

LEGISLATIVE BILL 637

Approved by the Governor April 24, 2019

Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-3701, 81-3711, and 81-3728, Revised Statutes Cumulative Supplement, 2018; to provide a duty for the Nebraska Tourism Commission; to authorize sales of tourism promotional products; to change provisions relating to vendor duties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 81-3701, Revised Statutes Cumulative Supplement, 2018, is amended to read:

81-3701 Sections 81-3701 to 81-3729 and section 3 of this act shall be known and may be cited as the Nebraska Visitors Development Act.

Sec. 2. Section 81-3711, Revised Statutes Cumulative Supplement, 2018, is amended to read:

81-3711 The commission shall:

- (1) Administer the Nebraska Visitors Development Act;
- (2) Prepare and approve a budget;
- (3) Elect a chairperson and vice-chairperson;
- (4) Procure and evaluate data and information necessary for the proper administration of the act;
- (5) Appoint an executive director at a salary to be fixed by the commission to conduct the day-to-day operations of the commission;
- (6) Employ personnel and contract for services which are necessary for the proper operation of the commission;
- (7) Establish a means by which any interested person has the opportunity at least annually to offer his or her ideas and suggestions relative to the commission's duties for the upcoming year;
- (8) Authorize the expenditure of funds and contracting of expenditures to carry out the act;
- (9) Keep minutes of its meetings and other books and records which clearly reflect all of the actions and transactions of the commission and keep such records open to examination during normal business hours;
- (10) Prohibit any funds appropriated to the commission from being expended directly or indirectly to promote or oppose any candidate for public office or to influence state or federal legislation;
- (11) Have authority to mark significant tourism attractions as provided in section 81-3711.01;
- (12) Have authority to develop and approve state marketing campaigns;
- (13) ~~(12)~~ Adopt and promulgate rules and regulations to carry out the Nebraska Visitors Development Act;
- (14) ~~(13)~~ Develop and administer a program to provide promotional services, technical assistance, and state aid to local governments and the tourism industry;
- (15) ~~(14)~~ Establish written policies and procedures governing the executive director and the personnel of the commission in the expenditure and use of funds appropriated to the commission;
- (16) ~~(15)~~ Cooperate with federal, state, and local governments and private individuals and organizations to carry out any of the functions of the commission and purposes of the Nebraska Visitors Development Act; and
- (17) ~~(16)~~ Actively coordinate and develop working partnerships with other state agencies, including, but not limited to, the Commission on Indian Affairs, the Department of Economic Development, the Game and Parks Commission, the Nebraska Arts Council, the Nebraska State Historical Society, and the University of Nebraska.

Sec. 3. The commission is authorized to develop and make available for sale directly to the public tourism promotional products related to state marketing campaigns developed and approved by the commission. The commission may contract with private vendors to produce, sell, and distribute such tourism promotional products. Any revenue from the sale of such tourism promotional products shall be credited to the Nebraska Tourism Commission Promotional Cash Fund as provided in section 81-3728.

Sec. 4. Section 81-3728, Revised Statutes Cumulative Supplement, 2018, is amended to read:

81-3728 Vendors under contract with the commission to develop, print, and distribute publications and promotional materials or produce, sell, and distribute tourism promotional products on behalf of the commission shall, on a monthly basis, submit to the commission all revenue received from the sale of advertising space in such publications or from the sale of such tourism promotional products. Monthly submissions shall include an itemization of the sources of revenue in a format as designated by the commission. Revenue shall be remitted to the State Treasurer for credit to the Nebraska Tourism Commission Promotional Cash Fund.

Sec. 5. Original sections 81-3701, 81-3711, and 81-3728, Revised Statutes

Cumulative Supplement, 2018, are repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.