

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 571

Introduced by Brasch, 16; Groene, 42; Hilkemann, 4; Mello, 5; Schilz, 47.
Read first time January 21, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Nebraska Tourism Commission; to amend
- 2 sections 81-3711 and 81-3714, Reissue Revised Statutes of Nebraska;
- 3 to require the commission to mark significant tourism attractions;
- 4 to prohibit the posting or erection of a highway tourism marker on
- 5 public property; to provide a penalty; to harmonize provisions; and
- 6 to repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-3711, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-3711 The commission shall:

4 (1) Administer the Nebraska Visitors Development Act;

5 (2) Prepare and approve a budget;

6 (3) Elect a chairperson and vice-chairperson;

7 (4) Procure and evaluate data and information necessary for the
8 proper administration of the act;

9 (5) Appoint an executive director to conduct the day-to-day
10 operations of the commission;

11 (6) Employ personnel and contract for services which are necessary
12 for the proper operation of the commission;

13 (7) Establish a means by which any interested person has the
14 opportunity at least annually to offer his or her ideas and suggestions
15 relative to the commission's duties for the upcoming year;

16 (8) Authorize the expenditure of funds and contracting of
17 expenditures to carry out the act;

18 (9) Keep minutes of its meetings and other books and records which
19 clearly reflect all of the actions and transactions of the commission and
20 keep such records open to examination during normal business hours; ~~and~~

21 (10) Prohibit any funds appropriated to the commission from being
22 expended directly or indirectly to promote or oppose any candidate for
23 public office or to influence state or federal legislation; and -

24 (11) Mark significant tourism attractions as provided in section 2
25 of this act.

26 Sec. 2. (1) The Nebraska Tourism Commission shall mark significant
27 tourism attractions in Nebraska.

28 (2) The commission shall have authority to (a) determine what
29 tourism attractions are important to the State of Nebraska and to justify
30 the expenditure of public funds for the purchase of markers of uniform
31 style to be known as highway tourism markers, (b) procure such markers by

1 expending funds specifically appropriated by the Legislature for such
2 purpose and to designate the approximate location of such markers, (c)
3 preserve, replace, or modify markers, and (d) accept gifts and to
4 encourage local participation in and contribution to the erection of such
5 markers through the use of gifts and matching-fund agreements. Such funds
6 shall be deposited into the State Visitors Promotion Cash Fund. The
7 commission may appoint and delegate to a special committee the duties of
8 research and investigation to assist in the determination of tourism
9 attractions that should be designated by such markers. The Department of
10 Roads shall erect and maintain such markers and shall determine the exact
11 location of such markers with consideration given for the safety and
12 welfare of the public.

13 (3) The commission may secure payment to the state for the actual
14 replacement cost of any markers damaged or destroyed, accidentally or
15 otherwise. Any funds so collected shall be remitted to the State
16 Treasurer for credit to the State Visitors Promotion Cash Fund for the
17 procurement of highway tourism markers.

18 (4) It shall be unlawful for any person, public or private
19 corporation, association, or organization to post, erect, or maintain any
20 highway tourism marker on public property or upon any public street,
21 road, or highway in the state bearing any legend, inscription, or notice
22 which purports to mark a tourism attraction or to maintain any highway
23 tourism marker posted or erected after the effective date of this act,
24 unless a written certificate of approval has first been secured from the
25 commission.

26 (5) Nothing in this act shall be construed to restrict the placement
27 of any marker or signage on private property.

28 (6) Any person who violates the provisions of subsection (4) of this
29 section shall be guilty of a Class V misdemeanor. Each day that a
30 violation continues after notice shall constitute a separate offense.

31 Sec. 3. Section 81-3714, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-3714 The State Visitors Promotion Cash Fund is created. The
3 commission shall use the proceeds of the fund to generally promote,
4 encourage, and attract visitors to and within the State of Nebraska, to
5 erect and replace highway tourism markers, and to enhance the use of
6 travel and tourism facilities within the state. The proceeds of the fund
7 shall be in addition to funds appropriated to the commission from the
8 General Fund. Any money in the State Visitors Promotion Cash Fund
9 available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.

12 Sec. 4. Original sections 81-3711 and 81-3714, Reissue Revised
13 Statutes of Nebraska, are repealed.