radio Communication System	86-1802			Y
234. Task Force on the Productive Integration of the Immigrant Workforce Population	48-2401			Y
235. Task Force to Explore Health Insurance Opportunities	Laws 2000, LB 1217			Y
236. Tax Equalization and Review Commission	Const. Art. IX, sec. 2877-5003 et seq.	✓	— ¹⁷	Y
237. Teacher Salary Task Force	79-8,118			Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute
238. Technical Advisory Committee	81-15, 189 et seq.			Y
239. Technical Advisory Committee for Regulation of Health Professions	71-6224			Y
240. Technology Review Panel for the Nebraska Information Technology Commission	86-1511			N
241. Teen Tobacco Education and Prevention Project Committee	71-5715			Y
242. Telecommunications Commission, Nebraska Educational	79-1313 et seq.	✓		Y
243. Telecommunications Universal Service Advisory Committee	86-1408			N
244. Trauma Advisory Board, State	71-8236			Y
245. Trauma Advisory Board, Regional	71-8251			Y
246. Uniform State Laws, Commission on	49-901 et seq.			Y
247. University of Nebraska Board of Regents	Const. Art. VI, Sec 10 & 85-103			Y
248. Vacant Building and Excess Land Committee	72-812			N
249. Veterans' Advisory Commission	80-401.06 et seq.			Y
250. Veterans' Coordinating Committee	86-323 et seq.			N
251. Veterinary Medicine and Surgery, Board of Examiners in	71-112 et seq.		\$30	Y

Board/Commission	Statute	Legislative Confirmation Required	Per Diems	Expenses Authorized In Statute ¹
252. Vocational Education, State Board of ¹⁸	79-321			Y
253. Volunteer Service Award Benefit Review Board	35-1304 et seq.	✓		Y
254. Water Quality Monitoring, Advisory Committee to the Department of Environmental Quality for the Study of	46-1302			N
255. Water Well Standards and Contractors' Licensing Board	46-1217 et seq.			Y
256. Wheat Development, Utilization and Marketing Board, Nebraska	2-2302 et seq.			Y
257. Women, Nebraska Commission on the Status of	81-8,255			N
258. Women's Health Initiative Advisory Council	71-702			Y
259. Worker Training Board, Nebraska	48-622.03			N
260. Wyuka Cemetery Board of Trustees	12-101 et seq.			N

Sources: Table prepared by Legislative Research Division, September 2000

Endnotes

General note: *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. The per diems listed here were provided by the Health and Human Services Department of Regulation and Licensure Credentialing Division.*

1. 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. secs. 81-1177, 81-1179, and 81-1180 provide that all statutory boards and commission are entitled to expense reimbursement.
2. Compensation for the Task Force for Building Renewal members is "established by the Governor on a per diem basis. . . ."
3. Claims Board members are the Director of Insurance, Commissioner of Labor, and the Director of Administrative Services, who shall "receive no compensation for their services except that provided by law for the offices they hold. . . ."
4. Five members are appointed by the Executive Board of the Legislative Council and four members are appointed by the Governor.
5. 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." However, those sections make no explicit mention of a per diem.
6. The Liquor Control Commission members are salaried. Neb. Rev. Stat. sec. 53-112 states this annual salary is "not to exceed" \$12,500.
7. The Livestock Auction Board is a three-person board with one appointed member, who receives expenses.
8. LB 1162 does not give this panel a name; rather it simply refers to them as a "panel of five medical experts."
9. There are six; one for each mental health service region in the state.
10. Each regional mental health governing board can appoint one advisory committee.
11. The Board of Nursing statute authorizes up to a \$100 per diem.
12. The Parole Board chair receives an annual salary of \$55,900; the other four members receive an annual salary of \$45,900.

13. PSC members receive an annual salary of \$42,000.
14. The chairman of the Real Estate Commission is the Secretary of State and does not receive a per diem.
15. Four of the seven members of the panel are chosen by the Legislature.
16. In 1995, the Legislature passed LB 434, which essentially laid the groundwork for transferring the duties of the Soybean Board to a private nonprofit corporation as allowed under the federal Soybean Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6301 et seq.) See Neb. Rev. Stat. secs. 2-3325 and 2-3326 for further information.
17. By statute, the members of the Tax Equalization and Review Commission are considered employees of the state.
18. Membership is comprised of the State Board of Education.

