

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 62

Introduced by Heidemann, 1.

Read first time January 06, 2011

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to counties; to amend sections 23-908 and
2 23-1111, Reissue Revised Statutes of Nebraska; to provide
3 requirements for the budget revision process; to change
4 requirements relating to the salaries of clerks and
5 assistants of county officers; and to repeal the original
6 sections.

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

1 Section 1. Section 23-908, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 23-908 The county board shall consider the budget
4 document, as submitted to it by the budget-making authority, of the
5 county, and may, in its discretion, revise, alter, increase, or
6 decrease the items contained in the budget, but not without first
7 having a hearing with the office or department affected. The county
8 board shall not eliminate an office or unduly hinder a county officer
9 in the conduct of his or her official duties. If an office or
10 department is going to be negatively affected by a budget revision,
11 the office or department shall have the burden to prove by clear and
12 convincing evidence that such revision is arbitrary, unreasonable, or
13 capricious. The county board shall consider all budget revisions and
14 the board's decision shall not be overturned unless there is clear
15 and convincing evidence that the action of the board is not in the
16 best interests of the county. If the county board increases +
17 ~~Provided, however, that when it shall increase~~ the total proposed
18 expenditures of the budget it shall also increase the total
19 anticipated income so that the total means of financing the budget
20 shall at least equal in amount the aggregate proposed expenditures,
21 including the operating reserve.

22 Sec. 2. Section 23-1111, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 23-1111 The county officers in all counties shall have
25 the necessary clerks and assistants for such periods and at such

1 salaries as they may determine, subject to budgetary approval by the
2 county board pursuant to section 23-908. ~~with the approval of the~~
3 ~~county board, whose salaries shall be paid out of the general fund of~~
4 ~~the county.~~

5 Sec. 3. Original sections 23-908 and 23-1111, Reissue
6 Revised Statutes of Nebraska, are repealed.