

LEGISLATIVE BILL 660

Approved by the Governor March 21, 2019

Introduced by Brewer, 43; Gragert, 40; Lowe, 37.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section 54-192, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to the executive director and chief investigator of the Nebraska Brand Committee; to harmonize provisions; to repeal the original section; and to declare an emergency.

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

Section 1. Section 54-192, Revised Statutes Cumulative Supplement, 2018, is amended to read:

54-192 (1) The Nebraska Brand Committee shall employ such employees as may be necessary to properly carry out the Livestock Brand Act and section 54-415, fix the salaries of such employees, and make such expenditures as are necessary to properly carry out such act and section. Employees of the brand committee shall receive mileage computed at the rate provided in section 81-1176. The brand committee shall select and designate a location or locations where the brand committee shall keep and maintain an office and where records of the brand inspection and investigation proceedings, transactions, communications, brand registrations, and official acts shall be kept.

(2) The brand committee shall employ an executive director who shall be the brand committee head for administrative purposes. ~~The executive director shall also be chief investigator and chief brand inspector. Any person employed as executive director who at the time of hire does not possess a valid law enforcement certificate or diploma as required to exercise the authority of an investigator shall complete the requirements for such certificate or diploma within two years after the date of hire and shall assume the title of chief investigator upon obtaining such certificate or diploma. The executive director's duties during such period prior to obtaining such certificate or diploma shall not be within the authority granted under a commission as a deputy state sheriff.~~ The executive director shall keep a record of all proceedings, transactions, communications, and official acts of the brand committee, shall be custodian of all records of the brand committee, and shall perform such other duties as may be required by the brand committee. The executive director shall call a meeting at the direction of the chairperson of the brand committee, or in his or her absence the vice-chairperson, or upon the written request of two or more members of the brand committee. The executive director shall have supervisory authority to direct and control all full-time and part-time employees of the brand committee. This authority allows the executive director to hire employees as are needed on an interim basis subject to approval or confirmation by the brand committee for regular employment. The executive director may place employees on probation and may discharge an employee.

(3) The brand committee shall employ a chief investigator who shall report to the executive director. The chief investigator shall meet the qualifications of an investigator as defined in section 54-182. Under the direction of the executive director, the chief investigator shall be chief of field operations and supervise brand committee investigators and inspectors.

(4) ~~(3)~~ The brand committee shall employ a brand recorder who shall be responsible for the processing of all applications for new livestock brands, the transfer of ownership of existing livestock brands, the maintenance of accurate and permanent records relating to livestock brands, and such other duties as may be required by the brand committee.

(5) ~~(4)~~ If any employee of the brand committee after having been disciplined, placed on probation, or having had his or her services terminated desires to have a hearing before the entire brand committee, such a hearing shall be granted as soon as is practicable and convenient for all persons concerned. The request for such a hearing shall be made in writing by the employee alleging the grievance and shall be directed to the executive director. After hearing all testimony surrounding the grievance of such employee, the brand committee, at its discretion, may approve, rescind, nullify, or amend all actions as previously taken by the executive director.

Sec. 2. Original section 54-192, Revised Statutes Cumulative Supplement, 2018, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.