

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1101

Introduced by Wightman, 36.

Read first time January 21, 2010

Committee: Executive Board

A BILL

1 FOR AN ACT relating to the Legislature; to amend section
2 50-401.01, Revised Statutes Cumulative Supplement, 2008;
3 to authorize use of employee furloughs; and to repeal the
4 original section.

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

1 Section 1. Section 50-401.01, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 50-401.01 (1) The Legislative Council shall have an
4 executive board, to be known as the Executive Board of the
5 Legislative Council, which shall consist of a chairperson, a
6 vice-chairperson, and six members of the Legislature, to be chosen
7 by the Legislature at the commencement of each regular session of
8 the Legislature when the speaker is chosen, and the Speaker of
9 the Legislature. The Legislature at large shall elect two of its
10 members from legislative districts Nos. 1, 2, 15, 21 to 30, 32,
11 34, and 46, two from legislative districts Nos. 3 to 14, 18, 20,
12 31, 39, and 45, and two from legislative districts Nos. 16, 17,
13 19, 33, 35 to 38, 40 to 44, and 47 to 49. The Chairperson of the
14 Committee on Appropriations shall serve as a nonvoting ex officio
15 member of the executive board whenever the board is considering
16 fiscal administration.

17 (2) The executive board shall:

18 (a) Supervise all services and service personnel of the
19 Legislature and may employ and fix compensation and other terms of
20 employment for such personnel as may be needed to carry out the
21 intent and activities of the Legislature or of the board, unless
22 otherwise directed by the Legislature, including the adoption of
23 policies by the executive board which permit (i) the purchasing
24 of an annuity for an employee who retires or (ii) the crediting
25 of amounts to an employee's deferred compensation account under

1 section 84-1504. The payments to or on behalf of an employee may be
2 staggered to comply with other law; and

3 (b) Appoint persons to fill the positions of Legislative
4 Fiscal Analyst, Director of Research, Revisor of Statutes, and
5 Legislative Auditor. The persons appointed to these positions shall
6 have training and experience as determined by the executive board
7 and shall serve at the pleasure of the executive board. The
8 Legislative Performance Audit Committee shall recommend the person
9 to be appointed Legislative Auditor. Their respective salaries
10 shall be set by the executive board.

11 (3) Notwithstanding any other provision of law, the
12 executive board may contract to obtain legal, auditing, accounting,
13 actuarial, or other professional services or advice for or on
14 behalf of the executive board, the Legislative Council, the
15 Legislature, or any member of the Legislature. The providers
16 of such services or advice shall meet or exceed the minimum
17 professional standards or requirements established or specified by
18 their respective professional organizations or licensing entities
19 or by federal law. Such contracts, the deliberations of the
20 executive board with respect to such contracts, and the work
21 product resulting from such contracts shall not be subject to
22 review or approval by any other entity of state government.

23 (4) The executive board may utilize employee furloughs
24 as a short-term means of addressing budgetary shortfalls. For
25 purposes of this subsection, furlough means placing an employee

1 in a temporary, nonduty, nonpay status because of the lack of
2 funds, and includes an intermittent furlough in which the nonduty,
3 nonpay status occurs discontinuously over a period of time rather
4 than consecutively. A furlough shall not affect the employee
5 and employer health insurance premium contributions and service
6 anniversary date, nor shall leave earnings be prorated as a result
7 of the furlough.

8 Sec. 2. Original section 50-401.01, Revised Statutes
9 Cumulative Supplement, 2008, is repealed.