

LEGISLATIVE BILL 124

Approved by the Governor February 28, 1995

Introduced by Hillman, 48

AN ACT relating to counties; to amend sections 23-2536 and 23-2537, Revised Statutes Supplement, 1994; to change provisions relating to personnel; and to repeal the original sections.

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

Section 1. Section 23-2536, Revised Statutes Supplement, 1994, is amended to read:

23-2536. If a program is adopted pursuant to sections 23-2534 to 23-2544, the county service shall be divided into the classified service and the unclassified service. All officials and employees of the county shall be in the classified service unless specifically designated as being in the unclassified service. Positions in the unclassified service shall not be governed by personnel rules and regulations adopted pursuant to sections 23-2534 to 23-2544. Unless otherwise designated by rules and regulations adopted pursuant to sections 23-2534 to 23-2544, the unclassified service shall include the following:

- (1) Officials;
- (2) The county personnel officer and the administrative assistant to the county board;
- (3) Bailiffs;
- (4) Department heads and one principal assistant or deputy for each county department;
- (5) Members of boards and commissions appointed by the county board;
- (6) Persons employed in a professional or scientific capacity to make or conduct a temporary and special investigation or examination on behalf of the county board;
- (7) Attorneys, including deputy county attorneys; and
- (8) Employees who are covered by the State Personnel System, and
- ~~(9) Deputy sheriffs.~~

Nothing in sections 23-2534 to 23-2544 shall be construed as precluding the appointing authority from filling any positions in the unclassified service in the manner in which positions in the classified service are filled.

Sec. 2. Section 23-2537, Revised Statutes Supplement, 1994, is amended to read:

23-2537. (1) A personnel policy board may be created by resolution of the county board. The members of a personnel policy board shall include one elected county official chosen by the elected county officials other than the members of the county board, one county board member chosen by the county board, one member chosen by the employees who are not described in subdivisions (1) through ~~(9)~~ (8) of section 23-2536, one lay member chosen by the elected county officials, and one lay member chosen by the county board. All members shall serve four-year terms, except of the members first chosen, the elected county official and the county board member shall serve one-year terms, the lay member chosen by the county board shall serve a two-year term, the lay member chosen by the elected county officials shall serve a three-year term, and the member chosen by the employees shall serve a four-year term. Each member of the board shall hold office until his or her successor is appointed and qualified. Any person appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed in the same manner for the remainder of the term.

(2) A majority of the county board and elected county officials may remove any member of the personnel policy board for nonattendance at three meetings.

(3) A personnel policy board shall elect a chairperson from among its members. A board shall meet at such time and place as shall be specified by call of the chairperson or the county personnel officer. At least one meeting shall be held quarterly. Three members shall constitute a quorum for the transaction of business. Board members shall serve without compensation but shall receive reimbursement for actual and necessary expenses.

Sec. 3. Original sections 23-2536 and 23-2537, Revised Statutes Supplement, 1994, are repealed.