

LEGISLATIVE BILL 116

Approved by the Governor June 9, 1997

Introduced by Janssen, 15; Lynch, 13; Robinson, 16; Schellpeper, 18

AN ACT relating to cities and villages; to amend section 19-1831, Reissue Revised Statutes of Nebraska; to change provisions relating to civil service; to provide for fingerprinting as prescribed; and to repeal the original section.

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

Section 1. Section 19-1831, Reissue Revised Statutes of Nebraska, is amended to read:

19-1831. (1) An applicant for a position of any kind under civil service shall be able to read and write the English language, meet the minimum job qualifications of the position as established by the appointing authority, and be of good moral character. An applicant shall be required to disclose his or her past employment history and his or her criminal record, if any, and submit a full set of his or her fingerprints and a written statement of permission authorizing the appointing authority to forward the fingerprints for identification. Prior to certifying to the appointing authority the names of the persons eligible for the position or positions, the commission shall validate the qualifications of such persons.

(2) The appointing authority shall require an applicant, as part of the application process, to submit a full set of his or her fingerprints along with written permission authorizing the appointing authority to forward the fingerprints to the Federal Bureau of Investigation through the Nebraska State Patrol, for identification. The fingerprint identification shall be solely for the purpose of confirming information provided by the applicant.

(3) Any fingerprints received by the commission or appointing authority pursuant to a request made under subsection (2) of this section and any information in the custody of the commission or appointing authority resulting from inquiries or investigations made with regard to those fingerprints initiated by the commission or appointing authority shall not be a public record within the meaning of sections 84-712 to 84-712.09 and shall be withheld from the public by the lawful custodians of such fingerprints and information and shall only be released to those lawfully entitled to the possession of such fingerprints and information. Any member, officer, agent, or employee of the commission, appointing authority, or municipality who comes into possession of fingerprints and information gathered pursuant to subsection (2) of this section shall be an official within the meaning of section 84-712.09.

Sec. 2. Original section 19-1831, Reissue Revised Statutes of Nebraska, is repealed.