

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 824

Introduced by Erdman, 47; Aguilar, 35; Smith, 48

Read first time January 7, 2004

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to aeronautics; to amend section 3-104, Reissue
2 Revised Statutes of Nebraska; to provide for allocation
3 of funds for promotion of aviation; and to repeal the
4 original section.

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

1 Section 1. Section 3-104, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 3-104. There is hereby created the Nebraska Aeronautics
4 Commission which shall consist of five members, who shall be
5 appointed by the Governor. The terms of office of the members of
6 the commission initially appointed shall expire on March 1 of the
7 years 1946, 1947, 1948, 1949, and 1950, as designated by the
8 Governor in making the respective appointments. As the terms of
9 members expire, the Governor shall, on or before March 1 of each
10 year, appoint a member of the commission for a term of five years
11 to succeed the member whose term expires. Each member shall serve
12 until the appointment and qualification of his or her successor.
13 In case of a vacancy occurring prior to the expiration of the term
14 of a member, the appointment shall be made only for the remainder
15 of the term. All members of the commission shall be citizens and
16 bona fide residents of the state and, in making such an
17 appointment, the Governor shall take into consideration the
18 interest or training of the appointee in some one or all branches
19 of aviation. The commission shall, in December of each year,
20 select a chairperson for the ensuing year. The Director of
21 Aeronautics shall serve as secretary as set forth in section 3-127.
22 Three members shall constitute a quorum and no action shall be
23 taken by less than a majority of the commission.

24 The commission shall meet upon the written call of the
25 chairperson, the director, or any two members of the commission.
26 Regular meetings shall be held at the office of the department but,
27 whenever the convenience of the public or of the parties may be
28 promoted or delay or expense may be prevented, it may hold meetings

1 or proceedings at any other place designated by it. All meetings
2 of the commission shall be open to the public. No member shall
3 receive any salary for his or her service, but each shall be
4 reimbursed for actual and necessary expenses incurred by him or her
5 in the performance of his or her duties as provided in sections
6 81-1174 to 81-1177.

7 It shall be the duty of the commission to advise the
8 Governor relative to the appointment of a director and it shall
9 report to the Governor whenever it feels that the director is not
10 properly fulfilling his or her duties. It shall further act in an
11 advisory capacity to the director.

12 The commission shall have, in addition, the following
13 specific duties: (1) To allocate state funds and approve the use of
14 federal funds to be spent for the construction or maintenance of
15 airports; (2) to designate the locations and approve sites of
16 airports; (3) to arrange and authorize the purchase of aircraft
17 upon behalf of the state; (4) to select and approve pilots to be
18 employed by the state, if any; and (5) to assist the director in
19 formulating the regulations and policies to be carried out by the
20 department under the terms of the State Aeronautics Department Act.
21 The commission may allocate state funds for the promotion of
22 aviation. The director may designate one or more members of the
23 commission to represent the department in conferences with
24 officials of the federal government, of other states, of other
25 agencies or municipalities of this state, or of persons owning
26 privately owned public use airports.

27 Sec. 2. Original section 3-104, Reissue Revised Statutes
28 of Nebraska, is repealed.