

LEGISLATIVE BILL 62

Approved by the Governor March 10, 2011

Introduced by Heidemann, 1.

FOR AN ACT relating to counties; to amend section 23-1111, Reissue Revised Statutes of Nebraska; to change provisions relating to clerks and assistants of county officers; to prohibit the county board from eliminating or unduly hindering a county officer; to provide a standard of proof; and to repeal the original section.

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

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

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

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

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 Original section 23-1111, Reissue Revised Statutes of Nebraska, is repealed.