



**Hundredth Legislature - First Session - 2007**  
**Committee Statement**  
**LB 639**

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**Hearing Date:** February 15, 2007  
**Committee On:** Judiciary

**Introducer(s):** (Raikes)  
**Title:** Change powers and duties of county attorneys

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Ashford, Chambers, Lathrop, McDonald, McGill, Pedersen, Schimek
	No	
1	Present, not voting	Pirsch
	Absent	

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**Proponents:**  
Senator Raikes

**Representing:**

**Opponents:**  
John Bonaiuto  
Gary Krumland  
Larry Ruth  
C. J. Petersen

**Representing:**  
Nebraska Association of School Boards  
League of Municipalities  
Nebraska State Bar Association  
Nebraska County Attorneys Association

**Neutral:**  
John Spatz

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 639 proposes that as of July 1, 2008, the county attorney in each county shall have the duty and power to control and supervise all legal matters affecting the county or any political subdivisions headquartered within the county. Additional legal counsel may be contracted with by the county attorney to handle these additional responsibilities, and attorneys contracted with for this purpose shall be provided reasonable compensation by the political subdivision which is agreed to by the county attorney, the contracting attorney and the governing

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body of the political subdivision. The county board is also required to develop a uniform fee schedule for legal services provided to political subdivisions directly by the county attorney.

Currently, the county attorney is responsible for all legal matters directly affecting the county, but political subdivisions are allowed to hire private legal counsel to handle their legal matters.

**Explanation of amendments, if any:**

The committee amendment to LB 639 strikes the green copy of the bill and replaces it with a requirement that all school districts within a learning community contract for legal services through a competitive bidding process every three years. Procedures are established for the bidding process which mirrors those currently in place for counties. An exception is provided for school boards to waive the bidding requirement in emergency situations and ongoing litigation may continue to be handled by existing legal counsel, but all future legal services must be let for bid as provided in the bill.

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**Senator Brad Ashford, Chairperson**