

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 660

FINAL READING

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

Read first time January 23, 2019

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section
- 2 54-192, Revised Statutes Cumulative Supplement, 2018; to change
- 3 provisions relating to the executive director and chief investigator
- 4 of the Nebraska Brand Committee; to harmonize provisions; to repeal
- 5 the original section; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 54-192, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 54-192 (1) The Nebraska Brand Committee shall employ such employees
4 as may be necessary to properly carry out the Livestock Brand Act and
5 section 54-415, fix the salaries of such employees, and make such
6 expenditures as are necessary to properly carry out such act and section.
7 Employees of the brand committee shall receive mileage computed at the
8 rate provided in section 81-1176. The brand committee shall select and
9 designate a location or locations where the brand committee shall keep
10 and maintain an office and where records of the brand inspection and
11 investigation proceedings, transactions, communications, brand
12 registrations, and official acts shall be kept.

13 (2) The brand committee shall employ an executive director who shall
14 be the brand committee head for administrative purposes. ~~The executive~~
15 ~~director shall also be chief investigator and chief brand inspector. Any~~
16 ~~person employed as executive director who at the time of hire does not~~
17 ~~possess a valid law enforcement certificate or diploma as required to~~
18 ~~exercise the authority of an investigator shall complete the requirements~~
19 ~~for such certificate or diploma within two years after the date of hire~~
20 ~~and shall assume the title of chief investigator upon obtaining such~~
21 ~~certificate or diploma. The executive director's duties during such~~
22 ~~period prior to obtaining such certificate or diploma shall not be within~~
23 ~~the authority granted under a commission as a deputy state sheriff. The~~
24 executive director shall keep a record of all proceedings, transactions,
25 communications, and official acts of the brand committee, shall be
26 custodian of all records of the brand committee, and shall perform such
27 other duties as may be required by the brand committee. The executive
28 director shall call a meeting at the direction of the chairperson of the
29 brand committee, or in his or her absence the vice-chairperson, or upon
30 the written request of two or more members of the brand committee. The
31 executive director shall have supervisory authority to direct and control

1 all full-time and part-time employees of the brand committee. This
2 authority allows the executive director to hire employees as are needed
3 on an interim basis subject to approval or confirmation by the brand
4 committee for regular employment. The executive director may place
5 employees on probation and may discharge an employee.

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

12 (4) ~~(3)~~ The brand committee shall employ a brand recorder who shall
13 be responsible for the processing of all applications for new livestock
14 brands, the transfer of ownership of existing livestock brands, the
15 maintenance of accurate and permanent records relating to livestock
16 brands, and such other duties as may be required by the brand committee.

17 (5) ~~(4)~~ If any employee of the brand committee after having been
18 disciplined, placed on probation, or having had his or her services
19 terminated desires to have a hearing before the entire brand committee,
20 such a hearing shall be granted as soon as is practicable and convenient
21 for all persons concerned. The request for such a hearing shall be made
22 in writing by the employee alleging the grievance and shall be directed
23 to the executive director. After hearing all testimony surrounding the
24 grievance of such employee, the brand committee, at its discretion, may
25 approve, rescind, nullify, or amend all actions as previously taken by
26 the executive director.

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

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