

AMENDMENTS TO LB490

Introduced by Wayne, 13.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. For purposes of sections 1 to 5 of this act:

4 (1) Income means, with reference to a transferred employee, such
5 employee's salary on the day prior to becoming a state employee;

6 (2) Transfer agreement means an agreement entered into between a
7 county board and the State Court Administrator under section 2 of this
8 act; and

9 (3) Transferred employee means any employee of an office of the
10 clerk of the district court who is a county employee and who becomes a
11 state employee pursuant to a transfer agreement.

12 Sec. 2. (1)(a) In any county that has an elected clerk of the
13 district court, the county board may vote to eliminate the office of the
14 clerk of the district court when a vacancy occurs pursuant to section
15 32-560 or the incumbent does not file for reelection.

16 (b) If a vacancy occurs, the county board may vote to eliminate the
17 office of the clerk of the district court within forty-five days.

18 (c) If the incumbent does not file for reelection by the filing
19 deadline established in section 32-606, the county board may vote to
20 eliminate the office of the clerk of the district court prior to the
21 filing deadline established in section 32-606 for a nonincumbent
22 candidate.

23 (d) When the office of the clerk of the district court is
24 eliminated, the duties of the clerk of the district court shall be
25 transferred to the clerk magistrate for such county pursuant to a
26 transfer agreement between the State Court Administrator and the county
27 board.

1 (2) On and after July 1, 2020, in any county in which the duties of
2 the clerk of the district court are being performed by an ex officio
3 clerk of the district court, such duties shall be transferred to the
4 clerk magistrate for such county pursuant to an agreement between the
5 State Court Administrator and the county board.

6 Sec. 3. (1) When the office of clerk of the district court is
7 eliminated in a county under subsection (1) of section 2 of this act and
8 the State Court Administrator and county board have entered into a
9 transfer agreement, the employees of the office of the clerk of the
10 district court shall become state employees as provided in such transfer
11 agreement. No transferred employee shall incur a loss of income as a
12 result of becoming a state employee pursuant to this section.

13 (2) Transferred employees shall continue employment unless removed
14 for cause pursuant to personnel rules adopted by the Supreme Court.

15 (3) Nothing in sections 1 to 5 of this act shall prevent a review
16 and subsequent reduction in staffing by the State Court Administrator or
17 Supreme Court.

18 Sec. 4. When the office of clerk of the district court is
19 eliminated in a county under subsection (1) of section 2 of this act and
20 the State Court Administrator and county board have entered into a
21 transfer agreement, all furniture, computers, equipment, and personal
22 property owned by the county to perform the district court function prior
23 to the transfer shall remain the property of the county. All books,
24 files, and similar records shall be transferred to the State Court
25 Administrator.

26 Sec. 5. When the office of clerk of the district court is
27 eliminated in a county under subsection (1) of section 2 of this act and
28 the State Court Administrator and county board have entered into a
29 transfer agreement, the county board of any county may request in writing
30 that the State Court Administrator review office space provided by the
31 county for the court to determine if the court is able to reduce or

1 eliminate office space within the county-owned buildings. The State Court
2 Administrator shall respond in writing to such request within thirty days
3 after receiving the request. The final decision with respect to
4 maintaining, increasing, reducing, or eliminating office space provided
5 by such county shall be made by the county board.

6 Sec. 6. Section 11-119, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 11-119 The following named officers shall execute a bond with
9 penalties of the following amounts:

- 10 (1) The Governor, one hundred thousand dollars;
- 11 (2) The Lieutenant Governor, one hundred thousand dollars;
- 12 (3) The Auditor of Public Accounts, one hundred thousand dollars;
- 13 (4) The Secretary of State, one hundred thousand dollars;
- 14 (5) The Attorney General, one hundred thousand dollars;
- 15 (6) The State Treasurer, not less than one million dollars and not
16 more than double the amount of money that may come into his or her hands,
17 to be fixed by the Governor;
- 18 (7) Each county attorney, a sum not less than one thousand dollars
19 to be fixed by the county board;
- 20 (8) Each elected clerk of the district court, not less than five
21 thousand dollars or more than one hundred thousand dollars to be
22 determined by the county board;
- 23 (9) Each county clerk, not less than one thousand dollars or more
24 than one hundred thousand dollars to be determined by the county board,
25 except that when a county clerk also has the duties of other county
26 offices the minimum bond shall be two thousand dollars;
- 27 (10) Each county treasurer, not less than ten thousand dollars and
28 not more than the amount of money that may come into his or her hands, to
29 be determined by the county board;
- 30 (11) Each sheriff, in counties of not more than twenty thousand
31 inhabitants, five thousand dollars, and in counties over twenty thousand

