

E AND R AMENDMENTS TO LB 508

Introduced by Wishart, 27, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 23-2503, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 23-2503 In any county having a population of four ~~three~~ hundred
6 thousand inhabitants or more as determined by the most recent federal
7 decennial census, there shall be a Civil Service Commission which shall
8 be formed as provided in sections 23-2501 to 23-2516. A county shall
9 comply with this section within six months after a determination that the
10 population has reached four ~~three~~ hundred thousand inhabitants or more as
11 determined by the most recent federal decennial census.

12 Sec. 2. Section 23-2518, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 23-2518 For purposes of the County Civil Service Act:

15 (1) Appointing authority means elected officials and appointed
16 department directors authorized to make appointments in the county
17 service;

18 (2) Board of county commissioners means the board of commissioners
19 of any county with a population of one hundred fifty thousand or more but
20 less than four ~~to three~~ hundred thousand inhabitants as determined by the
21 most recent federal decennial census;

22 (3) Classified service means the positions in the county service to
23 which the act applies;

24 (4) County personnel officer means the employee designated by the
25 board of county commissioners to administer the act;

26 (5) Department means a functional unit of the county government
27 headed by an elected official or established by the board of county

1 commissioners;

2 (6) Deputy means an individual who serves as the first assistant to
3 and at the pleasure of an elected official;

4 (7) Elected official means an officer elected by the popular vote of
5 the people and known as the county attorney, public defender, county
6 sheriff, county treasurer, clerk of the district court, register of
7 deeds, county clerk, county assessor, and county surveyor;

8 (8) Internal Revenue Code means the Internal Revenue Code as defined
9 in section 49-801.01;

10 (9) Political subdivision means a village, city of the second class,
11 city of the first class, city of the primary class, city of the
12 metropolitan class, county, school district, public power district, or
13 any other unit of local government including entities created pursuant to
14 the Interlocal Cooperation Act or the Joint Public Agency Act. Political
15 subdivision does not include a contractor with the county;

16 (10) State means the State of Nebraska;

17 (11) Straight-time rate of pay means the rate of pay in effect on
18 the date of transfer of employees stated in the resolution by the county
19 board requesting the transfer; and

20 (12) Transferred employee means an employee of the state or a
21 political subdivision transferred to the county pursuant to a request for
22 such transfer made by the county under section 23-2518.01.

23 Sec. 3. Section 23-2520, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 23-2520 There is hereby created a personnel office in the office of
26 the board of county commissioners, the executive head of which shall be
27 the county personnel officer. In such office there shall be a personnel
28 policy board with ~~consisting of six~~ members appointed pursuant to section
29 23-2521 and ~~with~~ powers and duties provided in the County Civil Service
30 Act. The board of county commissioners shall make appropriations from the
31 general fund to meet the estimated costs of administering the act.

1 Sec. 4. Section 23-2521, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 23-2521 (1) The members of the personnel policy board shall be
4 persons in sympathy with the application of merit principles to public
5 employment and who are not otherwise employed by the county, except that
6 the member employed by the county if serving on such board on May 6,
7 1987, shall continue to serve until the term of such member expires. No
8 member shall hold during his or her term, or shall have held for a period
9 of one year prior thereto, any political office or a position as officer
10 or employee of a political organization.

11 (2)(a) Prior to January 1, 2018, two ~~(2) Two~~ members of the board
12 shall be appointed by the board of county commissioners, two members
13 shall be appointed by the elected department heads, and two members shall
14 be appointed by classified employees who are covered by the county
15 personnel system.

16 (b) Beginning January 1, 2018, a new personnel policy board shall be
17 appointed pursuant to this subdivision to replace the board appointed
18 pursuant to subdivision (a) of this subsection. One member shall be
19 appointed by the board of county commissioners, one member shall be
20 appointed by the elected department heads, and two members shall be
21 appointed by classified employees who are covered by the county personnel
22 system. The four members shall select a fifth member for the personnel
23 policy board. The initial selection of the fifth member for a term
24 beginning on January 1, 2018, shall be made on or before March 1, 2018.

25 (3)(a) This subdivision applies until January 1, 2018. ~~(3)~~ The first
26 appointments made to the personnel policy board shall be for one, two,
27 three, four, and five years. The board of county commissioners shall
28 initially appoint members for terms of one and five years. The elected
29 department heads shall initially appoint members for terms of two and
30 four years. The classified employees who are covered by the county
31 personnel system shall initially appoint a member for a term of three

1 years. Within three months after May 6, 1987, the classified employees
2 who are covered by the county personnel system shall initially appoint
3 another member for a term of one year.

4 (b) This subdivision applies beginning January 1, 2018. The member
5 appointed for a term beginning on January 1, 2018, by the board of county
6 commissioners shall serve for a term of one year. The member appointed
7 for a term beginning on January 1, 2018, by the elected department heads
8 shall serve for a term of five years. The members appointed for a term
9 beginning on January 1, 2018, by the classified employees who are covered
10 by the county personnel system shall serve for terms of two years and
11 four years as designated by the appointment process. The fifth member
12 appointed for a term beginning on January 1, 2018, by the other four
13 members shall serve a term of three years.

14 (c) Thereafter, each member shall be appointed in the same manner
15 for a term of five years, except that any person appointed to fill a
16 vacancy occurring prior to the expiration of a term shall be appointed in
17 the same manner for the remainder of the term. Each member of the board
18 shall hold office until his or her successor is appointed and qualified.

19 (4) The board of county commissioners and elected department heads
20 may remove any member of the personnel policy board for neglect of duty
21 or misconduct in office after first giving him or her a copy of the
22 reasons for removal and providing for the member to be heard publicly
23 before the commissioners and elected department heads. A copy of the
24 charges and a transcript of the record of the hearing shall be filed with
25 the county clerk.

26 (5) The personnel policy board shall elect a chairperson from among
27 its members. The board shall meet at such time and place as shall be
28 specified by call of the chairperson or the county personnel officer. At
29 least one meeting shall be held quarterly. For the personnel policy board
30 appointed prior to January 1, 2018, pursuant to subdivision (2)(a) of
31 this section, four ~~Four~~ members shall constitute a quorum for the

1 transaction of business. For the personnel policy board appointed on and
2 after January 1, 2018, pursuant to subdivision (2)(b) of this section,
3 three members shall constitute a quorum for the transaction of business,
4 except that no business shall be transacted unless one of the members
5 appointed by the board of county commissioners or the elected department
6 heads and one of the members appointed by the classified employees who
7 are covered by the county personnel system are present at the meeting.
8 Board members shall serve without compensation.

9 Sec. 5. Original sections 23-2520 and 23-2521, Reissue Revised
10 Statutes of Nebraska, and sections 23-2503 and 23-2518, Revised Statutes
11 Cumulative Supplement, 2016, are repealed.

12 2. On page 1, strike beginning with "civil" in line 1 through line 5
13 and insert "government; to amend sections 23-2520 and 23-2521, Reissue
14 Revised Statutes of Nebraska, and sections 23-2503 and 23-2518, Revised
15 Statutes Cumulative Supplement, 2016; to change the population threshold
16 for the applicability of certain county civil service systems; to change
17 provisions relating to personnel policy boards of boards of county
18 commissioners; to harmonize provisions; and to repeal the original
19 sections."