

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 827

Introduced by Dubas, 34.

Read first time January 05, 2012

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to county officers; to amend section 23-1111,
- 2 Revised Statutes Supplement, 2011; to require mediation
- 3 for budget disputes between a county board and a county
- 4 officer; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-1111, Revised Statutes Supplement,
2 2011, 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 the county officers may determine, subject to budgetary
6 approval by the county board.

7 (2) In carrying out its budget-making duties, a county
8 board shall not eliminate an office or unduly hinder a county officer
9 in the conduct of his or her statutory duties. If a county officer
10 challenges a county board's decision regarding its budget-making
11 duties, the officer and the board shall participate in mediation. The
12 county officer shall not challenge the county board's decision in
13 court unless the mediator has concluded that further efforts would
14 not result in a resolution of the issue. The costs of mediation shall
15 be shared by the county board and the county officer. If a county
16 officer challenges ~~the~~a county board's decision regarding its
17 budget-making duties in court, the ~~county~~ officer shall have the
18 burden ~~to prove such~~of proving elimination of an office or undue
19 hindrance by clear and convincing evidence.

20 Sec. 2. Original section 23-1111, Revised Statutes
21 Supplement, 2011, is repealed.