

## LEGISLATIVE BILL 1093

Approved by the Governor March 10, 1972

Introduced by Wally Barnett, Jr., 26th District

AN ACT to amend sections 23-1721 to 23-1723 and 23-1732, Reissue Revised Statutes of Nebraska, 1943, relating to county government; to provide for a merit system for sheriff's deputies in counties of one hundred fifty thousand or more inhabitants; and to repeal the original sections.

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

Section 1. That section 23-1721, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1721. The purpose of sections 23-1721 to 23-1737 is to guarantee to all citizens a fair and equal opportunity for public service in the office of the county sheriff in counties having a population of three hundred one hundred fifty thousand inhabitants or more, to establish conditions of service which will attract officers and employees of character and capacity, and to increase the efficiency of the county sheriff's office by the establishment of a merit system.

Sec. 2. That section 23-1722, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1722. In any county having a population of three-hundred one hundred fifty thousand inhabitants or more, there shall be a sheriff's office merit commission.

Sec. 3. That section 23-1723, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1723. The sheriff's office merit commission shall consist of three members. One member shall be a duly elected county official, appointed by the board of county commissioners. One member shall be a deputy sheriff, elected by the deputy sheriffs. The third member shall be selected by the presiding judge of the judicial district ~~No. 4~~, encompassing such county and shall be a public representative who is a resident of the county and neither an official nor employee of the county. The terms of office of members initially

appointed or elected shall expire on January 1 of the ~~years 1971, 1972, and 1973~~ first, second and third years following their appointment or election, as designated by the board of county commissioners. As the terms of initial members expire, their successors shall be appointed or elected for three-year terms in the same manner as the initial members. Any vacancy shall be filled by appointment or election in the same manner as appointment or election of initial members. The commission shall have the power to declare vacant the position of any member who no longer meets the qualifications for election or appointment set out in this section.

Sec. 4. That section 23-1732, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1732. All deputy sheriffs in active employment on January 1, 1970, in counties of three hundred thousand inhabitants or more and on January 1, 1973, in counties having a population of more than one hundred fifty thousand but less than three hundred thousand, and who shall have been such for more than two years immediately prior thereto, shall hold their positions without examinations until discharged, reduced, promoted, or transferred in accordance with the provisions of sections 23-1721 to 23-1737. All deputy sheriffs who shall have been so employed for more than six months and less than two years on ~~January 1, 1970~~ such date, shall be required to take qualifying examinations and all such deputy sheriffs who shall have been so employed for less than six months on ~~January 1, 1970~~ such date, shall be required to take competitive examinations.

Sec. 5. That original sections 23-1721 to 23-1723, and 23-1732, Reissue Revised Statutes of Nebraska, 1943, are repealed.