

her amendment.

SENATOR WITEK: Madam Chairman, members of the Legislature, my amendment is on page 36 of the green copy of your bill, line 13. And it strikes "thirty" and inserts "fifteen". This section of the bill reads, "The Director of Health and Human Services, the Director of Standards and Evaluation, and the Director of Finance and Support together may exempt up to thirty positions from the State Personnel System. The directors may allocate such positions among their departments from time to time in a manner they determine will enable them to carry out the purposes of the Nebraska Partnership for Health and Human Services Act and sections 15 to 35 of this act and carry out the functions of the departments most effectively. Persons holding the noncovered positions shall serve at the pleasure of the director of the department to which they are allocated." There was a similar bill in another of my committees, LB 1323. If you have a chance to look at that, it's a bill that was introduced by Senator Wesely, and it asked to exempt a number of employees, it was approximately thirty, from various agencies, and it concerned all of the agencies. At this time we already allow those same agencies, I don't know if you all received a letter I received from Carol Stitt, but this is information that we also received in our committee. At this time the number of exempt positions, from the Department of Social Services, that they can exempt is five, and they're using five. DPI has available five and they're using four. Department of Health has available three and they are using three. Department of Aging has zero positions available, they are using one. And at this time the Office of Juvenile Services has no exempt positions available and they are not using any. So this...already these five agencies, the top three and Department of Aging, are using thirteen exempt positions. What my amendment would do, would be to allow them fifteen exempt positions, instead of the thirty that are required under this bill. The reason that we looked at this section of the bill was because during the discussion in my committee about these exempt positions and the reading of 1323, what an exempt position is used for, and it's a good purpose, I believe, is the purpose of having noncovered positions shall be to allow agency heads the opportunity to recruit, hire, and supervise critical, confidential, or policymaking personnel without restrictions from the selection procedures compensation rules, career protections, and grievance privileges. I believe that flexibility is important and needs to be maintained or