

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 405**

FINAL READING

Introduced by Lowe, 37.

Read first time January 14, 2021

Committee: Urban Affairs

- 1 A BILL FOR AN ACT relating to village boards of trustees; to amend
- 2 section 17-209.02, Revised Statutes Cumulative Supplement, 2020; to
- 3 change provisions relating to officers and employees of villages;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 17-209.02, Revised Statutes Cumulative  
2 Supplement, 2020, is amended to read:

3 17-209.02 (1)(a) The village board of trustees may, by ordinance,  
4 combine or merge any elective or appointive village office or village  
5 employment or any combination of duties of any such offices or  
6 employments, except that the office of village trustee shall not be  
7 combined or merged with any other village office or village employment  
8 except as provided in subsection (2) of this section.

9 (b) The village offices or village employments combined or merged  
10 shall always be construed to be separate and the effect of the  
11 combination or merger shall be limited to a consolidation of official  
12 duties only.

13 (2)(a) The office of village trustee shall not be combined or merged  
14 with any other village office or village employment, except that a member  
15 of the village board of trustees may receive compensation to perform  
16 seasonal or emergency work upon approval by the village board of  
17 trustees.

18 (b) No member of the village board of trustees shall receive  
19 compensation from the village in excess of the maximum amount provided by  
20 law.

21 (3) For purposes of this section, volunteer firefighters and  
22 volunteer rescue squad personnel shall not be considered village  
23 officers.

24 ~~The village board of trustees may by ordinance combine and merge any~~  
25 ~~elective or appointive office or employment or any combination of duties~~  
26 ~~of any such offices or employments, except trustee, with any other~~  
27 ~~elective or appointive office or employment so that one or more of such~~  
28 ~~offices or employments or any combination of duties of any such offices~~  
29 ~~or employments may be held by the same officer or employee at the same~~  
30 ~~time, except that trustees may perform and upon village board of trustees~~  
31 ~~approval receive compensation for seasonal or emergency work subject to~~

1 ~~sections 49-14,103.01 to 49-14,103.06. The offices or employments so~~  
2 ~~merged and combined shall always be construed to be separate and the~~  
3 ~~effect of the combination or merger shall be limited to a consolidation~~  
4 ~~of official duties only. The salary or compensation of the officer or~~  
5 ~~employee holding the merged and combined offices or employments or~~  
6 ~~offices and employments shall not be in excess of the maximum amount~~  
7 ~~provided by law for the salary or compensation of the office, offices,~~  
8 ~~employment, or employments so merged and combined. For purposes of this~~  
9 ~~section, volunteer firefighters and ambulance drivers shall not be~~  
10 ~~considered officers.~~

11       Sec. 2. Original section 17-209.02, Revised Statutes Cumulative  
12 Supplement, 2020, is repealed.