

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 936**  
Final Reading

Introduced by Karpisek, 32.

Read first time January 10, 2012

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to counties under township organization; to amend  
2 section 23-2,100, Revised Statutes Cumulative Supplement,  
3 2010; to change provisions relating to termination of the  
4 township board; to repeal the original section; and to  
5 declare an emergency.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 23-2,100, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3           23-2,100 (1) If a township board has become inactive, the  
4 county board of supervisors shall hold a public hearing on the issue  
5 of termination of the township board. Notice of the hearing shall be  
6 published for two consecutive weeks in a newspaper of general  
7 circulation in the county. For purposes of this section, a township  
8 board has become inactive when two or more board positions are vacant  
9 and the county board has been unable to fill such positions in  
10 accordance with section 32-567 for six or more months.

11           (2) If no appointment to the township board has been made  
12 within thirty days after the public hearing because no resident of  
13 the township has provided written notice to the county board that he  
14 or she will serve on the township board, the county board may adopt a  
15 resolution to terminate the township board. The resolution shall  
16 state the effective date of the termination. ~~on the following June~~  
17 ~~30. If the resolution is adopted on or after June 1 but before June~~  
18 ~~30, the township board shall terminate on the following July 31.~~

19           (3) Between the date of the public hearing and the date  
20 of termination of the township board, the business of the township  
21 shall be handled according to this subsection. No tax distributions  
22 shall be made to the township. Such funds shall be held by the county  
23 board in a separate township fund and disbursed only to pay  
24 outstanding obligations of the township board. All claims against the  
25 township board shall be filed with the county clerk and heard by the

1 county board. Upon allowance of a claim, the county board shall  
2 direct the county clerk to draw a warrant upon the township fund. The  
3 warrant shall be signed by the chairperson of the county board and  
4 countersigned by the county clerk.

5 (4) Upon termination of a township board, the county  
6 board shall settle all unfinished business of the township board and  
7 shall dispose of all property under ownership of the township. Any  
8 proceeds of such sale shall first be disbursed to pay any outstanding  
9 obligations of the township, and remaining funds shall be credited to  
10 the road fund of the county board. Any remaining township board  
11 members serving as of the date of termination shall deposit with the  
12 county clerk all township records, papers, and documents pertaining  
13 to the affairs of the township and shall certify to the county clerk  
14 the amount of outstanding indebtedness in existence on the date of  
15 termination. The county board shall levy a tax upon the taxable  
16 property located within the boundaries of the township to pay any  
17 outstanding indebtedness not paid for under this subsection or  
18 subsection (3) of this section.

19 (5) If more than fifty percent of the township boards in  
20 a county have been terminated, the county board shall file with the  
21 election commissioner or county clerk a resolution supporting the  
22 discontinuance of the township organization of the county pursuant to  
23 subsection (2) of section 23-293.

24 Sec. 2. Original section 23-2,100, Revised Statutes  
25 Cumulative Supplement, 2010, is repealed.

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