

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB597

Chairperson: Senator Bill Avery

Committee: Government, Military and Veterans Affairs

Date of Hearing: February 25, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of this bill is to reduce the size of county government in counties with population of fewer than 25,000, based on the most recent federal decennial census. The reduction is achieved by a decrease in the number of county officials in counties that have not made voluntary reductions available under the law. The bill does not limit or reduce local control or decision-making at the county level. It does not eliminate county offices. It does not consolidate counties or their governing structure with other counties. It requires county boards of commissioners and supervisors to merge county offices to achieve a level of efficiency at the county government level. The bill provides an incentive for county governments to share appointed officials.

Under the bill, 11 county offices must be merged such that no more than five individuals shall hold the offices. Six of the offices are elected: Clerk of the District Court, County Assessor, County Clerk, County Sheriff, County Treasurer, and Register of Deeds. Two offices are elected in some counties and appointed by the county boards in others, dependent upon other provisions of law: County Surveyor and Election Commissioner. Three offices are appointed by the county boards and the officials holding the office may serve more than one county simultaneously: County Highway Superintendent, County Zoning Administrator, and Weed Control Superintendent.

In several counties, some of these offices have already been merged under existing provisions of law. Some counties already share some appointed officials with other counties. This bill mandates a minimum number of county office mergers. If a county does not utilize a particular office listed, the county board is not required to merge the functions with another office. If the county shares an appointed office with another county, neither county will be required to merge the office with another county official in either county.

Each official must meet the qualifications for each office he or she holds. The offices of Clerk of the District Court and County Sheriff cannot be merged under this bill. The bill changes residency requirements under the current law for counties who utilize an elected

county surveyor to allow one person to hold the elected office simultaneously in more than one county.

The office mergers required under the bill would not take effect until 2015, providing that offices that have statutory four-year terms not be merged until current officeholders complete their term of office.

The bill does not merge County Commissioners, County Supervisors, County Attorneys, or other county officials or employees.

Principal Introducer: _____

Senator Rich Pahls