

LEGISLATIVE BILL 481

Approved by the Governor April 8, 1977

Introduced by Public Health and Welfare Committee,
Moylan, 6, V-Chmn.; Brennan, 9; Kelly, 35; R.
Maresh, 32

AN ACT to amend section 23-343.01, Reissue Revised Statutes of Nebraska, 1943, relating to county hospitals; to provide an exception to the requirement that only one member of the board of trustees shall be from the city or precinct in which a facility is located; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 23-343.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.01. (1) When a county with a population of thirty-six hundred or more and less than two hundred thousand inhabitants or with an assessed valuation of all taxable real and personal property, excluding intangible property, of ten million dollars or more, shall establish such facility or facilities as provided by section 23-343, the county board of the county shall proceed at once to appoint a board of trustees. Such board shall consist of three or five members, as fixed by the county board. All members of such board shall be residents of said county. When such board is first established, one member shall be appointed for a term of two years, one for four years, and one for six years from the date they are appointed, if the county board provides for a three member board. Otherwise one additional member shall be appointed for four years and one for six years. When the board is changed to a five member board, the three members who are serving as such trustees at the time of a change from a three member to a five member board shall each complete his respective term of office. The two additional members shall be appointed by the county board, one for a term of four years and one for a term of six years. Thereafter, as their terms expire, members shall be appointed for a term of six years.

(2) Not Except in any county having a population of more than three hundred thousand inhabitants, not over one member of said board of trustees shall be from the city in which such facility or facilities are located. In any county having a population of more than three hundred thousand inhabitants, a minimum of one member of the board of trustees shall be a resident of the county

and shall reside outside the corporate limits of the city in which such facility or facilities are located. In any county having a population of more than three hundred thousand inhabitants, if only one member of the board of trustees resides outside the corporate limits of the city in which the facility or facilities are located and the residence of such member is annexed by such city, he shall be allowed to complete his term of office but shall not be eligible for reappointment. If such facility or facilities are located outside of the corporate limits of a city, not more than one member shall be appointed from the precinct in which such facility or facilities are located. The said trustees shall, within ten days after their appointment, qualify by taking the oath of county officers and by furnishing a bond in an amount to be fixed by the county board. They shall organize as a board of trustees by the election of one of their number as chairman and one as secretary. The county treasurer of the county in which such facility or facilities are located shall be the treasurer of the board of trustees. He shall receive and pay out all the money under the control of said board as ordered by it but shall receive no compensation from such board.

(3) When a member or trustee is absent from three consecutive board meetings either regular or special without being excused by the remaining members of the board, his office shall become vacant, and a new member shall be appointed by the county board to fill the vacancy for the unexpired term of such member as provided by section 23-343.09. Such vacancy shall become effective when the county board shall find that there is such a vacancy or shall fill the same as provided in this subsection.

(4) In counties having a population of two hundred thousand inhabitants or more, the county board of such county having such facility or facilities, in lieu of appointing a board of trustees of such facility or facilities, may elect to serve as the board of trustees of such facility or facilities. If the county board makes such election, that county board shall assume all the duties and responsibilities of the board of trustees of such institution. Such election shall be evidenced by the adoption of a resolution by that county board.

Sec. 2. That original section 23-343.01, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.