

LEGISLATIVE BILL 182

Approved by the Governor March 5, 2001

Introduced by Jones, 43; Beutler, 28; Bromm, 23; Bruning, 3; Kremer, 34;
Schrock, 38; Stuhr, 24

AN ACT relating to the Niobrara Council; to amend section 72-2007, Revised Statutes Supplement, 2000; to change provisions relating to voting; and to repeal the original section.

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

Section 1. Section 72-2007, Revised Statutes Supplement, 2000, is amended to read:

72-2007. (1) The Niobrara Council is created. The council membership shall include:

(a) A representative of each of the county boards of Brown, Cherry, Keya Paha, and Rock counties chosen by the county board of the respective county;

(b) A representative of the Middle Niobrara Natural Resources District and the Lower Niobrara Natural Resources District chosen by the board of the respective district;

(c) The secretary of the Game and Parks Commission or his or her designee;

(d) A representative of the United States Fish and Wildlife Service and a representative of the National Park Service chosen by the Governor from lists of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the federal services. The appointments under this subdivision shall be nonvoting members unless and until the agencies represented by these appointees formally authorize such appointees to vote on all matters before the council;

(e) An individual from each of Brown, Cherry, Keya Paha, and Rock counties who resides in the Niobrara River drainage area and owns land in the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, from each county submitted by the county board representatives on the council;

(f) A representative from a recreational business operating within the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council;

(g) A timber industry representative operating within the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council; and

(h) A representative of a recognized, nonprofit environmental, conservation, or wildlife organization chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council.

The council members shall be selected within ninety days after July 13, 2000. The council members shall hold office for three-year terms and until a successor is appointed and qualified. The council members shall serve at the pleasure of the appointing board or the Governor.

(2) The council shall elect a chairperson, a vice-chairperson, a secretary, and a treasurer who shall jointly serve as the executive committee for the council. The council shall meet on a regular basis, preferably once a month, with a minimum of six meetings per year. Special meetings may be called by any member of the executive committee or at the request of a simple majority of the members of the council.

(3) ~~A majority of the council members~~ quorum shall be present at a meeting before any action may be taken by the council. ~~The majority shall be determined from the number of council members who are selected and are serving rather than the number of possible members. A quorum shall be a majority of the members who are selected and serving and who vote on issues before the council.~~ All actions of the council require a majority vote of ~~all council members~~ the quorum present at any meeting, except that any vote to reject or adopt any zoning regulation or variance under section 72-2010 ~~shall be by~~ requires a vote of two-thirds of all the council members who are selected and serving and who vote on issues before the council. A council member may not participate or vote on any matter on which he or she participated or voted as a member of a county board, county planning commission, or natural resources

district board, and in such a case such council member shall not be counted for purposes of determining whether quorum or vote requirements have been satisfied.

(4) Members shall be reimbursed for actual and necessary expenses incurred in carrying out their duties on the council as provided in sections 81-1174 to 81-1177.

Sec. 2. Original section 72-2007, Revised Statutes Supplement, 2000, is repealed.