

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB62**

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**Hearing Date:** Thursday January 20, 2011  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Heidemann  
**One Liner:** Change budget revision and salary approval provisions for counties

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Avery, Brasch, Janssen, Karpisek, Pahls, Price, Schumacher, Sullivan

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

Senator Lavon Heidemann  
Timothy Nelsen  
Terry Keebler  
Pamela Lancaster  
Larry Dix

**Representing:**

Introducer  
Otoe County Commissioners  
Johnson County Commissioners  
Hall County - Supervisor  
Nebraska Association of County Officials

**Opponents:**

Rodney Wetovick

**Representing:**

Nance County Attorney

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 62 amends the County Budget Act to provide that a county board will not eliminate or unduly hinder a county officer in the conduct of his or her duties. If an office is going to be negatively affected by the budget revision, the office will have the burden to prove by clear and convincing evidence that the revision is arbitrary, unreasonable, or capricious.

The county board will consider all budget revisions and the board's decisions will not be overturned unless there is clear and convincing evidence that the action of the board is not in the best interests of the county.

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**Explanation of amendments:**

The committee amendment provides that the county board will consider all budget revisions of every county office or department.

The amendment removes language stating that the board's decisions would not be overturned unless there was evidence that the action of the board was not in the best interests of the county. The language requiring the office or department to prove by clear and convincing evidence that a budget revision by the county board is arbitrary, unreasonable or capricious remains in the bill.

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Bill Avery, Chairperson