1 inhabitants, ten thousand dollars;

2 (12) Each district superintendent of public instruction, one
3 thousand dollars;

4 (13) Each county surveyor, five hundred dollars;

5 (14) Each county commissioner or supervisor, in counties of not more
6 than twenty thousand inhabitants, one thousand dollars, in counties over
7 twenty thousand and not more than thirty thousand inhabitants, two
8 thousand dollars, in counties over thirty thousand and not more than
9 fifty thousand inhabitants, three thousand dollars, and in counties over
10 fifty thousand inhabitants, five thousand dollars;

11 (15) Each register of deeds in counties having a population of more
12 than sixteen thousand five hundred inhabitants, not less than two
13 thousand dollars or more than one hundred thousand dollars to be
14 determined by the county board;

15 (16) Each township clerk, two hundred fifty dollars;

16 (17) Each township treasurer, two thousand dollars;

17 (18) Each county assessor, not more than five thousand dollars and
18 not less than two thousand dollars;

19 (19) Each school district treasurer, not less than five hundred
20 dollars or more than double the amount of money that may come into his or
21 her hands, the amount to be fixed by the president and secretary of the
22 district;

23 (20) Each road overseer, two hundred fifty dollars;

24 (21) Each member of a county weed district board and the manager
25 thereof, such amount as may be determined by the county board of
26 commissioners or supervisors of each county with the same amount to apply
27 to each member of any particular board;

28 (22) In any county, in lieu of the individual bonds required to be
29 furnished by county officers, a schedule, position, or blanket bond or
30 undertaking may be given by county officers, or a single corporate surety
31 fidelity, schedule, position, or blanket bond or undertaking covering all

1 the officers, including officers required by law to furnish an individual
2 bond or undertaking, may be furnished. The county may pay the premium for
3 the bond. The bond shall be, at a minimum, an aggregate of the amounts
4 fixed by law or by the person or board authorized by law to fix the
5 amounts, and with such terms and conditions as may be required by
6 sections 11-101 to 11-130; and

7 (23) Each learning community coordinating council treasurer, not
8 less than five hundred dollars or more than double the amount of money
9 that may come into his or her hands, the amount to be fixed by the
10 learning community coordinating council.

11 All other state officers, department heads, and employees shall be
12 bonded or insured as required by section 11-201.

13 Sec. 7. Section 11-125, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 11-125 If any county treasurer, county attorney, elected clerk of
16 the district court, county clerk, county judge, clerk magistrate, county
17 assessor, register of deeds, county sheriff, county commissioner or
18 supervisor, or acting officer who is appointed as provided by section
19 32-561 furnishes a bond executed by a surety company authorized by the
20 laws of this state to execute such bond and such bond is approved by the
21 county board, then the county may pay the premium for such bond. Any
22 surety bond so executed and approved shall contain a covenant to the
23 effect that when the stated term of the bond is reduced to a shorter term
24 by reason of the death, resignation, or removal from office of such
25 official for a cause not imposing liability on the bond, the obligor
26 shall refund to the county the unearned portion of the premium so paid
27 for the term of the bond subject to a reasonable minimum premium charge.

28 Sec. 8. Section 11-126, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 11-126 Whenever any deputy or employee of any county treasurer,
31 county attorney, elected clerk of the district court, county clerk,

1 county assessor, register of deeds, county sheriff, or county
2 commissioner or supervisor shall be required by law or the order of the
3 county board of any county to supply bond, either (1) such deputy or
4 employee shall furnish a bond by a surety company, which bond shall be
5 approved by the county board, and the county may pay the premium for such
6 bond; or (2) the county board may arrange and pay for the writing of a
7 blanket corporate surety bond for the benefit of the county, bonding (a)
8 all such employees of the county or (b) all such deputy county officials
9 or (c) both subdivisions (a) and (b) of this subdivision.

