

## LEGISLATIVE BILL 309

Approved by the Governor May 22, 1989

Introduced by Barrett, 39, Speaker, for the Governor

AN ACT relating to public employment and service; to amend section 14-1803, Reissue Revised Statutes of Nebraska, 1943, and sections 81-1317 and 81-1317.01, Revised Statutes Supplement, 1988; to change the compensation limitation for board members of metropolitan transit authorities; to provide powers for the Director of Personnel; to change provisions relating to terms and conditions of employment of public employees as prescribed; to eliminate provisions relating to salary increases as prescribed; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections, and also sections 81-1341.01 and 81-1341.03, Revised Statutes Supplement, 1988; and to declare an emergency.

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

Section 1. That section 14-1803, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-1803. Any city of the metropolitan class may create by ordinance a transit authority to be managed and controlled by a board of five members which shall be appointed as provided in section 14-1813; and shall have full and exclusive jurisdiction and control over all facilities owned or acquired by such city for a public passenger transportation system. ~~The~~ ; ~~PROVIDED;~~ ~~that~~ the governing body of such city, in the exercise of its discretion, shall find and determine in the ordinance creating such transit authority that its creation is expedient and necessary. The chairperson of such transit authority shall be paid, as compensation for his or her services, not more than ~~two hundred fifty~~ six hundred dollars per month. Each other member of such transit authority shall be paid, as compensation for his or her services, not more than ~~two five~~ five hundred dollars per month. All salaries and compensation shall be obligations against and paid solely from the revenue of such transit authority. Members of such transit authority shall also be entitled to reimbursement for

expenses paid or incurred in the performance of the duties imposed upon them by ~~sections 14-1801 to 14-1826~~ the Transit Authority Law with reimbursement for mileage to be made at the rate provided in section 23-1112 for county officers and employees. The board may delegate to one or more of the members, or to its officers, agents, and employees, of the authority such powers and duties as it may deem proper. Any transit authority created pursuant to ~~sections 14-1801 to 14-1826~~ such law shall have and retain full and exclusive jurisdiction and control over all public passenger transportation systems in such city, excluding taxicabs and railroad systems, with the right and duty to charge and collect revenue for the operation and maintenance of such systems and for the benefit of the holders of any of its bonds or other liabilities. in the event If such authority ceases to exist, its rights and properties shall pass to and vest in such city.

Sec. 2. That section 81-1317, Revised Statutes Supplement, 1988, be amended to read as follows:

81-1317. Except as may be prohibited by the Industrial Relations Act or the State Employees Collective Bargaining Act and except for the pay increases provided by ~~section 81-1341-01~~ Legislative Bill 309A, Ninety-first Legislature, First Session, 1989, the Director of Personnel shall have authority to establish programs and otherwise adjust terms and conditions of employment for fiscal year ~~1988-89~~ 1989-90 for employees not covered by collective-bargaining agreements, for certified collective-bargaining units specified in section 81-1373, including terms and conditions of employment which may not be specifically provided or may otherwise be provided by law, in order to make such terms and conditions of employment more consistent with those of such covered employees or otherwise address changes arising out of collective bargaining.

Sec. 3. That section 81-1317.01, Revised Statutes Supplement, 1988, be amended to read as follows:

81-1317.01. Except for employees of the University of Nebraska and the state colleges and except as may be prohibited by the Industrial Relations Act or the State Employees Collective Bargaining Act, terms and conditions of employment which may otherwise be provided by law for employees not covered under the State Personnel System may be adjusted for fiscal year ~~1988-89~~ 1989-90 to make such terms and conditions of employment more consistent with those of employees in the State

Personnel System or with those of other employees of the same employer-representative, as such term is defined in section 81-1371, who are covered by a collective-bargaining agreement- address changes arising out of collective bargaining.

Sec. 4. This act shall become operative on June 30, 1989.

Sec. 5. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Sec. 6. That original section 14-1803, Reissue Revised Statutes of Nebraska, 1943, and sections 81-1317 and 81-1317.01, Revised Statutes Supplement, 1988, and also sections 81-1341.01 and 81-1341.03, Revised Statutes Supplement, 1988, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.