

LEGISLATIVE BILL 568

Approved by the Governor March 3, 1978

Introduced by Government, Military and Veterans Affairs Committee, Rasmussen, 41, Chmn.; George, 16; Duis, 39; Simon, 31; Stoney, 4; Maxey, 46; Chambers, 11

AN ACT to amend section 81-193, Revised Statutes Supplement, 1977, relating to termination of agencies, boards, and commissions; to provide for the continued existence of the Department of Economic Development; to repeal the original section; and also sections 81-1201 to 81-1204, 81-1205 to 81-1213, and 81-1220 to 81-1225, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Section 1. That section 81-193, Revised Statutes Supplement, 1977, be amended to read as follows:

81-193. The following agencies, boards, or commissions shall terminate on July 1, 1978:

(1) Board of Cosmetologist Examiners, created by section 71-316;

(2) Board of Barber Examiners, created by section 71-221;

(3) Board of Examiners in Massage, created by section 71-2703;

(4) Board of Hearing Aid Dealers and Fitters, created by section 71-4715; and

(5) Board of Registration for Sanitarians, created by section 71-3701. ;-and

~~(6) Department of Economic Development, created by section 81-1201.~~

Sec. 2. There is hereby created an executive department of state government to be known as the Department of Economic Development. The department shall have as its general purpose the planning, promotion, and development of the state's economy and the development of the state's human, natural, and physical resources. In order to accomplish the general purpose, the department

shall endeavor to accomplish the following specific purposes:

(1) To stimulate, in collaboration with public and private agricultural, industrial, tourism, and educational groups, the growth and prosperity of commerce, agriculture, industry, and job opportunities in the state by devising ways and means to assist in the development of new and existing industry, and by providing research and informational services with respect to such matters as potential new products, processes, production techniques, and marketing;

(2) To coordinate the efforts of public and private bodies and groups whose purposes and goals are similar to those of the department as those efforts are identified through continuing contacts with the local, regional, state, and national associations and agencies in the fields of agriculture, commerce, development, industry, tourism, housing, and labor; and

(3) To serve as the state agency primarily responsible for community and area development by encouraging and assisting in the preparation and implementation of community appraisal programs and the preparation and implementation of programs designed to solve the problems identified by the appraisal, and by providing for state technical and financial assistance.

Sec. 3. The chief executive officer of the Department of Economic Development shall be the Director of Economic Development, who shall be appointed by the Governor from a nominee of the Nebraska Economic Development Committee and with the advice and consent of the Legislature. The director shall administer the affairs of the department, and he or she shall serve at the pleasure of the Governor. The director shall have equal rank with the heads of other state departments, and his or her salary shall be fixed by the Governor. The director shall employ such assistants, professional staff, and other employees as may be deemed necessary to effectively carry out this act within such appropriations as the Legislature may provide.

Sec. 4. The Department of Economic Development shall have the following powers:

(1) To cooperate with and assist similar departments, agencies, commissions, or councils of the federal governments and of other state governments;

(2) To utilize the facilities and services and direct the cooperation of the University of Nebraska and

all other existing officers, offices, commissions, departments, boards, bureaus, institutions, and other agencies of the state and of the political subdivisions thereof in order to avoid duplication of such facilities and services, and all such other officers and agencies shall cooperate with and extend their services and facilities to the department;

(3) To adopt, amend, and repeal rules, regulations, and by-laws governing its procedures and activities;

(4) To create committees to aid in the discharge of its duties;

(5) To submit and adopt all necessary plans, enter into contracts, and accept gifts, grants, and federal funds; and

(6) To do all acts, not inconsistent with the law, necessary or conducive to the efficient utilization of Nebraska's agricultural, community, commercial, tourism, and industrial resources and to the state's overall economic development.

Sec. 5. The Department of Economic Development shall perform the duties provided in sections 6 to 14 of this act.

Sec. 6. The department shall conduct continuing surveys, studies, and analyses with respect to community and economic development or constraints to community and economic development in the State of Nebraska. Such research shall include, but not be limited to:

(a) industrial materials and facilities;

(b) Production and manufacturing facilities;

(c) Agriculture, food supply, and land use;

(d) Labor supply and training, labor relations and human resources, professions, trades, and skills;

(e) Housing and related facilities;

(f) Finance;

(g) Tourism;

(h) Urban and rural affairs; and

(i) Existing statutes dealing with community and economic development.

The department shall report the findings of such research to the Governor with recommendations for legislative or administrative action whenever such action is, in the opinion of the Director of Economic Development, deemed appropriate.

Sec. 7. The department shall serve as a clearinghouse for information, data, and other materials which may be helpful or necessary to the full development of the state's economy, which may be relevant with regard to the possibilities of future development in Nebraska, and which will be of use to local government officials in discharging their responsibilities.