10 Sec. 9. Section 22-417, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 22-417 (1) Any county may consolidate the office of ~~clerk of the~~
13 ~~district court,~~ county assessor, county clerk, county engineer, county
14 surveyor, or register of deeds, except that the consolidated officeholder
15 shall meet the qualifications of each office as required by law. The
16 consolidated office shall have the powers and duties provided by law for
17 each office consolidated. The county board may adopt a resolution for the
18 consolidation of any of such offices and submit the issue of the
19 consolidated office to the registered voters for approval at the next
20 general election or at a special election called for such purpose. The
21 county board shall hold a public hearing prior to adoption of a
22 resolution for the consolidation of offices and shall give notice of the
23 hearing by publication in a newspaper of general circulation in the
24 county once each week for three consecutive weeks prior to the hearing.
25 Final publication shall be within seven calendar days prior to the
26 hearing. The notice shall describe the offices to be consolidated and
27 that the holder of the offices to be consolidated shall have his or her
28 term of office end on the first Thursday after the first Tuesday in
29 January following the general election in which the holder of the
30 consolidated office is elected.

31 (2) The county board shall adopt the resolution for the

1 consolidation of offices by majority vote of the board and shall submit
2 the issue of consolidation to the registered voters for approval at the
3 next general election or at a special election called for such purpose.
4 For each consolidated office submitted for approval, the question shall
5 be submitted to the voters in substantially the following form:

6 "Shall (name of each office proposed to be consolidated) be
7 consolidated into one consolidated office according to the resolution
8 adopted by the county board of (name of county) on (date of adoption of
9 the resolution by the county board)? Yes No".

10 (3) If the majority of the registered voters in the county voting on
11 the question vote in favor of consolidation, the consolidated office
12 shall be filled at the next general election, and the terms of the
13 incumbents shall end on the first Thursday after the first Tuesday in
14 January following the general election in which the holder of the
15 consolidated office is elected.

16 (4) The term of a consolidated officer shall be four years or until
17 his or her successor is elected and qualified, except that the term of a
18 consolidated officer elected in the year 2000 or any fourth year
19 thereafter shall be two years or until his or her successor is elected
20 and qualified.

21 (5) Any election under this section shall be in accordance with the
22 Election Act.

23 Sec. 10. Section 23-120, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 23-120 (1)(a) ~~(1)~~ The county board shall acquire, purchase,
26 construct, renovate, remodel, furnish, equip, add to, improve, or provide
27 a suitable courthouse, jail, and other county buildings and a site or
28 sites therefor and for such purposes borrow money and issue the bonds of
29 the county to pay for the same. Agreements entered into under section
30 25-412.03 shall be deemed to be in compliance with this section. The
31 board shall keep such buildings in repair and provide suitable rooms and

1 offices for the accommodation of the:

2 (i) Several ~~several~~ courts of record, Nebraska Workers' Compensation
3 Court or any judge thereof, Commissioner of Labor for the conduct and
4 operation of the state free employment service, county board, county
5 clerk, county treasurer, county sheriff, ~~clerk of the district court,~~
6 county surveyor, and county agricultural agent; ~~;~~

7 (ii) Clerk of the district court, including in counties where the
8 clerk magistrate is performing the duties of the clerk of the district
9 court pursuant to section 2 of this act and section 24-507; and

10 (iii) County ~~and~~ county attorney if the county attorney holds his or
11 her office at the county seat and shall provide suitable furniture and
12 equipment therefor.

13 (b) All such courts which desire such accommodation shall be
14 suitably housed in the courthouse.

15 (2) No levy exceeding (a) two million dollars in counties having in
16 excess of two hundred fifty thousand inhabitants, (b) one million dollars
17 in counties having in excess of one hundred thousand inhabitants and not
18 in excess of two hundred fifty thousand inhabitants, (c) three hundred
19 thousand dollars in counties having in excess of thirty thousand
20 inhabitants and not in excess of one hundred thousand inhabitants, or (d)
21 one hundred fifty thousand dollars in all other counties shall be made
22 within a one-year period for any of the purposes specified in subsection
23 (1) of this section without first submitting the proposition to a vote of
24 the people of the county at a general election or a special election
25 ordered by the board for that purpose and obtaining the approval of a
26 majority of the legal voters thereon.

