

AMENDMENTS TO LB1038

(Amendments to Standing Committee amendments, AM2472)

Introduced by Davis, 43.

1 1. Insert the following new sections:

2 Sec. 8. Section 72-2007, Revised Statutes Supplement, 2015, is
3 amended to read:

4 72-2007 (1) The Niobrara Council is created. The council membership
5 shall include:

6 (a) A commissioner from each of the county boards of Brown, Cherry,
7 Keya Paha, and Rock counties chosen by the county board of the respective
8 county;

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

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

14 (d) The regional director for the National Park Service or his or
15 her designee and the regional director for the United States Fish and
16 Wildlife Service or his or designee. The members under this subdivision
17 shall be nonvoting members unless and until the agencies represented by
18 these members formally authorize such members to vote on all matters
19 before the council by notifying the council and the Governor in writing;

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

26 (f) A representative from a recreational business operating within

1 the Niobrara scenic river corridor chosen by the Governor from a list of
2 at least three individuals, or fewer if there are not at least three
3 qualified individuals, submitted by the county board members on the
4 council;

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

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

14 The appointments made pursuant to subdivisions (1)(e) through (h) of
15 this section shall be subject to confirmation by the Legislature. The
16 council members shall hold office for three-year terms and until a
17 successor is appointed and qualified. The council members shall serve at
18 the pleasure of the appointing board or the Governor.

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

25 (3) A quorum shall be present at a meeting before any action may be
26 taken by the council. A quorum shall be a majority of the members who are
27 selected and serving and who vote on issues before the council. All
28 actions of the council require a majority vote of the quorum present at
29 any meeting, except that any vote to reject or adopt any zoning
30 regulation or variance under section 72-2010 requires a vote of two-
31 thirds of all the council members who are selected and serving and who

1 vote on issues before the council.

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

5 Sec. 9. Section 72-2008, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 72-2008 The mission of the Niobrara Council is to assist in all
8 aspects of the management of the Niobrara scenic river corridor since
9 portions of the Niobrara River have been designated as a national scenic
10 river under 16 U.S.C. 1274(a)(117), as such section existed on May 24,
11 1991, giving consideration and respect to local and governmental input
12 and private landowner rights, and to maintain and protect the integrity
13 of the resources associated with the Niobrara scenic river corridor. The
14 council shall perform management functions related to the Niobrara scenic
15 river corridor, including, but not limited to, those authorized and
16 delegated to it by the National Park Service. The council may promulgate
17 its own rules and internal policies to carry out the purposes of the
18 Niobrara Scenic River Act. The Game and Parks Commission may provide
19 administrative, budgetary, operational, and programmatic support when
20 requested by the council to carry out its duties. ~~This support shall not~~
21 ~~exceed fifty thousand dollars in any calendar year.~~ In the Niobrara
22 scenic river corridor, the council may hold title to real estate in the
23 name of the council. The council may purchase, accept gifts of, or trade
24 real estate and may obtain conservation easements as provided in the
25 Conservation and Preservation Easements Act. Acquisition of conservation
26 easements outside the boundaries of the Niobrara scenic river corridor
27 shall require the approval of the appropriate governing body as provided
28 in section 76-2,112. On December 1, 2016, and on each December 1
29 thereafter, the council shall electronically submit an annual report to
30 the Clerk of the Legislature and the chairperson of the Natural Resources
31 Committee of the Legislature describing expenditures made pursuant to the

- 1 Niobrara Scenic River Act.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 accordingly.