Sec. 8. The department shall provide planning and technical assistance to local governments, county governments, organizations of elected, appointed, and professional officials, metropolitan, regional, local, and joint planning agencies, industrial development organizations, tourism promotion organizations, community development groups, and similar organizations upon request.

Sec. 9. The department shall provide technical assistance and serve as a clearinghouse for efforts to assist the growth of Nebraska industry, to counsel with industry on special problems, and to provide liaison between Nebraska industry and research capabilities in educational institutions and other government or private research agencies.

Sec. 10. The department shall provide staff services when, in the opinion of the Director of Economic Development, such services are necessary and appropriate in the areas of community and economic development to cities of the first class, second class, and villages on a contractual basis when the terms of such contracts can be mutually accepted.

Sec. 11. The department shall assist the Governor in coordinating the activities of state agencies which have an impact on the state's community and economic development.

Sec. 12. The department shall assist the efforts of local governments to develop mutual and cooperative solutions to their common problems.

Sec. 13. The department shall advertise and promote the natural, human, physical, and economic assets

of Nebraska and do such other acts and things as will develop the state's economy and attract nonresident investment and trade to the state.

Sec. 14. The department shall develop and implement model or demonstration programs and projects or otherwise provide a program of practical research in the solution of community problems.

Sec. 15. There is hereby created an advisory committee to be known as the Nebraska Economic Development Committee to advise the Department of Economic Development in carrying out the provisions of this act. The committee shall consist of eleven members to be appointed by the Governor with the advice and consent of the Legislature.

Sec. 16. Members shall serve for terms of four years, except that of the members initially appointed, six shall serve for a term of two years and five for a term of four years. Appointments shall be made without reference to political affiliation and with reference to special knowledge of agriculture, commerce, planning, industry, tourism, labor, community development, and other activities pertinent to the future welfare and development of Nebraska. At least three members of the committee shall at the time of appointment reside in each congressional district.

Sec. 17. The members of the committee shall serve without compensation but may be reimbursed for their actual and necessary traveling expenses on the same basis and subject to the same conditions as full-time state employees.

Sec. 18. A chairperson shall be elected by and from the committee at its first meeting each calendar year. The committee shall meet at least four times a year at the call of the chairperson, four members of the committee, or the Director of Economic Development.

Sec. 19. The purpose of the committee shall be to aid the department and the director in formulating the policy and determining methods of achieving the objectives of the department, to review committee recommendations, and to aid and advise the Governor in the selection of the Director of Economic Development.

Sec. 20. The Department of Economic Development shall prepare a biennial report of its activities for the Governor and Legislature.

Sec. 21. The Game and Parks Commission is authorized and directed to assign to the Department of Economic Development all its right, title, and interest in and to the following described real estate: The North Half of Lot Sixteen, of the subdivision of the Cody Land and Cattle Company Lands, Lincoln County, Nebraska, lying north of the north right-of-way line of Drainage District No. 1, Lincoln County, Nebraska, subject to all easements, benefits, and burdens of record, such tract of land being more particularly described as follows:

Commencing at the Northeast corner of Lot Sixteen, Cody Land and Cattle Company Subdivision, thence running west on the north line of lot sixteen a distance of one thousand three hundred thirty and eight-tenths feet to the northwest corner of lot sixteen, thence running south on the west line of lot sixteen a distance of one thousand three hundred and twenty feet to the southwest corner of the north one half of lot sixteen thence running east on the south line of the north one half of lot sixteen a distance of one thousand three hundred thirty-two feet to the southeast corner of the north one half of lot sixteen, thence running north on the east line of lot sixteen, a distance of one thousand three hundred twenty feet to the point of beginning, containing forty and thirty-four hundredths acres, more or less; commonly referred to as the Wild West Arena effective July 1, 1972.

The Game and Parks Commission is further authorized and directed to assign to the Department of Economic Development all its right, title, and interest in and to a certain lease for the Strategic Air Command Museum effective July 1, 1972.

Sec. 22. (1) The Director of Economic Development is hereby authorized to set and collect a fee from persons who attend any attraction under the control or supervision of the Department of Economic Development. All such funds shall be deposited in the appropriate department fund and used for the purposes set forth for that fund.

(2) The Director of Economic Development may contract for and lease any property under the control and supervision of the Department of Economic Development to any person or organization if such lease is in the best interest of the state. All funds collected from such leases shall be deposited in the appropriate department fund and used for the purposes set forth for that fund.

Sec. 23. That original section 81-193, Revised Statutes Supplement, 1977, and also sections 81-1201 to

LB568

81-1204, 81-1205 to 81-1213, and 81-1220 to 81-1225, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 24. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.