

LEGISLATIVE BILL 395

Approved by the Governor May 23, 1995

Introduced by Speaker Withem, 14, at the request of the Governor

AN ACT relating to state employees; to amend sections 81-1317, 81-1317.01, 81-1348, and 84-1611, Reissue Revised Statutes of Nebraska; to change provisions relating to employment and employee health benefits; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 81-1317, Reissue Revised Statutes of Nebraska, is amended to read:

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 the Legislature, the Director of Personnel shall have authority to establish programs and otherwise adjust terms and conditions of employment for ~~FY1993-94 and FY1994-95~~ FY1995-96 and FY1996-97 for employees not covered by collective-bargaining agreements, 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. 2. Section 81-1317.01, Reissue Revised Statutes of Nebraska, is amended to read:

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 by the employer-representative as defined in section 81-1371 for ~~FY1993-94 and FY1994-95~~ FY1995-96 and FY1996-97 to address changes arising out of collective bargaining.

Sec. 3. Section 81-1348, Reissue Revised Statutes of Nebraska, is amended to read:

81-1348. There is hereby created the Suggestion Award Board. The membership of such board shall consist of the Director of Personnel, the Director of Administrative Services, the Auditor of Public Accounts, and three persons, each to serve a term of ~~one year~~ two years, selected and appointed by the Governor from the bargaining units listed in section 81-1373. Of the persons selected from such bargaining units, one person shall be selected from each of such bargaining units as follows:

(1) The first ~~year term~~ from the bargaining units listed in subdivisions (1)(a), (b), and (l) of such section;

(2) The second ~~year term~~ from the bargaining units listed in subdivisions (1)(c), (d), and (g) of such section;

(3) The third ~~year term~~ from the bargaining units listed in subdivisions (1)(e), (f), and (h) of such section; and

(4) The fourth ~~year term~~ from the bargaining units listed in subdivisions (1)(i), (j), and (k) of such section.

After the fourth ~~year term~~, the appointments shall be made starting from subdivision (1) of this section and following the same sequence.

Whenever a vacancy occurs on the board for any reason, the Governor shall appoint an individual to fill such vacancy from the same bargaining unit in which the vacancy exists.

The members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

The board shall adopt and promulgate rules and regulations to aid in carrying out sections 81-1350 and 81-1351.

Sec. 4. Section 84-1611, Reissue Revised Statutes of Nebraska, is amended to read:

84-1611. (1) For any contract period or periods beginning on or after July 1, ~~1993~~ 1995, the state shall make the following contributions from the various funds toward payment of a health insurance or ~~health maintenance organization~~ program which may include coverage for dependents:

(a) For any employee with a service date of May 4, 1993, or after, the state shall pay seventy-nine percent of the total cost ~~of which was in effect on July 1, 1994,~~ for the plan, option, and coverage chosen by the employee. For any plan effective on or after July 1, 1995, and for any

employee with a service date of May 4, 1993, or after, the state shall pay seventy-nine percent of the total cost of the plan as of the effective date of the plan for the option and coverage chosen by the employee;

(b) For any employee who has a change in plan, option, or coverage after April 25, 1993, the state shall pay seventy-nine percent of the total cost of which was in effect on July 1, 1994, for the plan, option, and coverage chosen by the employee. For any plan effective on or after July 1, 1995, and for any employee who has a change in plan, option, or coverage after April 25, 1993, the state shall pay seventy-nine percent of the total cost of the plan as of the effective date of the plan for the option and coverage chosen by the employee;

(c) For any employee who is required to change health carriers because of the termination of the plan and who does not change either the option or coverage, the state shall pay an amount equal to seventy-nine percent of the total cost of which was in effect on July 1, 1994, for the optional major medical plan for the same coverage as the plan chosen by the employee, subject to the limitations in subsection (2) of this section;

(d) For any employee who chooses any coverage of the ~~basic major medical~~ preferred provider organization plan, the state shall pay an amount equal to seventy-nine percent of the total cost of which was in effect on July 1, 1994, for the optional major medical plan for the same coverage chosen by the employee; and

(e) For all other employees, except as limited in subsection (2) of this section, the state shall pay an amount equal to seventy-nine percent of the total cost which was in effect on July 1, 1994, for the optional major medical plan for the same coverage as the plan chosen by the employee.

(2)(a) Under no circumstances shall the state's contribution exceed the actual cost of the plan, option, and coverage chosen by the employee.

(b) The state's contribution shall not be less than seventy-nine percent of the total cost of which was in effect on July 1, 1994, for the plan, option, and coverage chosen by the employee.

(3) For purposes of this section, (a) coverage shall mean the rate categories of one-party, two-party, four-party, and family, as offered under any contract entered into for medical benefits, (b) option shall mean one of the choices of levels of medical and other benefits offered by a carrier, and (c) service date shall mean the date maintained in the Nebraska employees information system and used for calculating vacation and sick leave benefits.

(4) If any provision of this section varies from the terms of a labor contract, the terms of the labor contract shall prevail for the employees covered by the labor contract.

Sec. 5. Original sections 81-1317, 81-1317.01, 81-1348, and 84-1611, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.