

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 291

Introduced By: Hansen, 42; Carlson, 38; Louden, 49; McDonald, 41

Read first time: January 10, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to environmental protection; to amend section
2 81-15,171, Reissue Revised Statutes of Nebraska, and section
3 81-15,170, Revised Statutes Cumulative Supplement, 2006; to
4 modify membership on the Nebraska Environmental Trust Board;
5 and to repeal the original sections.

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

1 Section 1. Section 81-15,170, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 81-15,170. (1) The Nebraska Environmental Trust Board is
4 hereby created as an entity of the executive branch. The board shall
5 consist of the Director of Environmental Quality, the Director of
6 Regulation and Licensure, the Director of Natural Resources, the
7 Director of Agriculture, the secretary of the Game and Parks
8 Commission, and ~~nine~~ eight citizens appointed by the Governor with
9 the approval of a majority of the Legislature. The citizen members
10 shall begin serving immediately following notice of nomination and
11 prior to approval by the Legislature. The citizen members shall
12 represent the general public and shall have demonstrated competence,
13 experience, and interest in the environment of the state. ~~Two~~ At
14 least two of the citizen appointees shall also have experience with
15 private financing of public-purpose projects. ~~Three appointees shall~~
16 ~~be chosen from each of the three congressional districts.~~

17 (2) Of the eight citizen appointees appointed pursuant to
18 subsection (1) of this section one appointee shall be appointed from
19 each of the following districts:

20 (a) The first district shall contain the counties of
21 Butler, Cass, Gage, Jefferson, Johnson, Nemaha, Otoe, Pawnee,
22 Richardson, Saline, Sarpy, Saunders, and Seward;

23 (b) The second district shall contain the county of
24 Douglas;

25 (c) The third district shall contain the counties of
26 Antelope, Boone, Burt, Cedar, Colfax, Cuming, Dakota, Dixon, Dodge,
27 Knox, Madison, Merrick, Nance, Pierce, Platte, Stanton, Thurston,

1 Washington, and Wayne;

2 (d) The fourth district shall contain the counties of
3 Adams, Buffalo, Clay, Fillmore, Franklin, Hall, Hamilton, Kearney,
4 Nuckolls, Polk, Thayer, Webster, and York;

5 (e) The fifth district shall contain the counties of Chase,
6 Dawson, Dundy, Frontier, Furnas, Gosper, Harlan, Hayes, Hitchcock,
7 Lincoln, Perkins, Phelps, and Red Willow;

8 (f) The sixth district shall contain the counties of
9 Arthur, Blaine, Boyd, Brown, Cherry, Custer, Garfield, Grant, Greely,
10 Holt, Hooker, Howard, Keya Paha, Logan, Loup, McPherson, Rock,
11 Sherman, Thomas, Valley, and Wheeler;

12 (g) The seventh district shall contain the counties of
13 Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Keith, Kimball,
14 Morrill, Scotts Bluff, Sheridan, and Sioux; and

15 (h) The eighth district shall contain the county of
16 Lancaster.

17 (4) A citizen appointee appointed pursuant to this section
18 as it existed prior to the effective date of this act may continue to
19 serve until the expiration of his or her term of office. Within
20 thirty days after the effective date of this act, the Governor shall
21 designate which citizen appointees appointed prior to the effective
22 date of this act represent the districts that become effective on the
23 effective date of this act. As the terms of citizen appointees
24 appointed prior to the effective date of this act expire as set out
25 in section 81-15,171, appointments shall be made pursuant to this
26 section as it exists on and after the effective date of this act.

27 (5) The board shall hire an executive director who shall

1 hire and supervise other staff members as may be authorized by the
2 board. The executive director shall serve at the pleasure of the board
3 and be solely responsible to it. The Game and Parks Commission shall
4 provide administrative support, including, but not limited to, payroll
5 and accounting functions, to the board.

6 Sec. 2. Section 81-15,171, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-15,171. The citizen members of the board shall be
9 appointed for terms of six years, except that of the members first
10 appointed, except directors of agencies, the terms of three shall
11 expire at the end of the second year, three at the end of the fourth
12 year, and three at the end of the sixth year, as designated at the
13 time of appointment. Any member appointed to fill a vacancy occurring
14 prior to the expiration of the term for which his or her predecessor
15 was appointed shall be appointed for the remainder of such term. A
16 vacancy on the board shall exist in the event of the death,
17 disability, or resignation of a member. All members shall be
18 reimbursed for their actual and necessary travel expenses as provided
19 in sections 81-1174 to 81-1177.

20 Sec. 3. Original section 81-15,171, Reissue Revised Statutes
21 of Nebraska, and section 81-15,170, Revised Statutes Cumulative
22 Supplement, 2006, are repealed.