

LEGISLATIVE BILL 1106

Approved by the Governor April 12, 1988

Introduced by Scofield, 49

AN ACT relating to the Governor's Policy Research Office; to amend sections 81-1316 and 84-133, Reissue Revised Statutes of Nebraska, 1943; to exempt personnel of the office from the State Personnel System; to rename the office; to provide duties for the Revisor of Statutes; and to repeal the original sections.

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

Section 1. That section 81-1316, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1316. (1) All agencies and personnel of state government shall be covered by sections 81-1301 to 81-1319 and shall be considered subject to the State Personnel System, except the following:

(a) All personnel of the office of the Governor;

(b) All personnel of the office of the Lieutenant Governor;

(c) All personnel of the office of the Secretary of State;

(d) All personnel of the office of the State Treasurer;

(e) All personnel of the office of the Attorney General;

(f) All personnel of the office of the Auditor of Public Accounts;

(g) All personnel of the Legislature;

(h) All personnel of the court systems;

(i) All personnel of the Board of Educational Lands and Funds;

(j) All personnel of the Public Service Commission;

(k) All personnel of the Nebraska Brand Committee;

(l) All personnel of the Commission of Industrial Relations;

(m) All personnel of the State Department of Education;

(n) All personnel of the Nebraska state colleges and the Board of Trustees of the Nebraska State

Colleges;

(o) All personnel of the University of Nebraska; and

(p) All personnel of the Governor's Policy Research Office, but not to include personnel within the State Energy Office; and

~~(p)~~ (q) All agency heads.

(2) At each agency head's discretion, up to the following number of positions may be exempted from the State Personnel System, based on the following agency size categories:

Number of Agency Employees	Number of Noncovered Positions
less than 25	0
25 to 100	1
101 to 250	2
251 to 500	3
501 to 1000	4
over 1000	5

The purpose of having such noncovered positions shall be to allow agency heads the opportunity to recruit, hire, and supervise critical, confidential, or policymaking personnel without restrictions from selection procedures, compensation rules, career protections, and grievance privileges. Persons holding the noncovered positions shall serve at the pleasure of the agency head and shall be paid salaries set by the agency head.

In no case shall a current state employee's career protections or coverage by personnel rules and regulations be revoked without the prior written agreement of such employee.

Sec. 2. That section 84-133, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-133. (1) There is created a Governor's Policy Research Office in the executive branch of state government. The Governor's Policy Research Office shall consist of the Governor, a Director of Policy Research who shall be appointed by the Governor and serve at his or her pleasure, and such other employees as are appointed by the Director of Policy Research to achieve the purposes of sections 84-131 to 84-141 and for which adequate funding is available.

(2) The Governor, through the Governor's Policy Research Office, shall encourage coordination of policy development in state government, inquire into the methods of policy and program development in state government, and provide adequate systems of records for

policy development purposes and may prescribe the institution and uses of standards for effective state agency policy development.

(3) The Governor may direct any state department, agency, or institution of state government to furnish the Governor's Policy Research Office with such information, personnel, equipment, and services as are necessary to enable it to carry out its responsibilities and duties and to prescribe the terms thereof, including reimbursement of costs thereof, if any.

(4) The Governor shall be permitted to appoint the Director of Policy Research to serve as an ex officio, nonvoting member of any committee, commission, council, or other similar organization of a state agency, department, institution, or group of such bodies that is concerned with planning, research, or policy development. Opportunities for such representation on any public, nonfederal, regional bodies concerned with planning or research and operating wholly or partially within Nebraska shall also be provided when requested by the Governor. The Director of Policy Research may in turn delegate such membership to his or her staff or to an appropriate official of another state agency. The state, interstate, and regional organizations mentioned in this subsection shall make any necessary organizational adjustments to receive the ex officio member if requested to do so by the Governor.

(5) The Governor may delegate any of his or her powers, duties, and responsibilities as conferred by sections 84-131 to 84-141 to the Director of Policy Research.

(6) There is hereby created a fund to be known as the Governor's Policy Research Office Revolving Fund. All money credited to the fund shall be used by the Governor's Policy Research Office to enable it to carry out its statutory responsibilities and duties in research and policy development. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

Sec. 3. (1) Wherever the phrase Policy Research Office appears in sections 2-15, 100, 2-3277, 2-4725, 19-4617, 58-241, 79-4, 140.08, 81-1201.08, 81-1423, 84-134, 84-135, 84-136, 84-137, 84-139 to 84-141, 84-161, and 85-975, the Revisor of Statutes shall substitute the phrase Governor's Policy Research Office.

(2) Wherever the phrase Policy Research Cash

Fund appears in section 84-135, the Revisor of Statutes shall substitute the phrase Governor's Policy Research Cash Fund.

Sec. 4. That original sections 81-1316 and 84-133, Reissue Revised Statutes of Nebraska, 1943, are repealed.