

LEGISLATIVE BILL 510

Approved by the Governor April 30, 2003

Introduced by Hudkins, 21; Baker, 44; Bromm, 23; Jones, 43; Dw. Pedersen, 39; Stuhr, 24

AN ACT relating to the Legislative Council; to amend section 50-401.01, Revised Statutes Supplement, 2002; to change provisions relating to membership on the Executive Board; and to repeal the original section.

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

Section 1. Section 50-401.01, Revised Statutes Supplement, 2002, is amended to read:

50-401.01. (1) The Legislative Council shall have an executive board, to be known as the Executive Board of the Legislative Council, which shall consist of a chairperson, a vice-chairperson, and six members of the Legislature, to be chosen by the Legislature at the commencement of each regular session of the Legislature when the speaker is chosen, and the Speaker of the Legislature. The Legislature at large shall elect two of its members from legislative districts Nos. 1, 2, 15, ~~16, 21, 23~~ to 30, 32, 34, ~~35~~ and 46, two from legislative districts Nos. 3 to 14, 18, 20, 31, 39, and 45, and two from legislative districts Nos. 16, 17, 19, 22, 33, 36 ~~35~~ to 38, 40 to 44, and 47 to 49. The Chairperson of the Committee on Appropriations shall serve as a nonvoting ex officio member of the executive board whenever the board is considering fiscal administration.

(2) The executive board shall:

(a) Supervise all services and service personnel of the Legislature and may employ and fix compensation and other terms of employment for such personnel as may be needed to carry out the intent and activities of the Legislature or of the board, unless otherwise directed by the Legislature, including the adoption of policies by the executive board which permit (i) the purchasing of an annuity for an employee who retires or (ii) the crediting of amounts to an employee's deferred compensation account under section 84-1504. The payments to or on behalf of an employee may be staggered to comply with other law; and

(b) Appoint persons to fill the positions of Legislative Fiscal Analyst, Director of Research, and Revisor of Statutes. The persons appointed to these positions shall have training and experience as determined by the executive board and shall serve at the pleasure of the executive board. Their respective salaries shall be set by the executive board.

(3) Notwithstanding any other provision of law, the executive board may contract to obtain legal, auditing, accounting, actuarial, or other professional services or advice for or on behalf of the executive board, the Legislative Council, the Legislature, or any member of the Legislature. The providers of such services or advice shall meet or exceed the minimum professional standards or requirements established or specified by their respective professional organizations or licensing entities or by federal law. Such contracts, the deliberations of the executive board with respect to such contracts, and the work product resulting from such contracts shall not be subject to review or approval by any other entity of state government.

(4) By October 31, 2001, the Nebraska Retirement Systems Committee of the Legislature shall submit to the Executive Board of the Legislative Council a report on the design of a separate retirement system for employees of the Legislature as it is the intent of the Legislature to create a separate retirement plan for legislative employees. The elements of the plan shall include, but not be limited to, a decreased vesting schedule, an eighty-five percent income replacement ratio, and increased employee and employer contributions. The report shall include a recommended plan document that describes the various elements of the retirement system, a draft of proposed legislation to establish the plan, and an estimate of the cost of the plan. On or after December 15, 2001, and after receiving approval from the Executive Board of the Legislative Council, the Nebraska Retirement Systems Committee shall cause the retirement plan to be reviewed by an actuary who is a member of the American Academy of Actuaries who shall make an actuarial study based on the employees who could elect to become members of the retirement plan.

Sec. 2. Original section 50-401.01, Revised Statutes Supplement, 2002, is repealed.