27 (3)(a) The county board of any county in this state may, when
28 requested so to do by petition signed by at least a majority of the legal
29 voters in the county based on the average vote of the two preceding
30 general elections, make an annual levy of not to exceed seventeen and
31 five-tenths cents on each one hundred dollars upon the taxable value of

1 all the taxable property in the county for any of the purposes specified
2 in subsection (1) of this section.

3 (b) If a county on the day it first initiates a project for any of
4 the purposes specified in subsection (1) of this section had no bonded
5 indebtedness payable from its general fund levy, the county board may
6 make an annual levy of not to exceed five and two-tenths cents on each
7 one hundred dollars upon the taxable value of all the taxable property of
8 the county for a project or projects for any of the purposes specified in
9 subsection (1) of this section without the filing of a petition described
10 in subdivision (3)(a) of this section. The county board shall designate
11 the particular project for which such levy shall be expended, the period
12 of years, which shall not exceed twenty, for which the tax will be levied
13 for such project, and the number of cents of the levy for each year
14 thereof. The county board may designate more than one project and levy a
15 tax pursuant to this section for each such project, concurrently or
16 consecutively, as the case may be, if the aggregate levy in each year and
17 the duration of each levy will not exceed the limitations specified in
18 this subsection. Each levy for a project which is authorized by this
19 subdivision may be imposed for such duration specified by the county
20 board notwithstanding the contemporaneous existence or subsequent
21 imposition of any other levy or levies for another project or projects
22 imposed pursuant to this subdivision and notwithstanding the subsequent
23 issuance by the county of bonded indebtedness payable from its general
24 fund levy.

25 Sec. 11. Section 23-121, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 23-121 The county board shall provide and keep in repair, when the
28 finances of the county will permit, suitable fireproof safes for the
29 county clerk and county treasurer. It shall provide suitable books and
30 stationery for the use of the county board, county clerk, county
31 treasurer, ~~county judge~~, sheriff, court clerks who are paid by the county

1 ~~clerk of the district court,~~ county school administrator, county
2 surveyor, and county attorney.

3 Sec. 12. Section 23-1114.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 23-1114.03 In counties of Class 2, the county clerk, assessor,
6 treasurer, sheriff, attorney, and appointive full-time veterans service
7 officer shall each receive a minimum annual salary of six thousand
8 dollars, and in counties entitled by law to have a clerk of the district
9 court if such clerk is paid by the county, the clerk of the district
10 court shall receive a minimum annual salary of fifty-four hundred
11 dollars, to be paid periodically as other county employees out of the
12 general fund.

13 Sec. 13. Section 23-1114.04, Reissue Revised Statutes of Nebraska,
14 is amended to read:

15 23-1114.04 In counties of Class 3, the county clerk, assessor,
16 treasurer, sheriff, attorney, appointive full-time veterans service
17 officer, and the clerk of the district court if such clerk is paid by the
18 county, shall each receive a minimum annual salary of six thousand five
19 hundred dollars, to be paid periodically as other county employees out of
20 the general fund.

21 Sec. 14. Section 23-1114.05, Reissue Revised Statutes of Nebraska,
22 is amended to read:

23 23-1114.05 In counties of Class 4, the county clerk, register of
24 deeds, assessor, treasurer, sheriff, attorney, appointive full-time
25 veterans service officer, and the clerk of the district court if such
26 clerk is paid by the county, shall each receive a minimum annual salary
27 of seventy-five hundred dollars, to be paid periodically as other county
28 employees out of the general fund.

29 Sec. 15. Section 23-1114.06, Reissue Revised Statutes of Nebraska,
30 is amended to read:

31 23-1114.06 In counties of Class 5, the county clerk, register of

1 deeds, assessor, treasurer, sheriff, attorney, appointive full-time
2 veterans service officer, and the clerk of the district court if such
3 clerk is paid by the county, shall each receive a minimum annual salary
4 of eight thousand dollars, to be paid periodically as other county
5 employees out of the general fund.

