

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 62
Final Reading

Introduced by Heidemann, 1.

Read first time January 06, 2011

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to counties; to amend section 23-1111, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to clerks and assistants of county officers; to
4 prohibit the county board from eliminating or unduly
5 hindering a county officer; to provide a standard of
6 proof; and to repeal the original section.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-1111, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 23-1111 (1) The county officers in all counties shall
4 have the necessary clerks and assistants for such periods and at such
5 salaries as ~~they~~ the county officers may determine, subject to
6 budgetary approval by the county board. ~~with the approval of the~~
7 ~~county board, whose salaries shall be paid out of the general fund of~~
8 ~~the county.~~

9 (2) In carrying out its budget-making duties, a county
10 board shall not eliminate an office or unduly hinder a county officer
11 in the conduct of his or her statutory duties. If a county officer
12 challenges the county board's decision in court, the county officer
13 shall have the burden to prove such elimination or hindrance by clear
14 and convincing evidence.

15 Sec. 2. Original section 23-1111, Reissue Revised
16 Statutes of Nebraska, is repealed.