

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 221

Introduced by Cavanaugh, M., 6.

Read first time January 14, 2025

Committee:

- 1 A BILL FOR AN ACT relating to the Legislature; to amend section 50-1301,
- 2 Reissue Revised Statutes of Nebraska; to state legislative findings
- 3 relating to unfilled gubernatorial appointments; to provide powers
- 4 and duties; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 50-1301, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 50-1301 (1) The Legislature finds that state government actions have
4 produced an increase in the numbers of boards, commissions, and similar
5 entities that support, advise, direct, or administer various state
6 programs. The process has evolved without sufficient legislative and
7 executive oversight and without a system of checks and balances. Because
8 the Legislature is responsible for the expenditure of public money and
9 the shaping of the administration of state government and is held
10 accountable for fiscal policy, the Legislature should also be responsible
11 for the termination, continuation, or modification of such boards,
12 commissions, and similar entities so that it may be assured that its
13 directives have been faithfully carried out.

14 (2) The Legislature further finds that boards, commissions, and
15 similar entities cannot function as intended when vacancies on the board,
16 commission, or similar entity are left unfilled. Membership on these
17 entities is often required by statute to be appointed by either the
18 Governor or the Legislature. In the case of a gubernatorial appointment
19 for a seat that has been vacant for six months or more, the legislative
20 committee of jurisdiction may take applications for the seat and forward
21 recommendations to the Governor for possible appointment. If the seat
22 remains vacant for another three months after the date recommendations
23 are forwarded to the Governor, the Executive Board of the Legislative
24 Council may make the appointment.

25 **Sec. 2.** Original section 50-1301, Reissue Revised Statutes of
26 Nebraska, is repealed.