

LEGISLATIVE BILL 175

Approved by the Governor March 4, 1992

Introduced by Elmer, 38

AN ACT relating to highways and streets; to amend section 39-2304, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to members of the Board of Examiners for County Highway and City Street Superintendents; and to repeal the original section.

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

Section 1. That section 39-2304, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-2304. The Board of Examiners for County Highway and City Street Superintendents shall consist of seven members to be appointed by the Governor, four of whom shall be county representatives, and three of whom shall be municipal representatives.

Immediately preceding appointment to the board, each county and municipal representative shall hold a current license as a county highway or city street superintendent pursuant to sections 39-2301 to 39-2311. Of the county representatives, no more than one member shall be appointed from each class of county as defined in section 23-1114.01, and of the municipal representatives, no more than one shall be appointed from each congressional district, one of whom shall be a representative of a city of the metropolitan or primary class, one of whom shall be a representative of a city of the first class, and one of whom shall be a representative of a city of the second class or a village.

In making such appointments, the Governor may give consideration to a list of licensed county highway engineers, highway superintendents, and county surveyors submitted by the Nebraska Association of County Officials; and to a list of licensed city street superintendents or commissioners and public works directors submitted by the League of Nebraska Municipalities. Two county representatives shall initially be appointed for terms of two years each, and two county representatives shall initially be appointed for terms of four years each. One municipal

representative shall initially be appointed for a term of two years, and two municipal representatives shall initially be appointed for terms of four years each. Thereafter, all such appointments shall be for terms of four years each.

In the event a county or municipal representative loses his or her license as a county highway or city street superintendent, such person shall no longer be qualified to serve on the board and such seat shall be vacant. In the event of a vacancy occurring on the board for any reason, such vacancy shall be filled by appointment by the Governor for the remainder of the unexpired term. Such appointed person shall meet the same requirements and qualifications as the member whose vacancy he or she is filling.

Members of the board shall be reimbursed for their actual and necessary expenses incurred while engaged in the performance of their official duties as provided in sections 81-1174 to 81-1177. ~~for state employees.~~

Sec. 2. That original section 39-2304, Reissue Revised Statutes of Nebraska, 1943, is repealed.