APPENDICES

APPENDIX A

The Appointment Process in Nebraska

The procedures in Nebraska by which an appointee goes from nomination by the Governor to confirmation by the Legislature is standard and somewhat perfunctory. The rules governing the confirmation process can be found at Rule 3-4(e)(ii)-(v) and Rule 3-13 of the *Rules of the Nebraska Unicameral Legislature*. A copy of the pertinent rules has been placed in Appendix B. Additionally, Article IV, secs. 10 and 12 of the Nebraska Constitution define the parameters for appointments to boards and commissions. Sec. 10 applies to initial appointments by the Governor of officials whose appointment or election is not otherwise provided for by law and sec. 12 applies to vacancies in nonelective state offices.

Once the Governor's appointees have been forwarded to the Legislature, the Executive Board sitting as the Reference Committee refers all appointees to the appropriate standing committee in the same manner it handles bills and resolutions. Subject matter determines the committee to which appointees are referred; for example, appointees to the Motor Vehicle Licensing Board would be referred to the Transportation Committee.

The Clerk's office is responsible for collecting and disseminating to the appropriate committee all the paperwork regarding a nomination as required by Rule 3-4(e)(iii). This paperwork consists of: (1) the nomination letter from the Governor, which is also printed in the Journal; (2) a certificate of appointment; (3) the nominee's resume or, lacking that, a copy of the executive application form which the nominee has completed for the Governor; and, (4) a financial disclosure statement, if required. The first three items are provided by the Governor's office; the latter comes from the Accountability and Disclosure Commission. All of this material is then forwarded to the relevant committee.

Once received by committee, the respective committee clerks are responsible for contacting the appointees to schedule a hearing and notifying the Clerk of this hearing date. All appointees are required to attend this hearing, unless "waived for good cause" (Rule 3-4 (e)(iv)) by a majority vote of the committee. Several committee clerks with whom we spoke indicated that their committee chairs were more likely to waive appearances by reappointees rather than persons appearing for the first time. Page 3 of the Committee Clerk's Manual addresses these duties and the manual also provides a list of sample questions for conducting confirmation hearings. Appointment hearings, as are all hearings before committees, are governed by Appendix "A" to Rule Three, Model Committee Rules.

Once the hearing is completed, the committee generally votes on the appointees in executive session and then forwards a copy of the Standing Committee Report for Governorial Appointments with its recommendation, including a record vote of each senator on the committee, to the Clerk. If approved by the committee, the appointment is then scheduled for a vote by the full Legislature. Appointment letters received by the Clerk in the last eight calendar days of any regular legislative session are deferred until the next regular or special session. The Clerk's Office does not keep a tally of those appointees who have been rejected, but this is apparently a rare phenomenon.

- (B) To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File, and specific amendments.
- (C) When an amendment to add the emergency clause, the severability clause, or provide an operative date is adopted on Select File which does not spell out the standard clause or section and make the necessary change in the title, the Chairperson of Enrollment and Review shall also have the authority to add to the engrossed bill the standard clause or section, assigning to it the appropriate section number, and make the necessary change in the title as a matter of course without including such action in his or her reports and recommendations to the Legislature or making any special record thereof.
- (D) To add and/or delete names of introducers to reflect action on the bill while the bill remains in the possession of the Legislature at any stage of consideration.
- (E) To reflect votes on Final Reading as they may occur pursuant to Rule 6, Section 10 and Rule 6, Section 15.

(e) Reference Committees.

- (i) The Executive Board shall constitute the Reference Committee. The Reference Committee shall review each bill and resolution and either refer the matter to the appropriate committee or to General File. The appropriate committee is that committee which has subject-matter jurisdiction over the issue or which has traditionally handled the issue.
 - (ii) All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature shall be referred to the appropriate standing committee and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.
 - (iii) The Clerk of the Legislature's office shall be responsible for the collection of pertinent information on gubernatorial appointments. That information will be distributed to the appropriate standing committee prior to the time of the confirmation hearing. The Clerk's office shall be the "depository" for background information on the individual, a statement of financial interests if applicable, and other biographical information that the committee chair feels is appropriate for the committee to have before it during the confirmation process.
 - (iv) The committees to which a gubernatorial appointee has been referred for confirmation shall conduct a confirmation hearing. Each appointee shall be required to appear in person before the committee conducting the confirmation hearing. The appearance of the appointee may be waived for good cause shown by a majority vote of the members assigned to the committee conducting the hearing.
- The committee shall prepare a report either approving or rejecting the appointment. Said report shall be filed with the Clerk of the Legislature.

