

Description of Management Transfer Bill Package

Each of the 5 bills would be introduced separately so the subject matter of that bill would have its own hearing. It is Senator Kolterman's intent to combine all of the bills, except the placeholder bill, into one bill, and designate it as a Committee Priority Bill. He stated that it will advance only as a package with all 4 bills included.

1. Changes and/or adds definitions of termination of employment -- -- with e-clause
 - In the School Act defines "intermittent substitute and bona fide voluntary service" as no more than 8 days of service in a calendar month: and
 - In the Class V Act – adds definitions for
 - "termination of employment" which is similar to OPS Policy #4039 (re-employment after termination)
 - defines "intermittent substitute service" as no more than 8 days of service in a calendar month during the 180-day period
 - clarifies definition of "employee"
 - adds definition of "regular employee"
 - adds definition of "participation"
2. Requires audits and further examination by PERB including: -- -- with e-clause
 - Compliance audit completed in 2021
 - Audit conducted by the Auditor of Public Accounts completed in 2021, and
 - PERB and staff conduct further examination related to issues that have emerged and any additional issues that may be identified related to the transfer of management.
 - Grants PERB authority to bill OPS for its services and expenses related to this work
3. Returns the board of education's authority to administer the retirement system as the board of education's authority existed prior to the passage of LB 447; with e-clause
 - Terminates the membership of the current board of trustees effective xxxx.
 - Board of education given authority to appoint all the new members of the board of trustees. Membership includes superintendent as ex officio member and:
 - 3 board of education members,
 - 2 businesspersons with financial background,
 - 1 active member, and
 - 1 annuitant
 - Board of trustees will also be tasked with facilitating management transfer to PERB on September 1, 2024
4. The bill to transfer management of OSERS to the PERB with the effective date of transfer delayed by one year to September 1, 2024; with e-clause -- individual sections would have different operative dates; and
5. A placeholder shell bill with xxxx dates to carry over to the 2022 session which would incorporate any statutes that would need to be amended in 2022 in response to the audits and any additional language regarding liability and other issues identified during 2021.