

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 936

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; and to repeal the original section.
5 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.