

SPEAKER MARVEL: Motion is carried. The amendments are adopted: Senator Murphy.

SENATOR MURPHY: The occasion for the bill, the need for the legislation became apparent at home when Dakota County elected to go from three to five county commissioners. The detail of the law as it is presently written is terribly vague and confusing, so much so that a few years ago Sarpy County went to court trying to resolve problems that arose from the selfsame issue. Scottsbluff went to court due to the problems that arise from the vagary in the laws that exist and all this bill does is to put into specific clarification the various procedures involved. It changes I think only the provision that makes it uniform that both county supervisors and county commissioners vacancies shall be filled by the three man panel of the clerk, the treasurer and the county attorney but it is rather unusual in that if a county elects to change from three to five there is no statement, or any other county issues, there is no statement in our statutes saying when that issue is effective. If we have a statewide change that issue is effective when the State Canvassing Board canvasses the vote. So I have said the county issue will be effective when the County Canvassing Board has canvassed the vote. It also eliminates the problem we had in that the old law before we had gotten to at large county elections had said that if you change from three to five commissioners the county commissioners shall at their next meeting redistrict to those five districts, made no provision whatsoever for a county at large. This will allow a county at large to enlarge their county board from three to five without having to redistrict and to, in fact, remain at large if they so choose. There are three or four other clarifications. The existing law said that if you have a vacancy created under this process, that the vacancy will be filled as provided in section 32-1039. The only problem is when you go to section 32-1039 you find that that tells you how to resign and I thought maybe there was a message there but we have corrected that. We have put a section dealing strictly with county supervisor type of government into the county supervisor section where it belongs and have removed it from the county commissioner form. But there is no substantive change other than the details I have mentioned in this. It is simply clarifying. When the issue is solved, when the appointments shall be made and we have reduced the time for the appointment from the existing sixty days to forty-five days because under the sixty day provision with an election November 7th you had two different panels, appointive panels, that could be