

LEGISLATIVE BILL 368

Approved by the Governor January 31, 1984

Introduced by Government, Military & Veterans Affairs
Committee, Landis, 46, Chairperson;
Beutler, 28; R. Johnson, 34; Goll, 16;
Vickers, 38; Chambers, 11; Higgins, 9

AN ACT relating to cities and villages; to amend sections 16-305, 17-108.02, and 17-209.02, Reissue Revised Statutes of Nebraska, 1943; to provide requirements and limitations for certain officers; to change provisions relating to employment; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. That section 16-305, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-305. The mayor and members of the council of a first-class city shall be residents and qualified electors of the city. Except as provided in section 70-624.04, they ~~Ne elective officer of the city shall not hold any other elective public county office, nor shall he be appointed to any office created by the council. The acceptance of any county office by any such elective city officer shall be a vacation of the city office so held prior to such acceptance.~~

All officers and employees of the city shall receive such compensation as the mayor and council may fix at the time of their appointment or employment, subject to the limitations set forth in this section. The local governing body of the city may, at its discretion, by ordinance combine and merge any elective or appointive office or employment, except mayor and council member, with any other elective or appointive office or employment so that one or more of such offices or employments may be held by the same officer or employee at the same time. The offices or employments so merged and combined shall always be construed to be separate and the effect of the combination or merger shall be limited to a consolidation of official duties only. The salary or compensation of the officer or employee holding the merged and combined offices or employments or offices and employments shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, offices, employment, or employments so merged and combined.

Sec. 2. That section 17-108.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-108.02. The mayor and members of the council of second-class cities shall be residents and qualified

electors of the city. Except as provided in section 70-624.04, they shall not hold any other elective public office.

All ~~other~~ officers and employees of the city shall receive such compensation as the mayor and council may fix at the time of their appointment or employment, except as hereinafter subject to the limitations set forth in this section. The local governing body of the city may, at its discretion, by ordinance combine and merge any elective or appointive office or employment, except mayor and ~~councilman~~ council member, with any other elective or appointive office or employment so that one or more of such offices or employments may be held by the same officer or employee at the same time. ~~; Provided, the~~ The offices or employments so merged and combined shall always be construed to be separate and the effect of the combination or merger shall be limited to a consolidation of official duties only. ~~; and provided further, the~~ The salary or compensation of the officer or employee, holding the merged and combined offices or employments or offices and employments shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, offices, employment, or employments, so merged and combined.

Sec. 3. That section 17-209.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-209.02. The local governing body of a village may, at its discretion, by ordinance combine and merge any elective or appointive office or employment, except trustee, with any other elective or appointive office or employment so that one or more of such offices or employments may be held by the same officer or employee at the same time, except that trustees may perform and upon board approval receive compensation for seasonal or emergency work subject to the maximum contract amount set forth in section 18-301. ~~; Provided, the~~ The offices or employments so merged and combined shall always be construed to be separate and the effect of the combination or merger shall be limited to a consolidation of official duties only. ~~; and provided further, the~~ The salary or compensation of the officer or employee, holding the merged and combined offices or employments or offices and employments shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, offices, employment, or employments, so merged and combined.

Sec. 4. That original sections 16-305, 17-108.02, and 17-209.02, Reissue Revised Statutes of Nebraska, 1943, are repealed.