

LEGISLATIVE BILL 190

Approved by the Governor June 8, 1993

Introduced by Baack, 47, Ashford, 6, Avery, 3, Beutler, 28, Bohlke, 33, Bromm, 23, Coordsen, 32, Cudaback, 36, Day, 19, Dierks, 40, Haberman, 44, Hall, 7, Hartnett, 45, Hillman, 48, Hohenstein, 17, Janssen, 15, Landis, 46, McKenzie, 34, Robak, 22, Robinson, 16, Schellpeper, 18, Schimek, 27, Schmitt, 41, Vrtiska, 1, Wehrbein, 2, Wesely, 26, Wickersham, 49, Withem, 14, at the request of the Governor

AN ACT relating to rural development; to amend sections 81-1201.07 and 81-1201.10, Revised Statutes Supplement, 1992; to create the Rural Development Commission within the Department of Economic Development; to provide for an executive director and members; to provide powers and duties; to create a fund; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. There is hereby created the Rural Development Commission. The commission shall advocate and recommend programs that foster community sustainability and economic development initiatives in rural areas of Nebraska. For administrative purposes, the commission and its executive director and staff shall be within the Department of Economic Development. The Director of Economic Development, in consultation with the chairperson and vice-chairperson of the commission, shall supervise the hiring of the executive director using the state personnel hiring process. The Director of Economic Development, in consultation with the chairperson and vice-chairperson and the executive director, may employ personnel necessary to carry out the powers and duties of the commission. The Lieutenant Governor, the Governor's Policy Research Office, the Department of Economic Development, the Department of Agriculture, and other state agencies may provide administrative and technical support under the direct supervision of the Governor. The commission may secure cooperation and assistance of other appropriate government and private sector entities specifically for rural programs.

Sec. 2. (1) The Rural Development Commission shall consist of nineteen members who represent a wide range of rural Nebraska interests. The Governor with the advice of the commission shall appoint the members of the commission and the chairperson and vice-chairperson of the commission. The appointments may include representation from nonmetropolitan Nebraska residents, business,

agriculture, nonprofit organizations, federal, state, and local government, Nebraska's Indian tribes, and other groups as necessary to conduct the business of the commission. The Governor shall consider and attempt to balance representation based on political party affiliation, gender, race, age, community size, and the different geographical areas of Nebraska when making appointments.

(2) The terms of the initial members shall be as follows: Six members shall serve for one-year terms; seven members shall serve for two-year terms, including the members designated as chairperson and vice-chairperson; and four members shall serve for three-year terms. Thereafter members shall serve for terms of two years. The Governor shall appoint two ex officio, nonvoting members from the Legislature for two-year terms. Members other than the chairperson and vice-chairperson may not serve more than three consecutive two-year terms.

(3) The commission shall meet at the call of the chairperson or a majority of the voting members. The chairperson shall call such meetings as he or she determines necessary to fulfill the duties of the commission. A quorum shall be one-half of the voting members.

(4) The members of the commission shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177 and pursuant to policies of the commission.

Sec. 3. The Rural Development Commission shall:

(1) Focus attention on and increase awareness of the opportunities and needs of rural Nebraskans;

(2) Advocate for rural Nebraska by proposing solutions to rural challenges;

(3) Strengthen community sustainability and growth in rural Nebraska through increased community-based wealth creation, expanded economic opportunity, and improved quality of life;

(4) Stimulate rural development innovation and foster information transfer to, from, and within rural Nebraska;

(5) Encourage and support continuity, coordination, and cooperation among national, state, multicommunity, and local rural development initiatives and service providers;

(6) Ensure that rural Nebraskans are afforded the opportunity to determine rural Nebraska's development agenda;

(7) Serve as an advisory body to the Governor, state agencies, and the Legislature on rural development issues;

(8) Establish an information clearinghouse on rural challenges and needs, development services, model initiatives, available resources, and service providers;

(9) Foster community-based development initiatives through multicommunity partnerships;

(10) Support strategic planning and research for and evaluation of rural development initiatives and service providers; and

(11) Serve as Nebraska's rural development council within the meaning of the Presidential Initiative on Rural America by providing

inventories, reports, assessments, and implementation plans as appropriate.

Sec. 4. The Rural Development Commission may:

(1) Appoint nonvoting members, obtain advisors, create task forces composed of noncommission members, or engage in other appropriate activities necessary in completing the commission's duties;

(2) Issue reports, recommendations, or other communications as deemed necessary by the chairperson of the commission;

(3) Adopt operating procedures and guidelines; and

(4) Engage in other activities relevant and appropriate to its purpose, duties, and powers.

In addition, the commission, with the concurrence of the Department of Economic Development, shall have the power to receive or apply for and receive gifts, grants, contributions, and other funds from the federal government, private agencies, affiliated associations, and individuals and to contract with public and private groups to conduct its business.

Sec. 5. On or before February 15 of each year, the executive director of the Rural Development Commission shall transmit to the Governor and the Clerk of the Legislature an annual report which includes a summary of the commission's activities, recommendations for future rural development action, and an accounting of the source and use of funds disbursed during the previous fiscal year.

Sec. 6. There is hereby created the Rural Development Cash Fund which shall be used by the Department of Economic Development for the purpose of sections 1 to 5 of this act. Money deposited in the fund shall include any monetary gifts, grants, and donations, proceeds from contracts for services, and reimbursements of expenses. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 7. That section 81-1201.07, Revised Statutes Supplement, 1992, be amended to read as follows:

81-1201.07. The department may have the divisions, ~~and~~ program, ~~and~~ commission listed in this section to aid in the discharge of its duties but shall not be limited to such divisions, ~~and~~ program, ~~and~~ commission: (1) An Existing Business Assistance Division; (2) a Business Recruitment Division; (3) a Travel and Tourism Division; (4) a Community and Rural Development Division; ~~and~~ (5) a Community Development Block Grant Program; ~~and~~ (6) a Rural Development Commission. Each division, ~~and~~ program, ~~and~~ commission, when deemed appropriate by the director, is encouraged to establish advisory committees and programs to insure public participation and input.

Sec. 8. That section 81-1201.10, Revised Statutes Supplement, 1992, be amended to read as follows:

81-1201.10. The department shall:

(1) Create and keep current a comprehensive and

long-term strategy for economic development. The strategy shall address and be consistent with the general purposes and duties of the department. The strategy shall consider: (a) The entire state; (b) economic regions within the state; and (c) the operating divisions, ~~and~~ program, and commission listed in section 81-1201.07; and

(2) Develop an independent program of performance review of the activities of the department, departmental divisions, ~~and~~ the Community Development Block Grant Program, and the Rural Development Commission. The review shall include, but not be limited to: (a) An assessment of the impact of the department's programs corresponding to the strategic plans of the department, departmental divisions, ~~and~~ the Community Development Block Grant Program, and the Rural Development Commission; (b) a comparative assessment of the relative impact of the department's programs with similar programs in other states; and (c) a comparative assessment of the department's programs' impact on different parts of the state. The review shall be completed or updated at least once every three years.

The Performance Review Revolving Fund is hereby created. The money in the fund shall be used to employ an independent firm experienced in doing performance reviews as prescribed in this subdivision to do performance reviews. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 9. This act shall become operative on July 1, 1993.

Sec. 10. That original sections 81-1201.07 and 81-1201.10, Revised Statutes Supplement, 1992, are repealed.

Sec. 11. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.