The Legislature shall then have the opportunity to accept or reject the report of the committee.

- (v) Any appointment letter received by the Clerk of the Legislature during the last eight calendar days of any regular legislative session shall not be acted upon. Acknowledgement of receipt of the appointment shall be deferred until the next regular or special session of the Legislature.

(f) Rules Committee.

All proposed rules changes shall be set for public hearing within five legislative days after their referral to the committee. The hearing shall take place within fifteen legislative days after the referral, and the committee shall take final action on the proposal within ten legislative days after the hearing.

(g) Investigating Committees.

The Committee on Committees may appoint other select committees when authorized by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and the purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 5. Special Committees. (a) Special committees shall include all authorized committees other than standing and select committees. Unless otherwise specifically provided, special committees shall not have jurisdiction over legislative bills, but shall be subject to the same procedural rules as standing committees, insofar as they are applicable.

- (b) The special committees authorized by statute as of January 1, 1980 are as follows:

Building Maintenance. RRS 81-185	6 members
Education Commission of the States. RRS 79-2504	3 members
Executive Board of the Legislative Council. RRS 50-401.01	9 members
Intergovernmental Cooperation. RRS 81-816	5 members
Legislative Program Evaluation. RRS 50-1204	5 members

- (c) The following special provisions shall be in force with regard to the following special committees:

- (i) Intergovernmental Cooperation Committee.
In addition to the members of the Intergovernmental Cooperation Committee chosen in accordance with Section 81-816, the Executive Board may appoint temporary members to serve on such assignments as the chairperson shall direct.

conducts an executive session within the hearing room assigned to that committee for such purpose, unless the committee by a vote of the majority, with all the members present, taken at least once a session, decides otherwise.

(b) The use of any mobile, portable, or wireless communication device, other than those authorized by the Legislative Council or used by licensed medical persons on duty, is prohibited in legislative hearing rooms during a meeting of a legislative committee.

Sec. 11. Temporary Appointments. (a) When a member is unable to serve, the chairperson of the committee, after a majority vote of the remaining members, shall request that such vacancy be filled by the Committee on Committees unless such vacancy is on the Appropriations Committee in which case the vacancy shall be filled by the Executive Board pursuant to Rule 3, Section 2(c).

(b) A temporary appointment may be made by the Chairperson of the Committee on Committees, or in the case of the Appropriations Committee, the Executive Board, for only one day when requested by a chairperson of a standing committee which lacks a quorum. When a member is appointed from an eight-member committee, the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he or she was appointed.

Sec. 12. Consideration and Correlation of Bills and Resolutions. (a) Committees shall consider and report without unnecessary delay all bills and resolutions referred to them. Committees shall be authorized to combine and to correlate the provisions of different bills and resolutions referred to them and related to the subject matter jurisdiction of the committee. Committees may, before taking final action on any bill or resolution, adopt amendments thereto, for the consideration of the Legislature.

(b) The chairperson of each committee shall set for hearing all bills and resolutions referred to the committee, except as provided for in Rule 1, Section 17.

Sec. 13. Public Hearing, Notice. Before taking final action on a bill, resolution, or gubernatorial appointment, a committee shall hold a public hearing thereon and shall give at least seven calendar days' notice, after the bill or pronouncement of the appointee shall have been printed, by

(ii) The Executive Board is authorized to exercise jurisdiction over legislative bills and resolutions and hold hearings regarding such legislation when the issue presented by the legislative bill or resolution is one of general import to the Legislature and its operations as a whole. Such legislative hearings shall comply with the provisions in Rule 3, Sec. 13.

(iii) The Legislative Program Evaluation Committee is authorized to hold hearings, at the committee's discretion, to receive testimony regarding topics it has selected for review. Such hearings shall comply with the provisions in Rule 3, Sec. 13.

