

## LEGISLATIVE BILL 640

Approved by the Governor February 28, 1986

Introduced by Hartnett, 45; Withem, 14

AN ACT relating to highways and bridges; to amend sections 39-868 and 39-869, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to membership on bridge commissions; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 39-868, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-868. Through the exercise of the powers conferred by sections 39-855 to 39-872, the governing body of any county, city, or village may by resolution create a bridge commission. Upon the passage of such resolution, the governing body of such county shall appoint three, four, or five persons who shall constitute the bridge commission of such county. The bridge commission ; and shall be a public body corporate and politic. The bridge commission shall have the power to contract, to sue and be sued, and to adopt a seal and alter the same at pleasure, but shall not have power to pledge the credit or taxing power of the county.

Sec. 2. That section 39-869, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-869. (1) The bridge commission shall consist of not less than three nor more than five persons of well-known and successful business qualifications. The commissioners shall immediately enter upon their duties, and three of the commissioners shall hold office until the expiration of two, four, and six years, respectively, from the date or dates of their appointments. If more than three commissioners are appointed, the fourth commissioner shall hold office until the expiration of four years from the date of his or her appointment, and the fifth commissioner, if any, shall hold office until the expiration of six years from the date of his or her appointment. The term of each commissioner shall be designated by the governing body of the county. Except for the initial appointees, commissioners ; but their successors shall be appointed

for the term ~~terms~~ of six years. ~~Any~~ ~~;~~ ~~except~~ ~~that~~ ~~any~~ person appointed to fill a vacancy shall serve only for the unexpired term. ~~Not more than two of such commissioners shall be members of the same political party.~~ ~~The commissioners;~~ ~~before~~ ~~Before~~ entering upon their duties, the commissioners shall take, subscribe, and file an oath of office as required by law.

(2) Such bridge commission shall elect a chairperson and vice-chairperson from its members and a secretary-treasurer, who need not be a member of such commission. Each member of the commission shall serve without compensation but shall be paid his or her actual expenses, while engaged in performing the duties of such office, with mileage to be computed at the rate provided in section 23-1112 for county officers and employees, and fees on a per diem basis which shall not exceed thirty-five dollars a day for each meeting attended on the specific call of the chairperson, ~~except~~ ~~;~~ ~~PROVIDED~~; that they shall not be paid for more than three meetings per month. The commission shall fix the compensation of the secretary-treasurer in its discretion, but if the secretary-treasurer is a member of the commission, he or she shall receive compensation as secretary-treasurer and shall not receive his or her per diem compensation for attending meetings.

Sec. 3. That original sections 39-868 and 39-869, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.