

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 305

Introduced by Erdman, 47; Brandt, 32.

Read first time January 12, 2021

Committee:

- 1 A BILL FOR AN ACT relating to the Game and Parks Commission; to amend
- 2 section 37-106, Revised Statutes Cumulative Supplement, 2020; to
- 3 change provisions relating to appointment and removal of the
- 4 commission secretary; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-106, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 37-106 Beginning on the effective date of this act, the Governor
4 ~~The Game and Parks Commission~~ shall appoint a secretary of the Game and
5 Parks Commission, subject to confirmation by the Legislature, who will
6 act as the its director and chief conservation officer of the commission
7 and be in charge of its activities. The secretary ~~He or she~~ shall be a
8 person with knowledge of and experience in the requirements of the
9 protection, propagation, conservation, and restoration of the wildlife
10 resources of the state. The secretary shall serve for a term of six years
11 and may be reappointed. The secretary shall not hold any other public
12 office and shall devote his or her entire time to the service of the
13 state in the discharge of his or her official duties. The secretary shall
14 receive such compensation as the commission may determine and shall be
15 reimbursed for expenses incurred by him or her in the discharge of his or
16 her official duties as provided in sections 81-1174 to 81-1177. Before
17 entering upon the duties of his or her office, the secretary shall take
18 and subscribe to the constitutional oath of office, and shall, in
19 addition thereto, swear or affirm that he or she holds no other public
20 office, nor any position under any political committee or party. Such
21 oath or affirmation shall be filed in the office of the Secretary of
22 State. Under the direction of the commission, the secretary shall have
23 general supervision and control of all activities and functions of the
24 commission, shall enforce all the provisions of the law of the state
25 relating to wild animals, birds, fish, parks, and recreational areas, and
26 shall exercise all necessary powers incident thereto not specifically
27 conferred on the commission. The secretary may be removed by the Governor
28 ~~commission~~ for inefficiency, neglect of duty, or misconduct in office,
29 ~~but only by a majority vote of the commissioners after delivering to the~~
30 ~~secretary a copy of the charges and affording him or her an opportunity~~
31 ~~of being publicly heard in person or by counsel in his or her own~~

1 ~~defense. If the secretary is removed, the commission shall place in its~~
2 ~~minutes a complete statement of all charges made against the secretary~~
3 ~~and its findings thereon, together with a complete record of the~~
4 ~~proceedings and the recorded vote thereon.~~

5 Sec. 2. Original section 37-106, Revised Statutes Cumulative
6 Supplement, 2020, is repealed.