Sec. 6. Meeting Times. (a) After consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to committees. Standing committees shall meet at 1:30 p.m. on weekdays, unless otherwise approved by the Legislature, except for the Nebraska Retirement Systems Committee, which shall meet as called by the chairperson.

(b) A standing committee which decides not to hold meetings on the appointed day shall report that decision to the Clerk of the Legislature.

(c) Any legislative committee shall be subject to the call of its chairperson or to the call of a majority of its members, in accordance with the notice and procedural requirements set forth in its committee rules.

Sec. 7. Chairperson, Vice Chairperson. (a) The chairperson of each standing and select committee shall be selected by secret ballot on the floor of the Legislature.

(b) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

(c) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

Sec. 8. Committee Quorum. A majority of the members of a committee shall constitute a quorum. A quorum must be present for the transaction of any committee business except a public hearing.

Sec. 9. Quorum at Committee Hearings. A quorum of committee members should be maintained throughout all committee hearings.

Sec. 10. Conduct During Committee Hearing. (a) No member, staff, media representative, or individual shall smoke or otherwise consume tobacco products during a committee hearing or while the committee

committee by a three-fifths vote of the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of the elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after the motion is available for consideration or it shall be deemed defeated.

Sec. 18. Committee Statement. (a) The chairperson of each committee with the assistance of the legislative staff shall, when reporting a bill, submit with such bill a committee statement which shall contain, but need not be limited to, the following information:

- (1) the one-line title and number of the bill;
- (2) a roll call vote of final committee action taken on the bill;
- (3) the date of the public hearing on the bill;
- (4) a list of all individuals testifying for and against the bill and any organization they represent;
- (5) a summary of the bill's purpose and a description of all major provisions for change in the bill as written and as amended by the committee;
- (6) if committee amendments are to be introduced, a copy of the amendments and an explanation thereof.

(b) A copy of the proposed statement shall be distributed to each committee member within five days after final action on the bill has been taken by the committee. A minority or concurring statement bearing the signature or signatures of its proponents and setting forth objections to the bill, to proposed amendments, or to the majority statement may be filed by its author(s) with the Clerk of the Legislature at any time prior to the first hearing of the bill on General File.

(c) A copy of the committee statement and any minority statements submitted shall be distributed to each senator after filing with the Clerk of the Legislature. Copies of such statements shall be made available to the public.

Sec. 19. Request From Committee, Bills Held. (a) Except for the general appropriation bills necessary for the support of the state government for the biennium, the Legislature may, by vote of a majority of the elected members, request a status report from any committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

publication in the Legislative Journal. No bill or resolution having been set for public hearing shall be withdrawn nor the hearing cancelled within seven calendar days of the date set for said public hearing.

Sec. 14. State Officials Appearing Before Committees. State officials and department heads or their designees and state employees are encouraged to appear before any legislative committee to comment upon bills having an impact on the operations of the administrative agency or department for which they work.

Sec. 15. Executive Sessions and Closed Meetings. (a) Executive session shall mean any meeting or portion of a meeting which is closed to the general public, and the proceedings of which are not electronically recorded and transcribed, unless the committee so provides, but the records of which shall be available for public inspection. Executive sessions shall be open to members of the news media who may report on action taken and on all discussions in executive session.

(b) All other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.

Sec. 16. Report of Bill to Legislature. (a) In reporting a bill to the Legislature, whether with or without amendments, a committee shall by vote of a majority of its members, recommend that the bill be placed on General File or that the bill be indefinitely postponed.

(b) A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has taken final action upon the particular measure. Final action shall mean an affirmative vote of a majority of the committee members to advance a bill to General File with or without committee amendments or an affirmative vote of a majority of the committee members to indefinitely postpone the bill. A committee may reconsider any final action prior to the committee making a report on the bill or resolution to the Legislature, provided the reconsideration takes place within eight calendar days of the final action.

(c) No bill shall be reported by the committee to be placed on General File unless the amendments, if any, are approved as to form and draftsmanship by the Bill Drafter.

Sec. 17. Indefinitely Postponed Bills. If the committee action on a bill be to postpone indefinitely, the bill shall stand indefinitely postponed; except that such bill may be placed on General File or referred back to the