6 Sec. 16. Section 23-2504, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 23-2504 (1) The commission shall consist of five members who shall
9 be in sympathy with the application of merit principles to public
10 employment. No member of the commission shall be a member of any local,
11 state, or national committee of a political party or an officer or member
12 of a committee in any partisan political club or organization.

13 (2) The members of the commission shall be as follows: (a) Two
14 elected officers selected from the offices of and elected by the county
15 commissioners, clerk, assessor, treasurer, public defender, register of
16 deeds, clerk of the district court if elected, surveyor, and sheriff,
17 being of opposite political parties if possible, and each party shall
18 separately select its own member, (b) two full-time permanent county
19 employees, and (c) one public member holding no public or political
20 office. The initial two such employees shall be selected by the two
21 elected officers referred to in subdivision (a) of this subdivision as
22 follows: Any such employee who is at least twenty-one years of age may
23 submit his or her name as a candidate to the elected officer of the
24 political party with which the employee is registered who shall then
25 select one commission member from such list of names. The four members of
26 the commission shall then select the public member. The commission shall
27 establish employee election procedures which shall provide that all
28 county employees subject to sections 23-2501 to 23-2516 may vote and, if
29 not less than twenty-one years of age, be candidates for a member of the
30 commission. One employee member of the commission shall be a Democrat
31 elected by the Democrat-registered employees subject to sections 23-2501

1 to 23-2516 and one employee member of the commission shall be a
2 Republican elected by the Republican-registered employees subject to
3 sections 23-2501 to 23-2516. An employee otherwise eligible to vote and
4 be a candidate for the office of employee member of the commission, but
5 who is not registered as either a Democrat or a Republican, may become
6 eligible to vote, and become a candidate for the office of employee
7 member of the commission by making a declaration that he or she desires
8 to vote for such a member of the commission, or be a candidate for such
9 office, and, in the same declaration, designating the party, Democrat or
10 Republican, with which he or she desires to be affiliated for this
11 purpose. After making such declaration, that employee shall have the same
12 right to vote for a candidate, and be a candidate for the office of
13 employee member of the commission as if the employee were a registered
14 member of the party so designated in the declaration. The manner, form,
15 and contents of such declaration shall be initially established by the
16 two elected officials referred to in subdivision (2)(a) of this section,
17 subject to modification by the commission after it has been fully formed.

18 (3) The initial term of office of (a) the two elected officers shall
19 be three years from May 21, 1971; (b) the initial term of office of the
20 county employees shall be two years from May 21, 1971; and (c) the
21 initial term of the public member shall be three years from May 21, 1971.

22 At the expiration of the initial term of office, a successor member
23 shall be elected or appointed as provided in sections 23-2501 to 23-2516
24 for a term of three years. Membership on the commission of any member
25 shall terminate upon the resignation of any member or at such time as the
26 member no longer complies with the qualifications for election or
27 appointment to the commission. In the event a member's term terminates
28 prior to the expiration of the term for which the member was elected or
29 appointed, the commission shall appoint a successor complying with the
30 same qualifications for the unexpired term.

31 Sec. 17. Section 24-507, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 24-507 (1) There shall be appointed a clerk magistrate to serve each
3 county. Clerk magistrates shall be appointed by the county judge, or
4 judges if the district has more than one county judge, and shall serve at
5 the pleasure of the county judge or judges, subject to personnel rules
6 adopted by the Supreme Court.

7 (2) The clerk magistrate shall be the clerk of the county court and
8 if appointed as clerk magistrate for more than one county shall be the
9 clerk of the county court for each county.

10 (3) In counties when the district court clerk or staff is
11 temporarily unavailable, the clerk magistrate as clerk of the county
12 court shall, under the direction of the district court judge and in
13 cooperation and agreement with the Supreme Court, State Court
14 Administrator, and clerk of the district court, assist the clerk of the
15 district court in the provision of district court services which would
16 otherwise require the presence of district court staff. Any agreement
17 entered into under this subsection must be signed and stipulated to by
18 the State Court Administrator, the county board, and the clerk of the
19 district court after obtaining input from the clerk of the county court,
20 a district court judge, a county court judge, and the county attorney.
21 Any agreement entered into under this subsection may include, but is not
22 limited to, financial considerations and scheduling.

23 (4) When an agreement has been reached pursuant to section 2 of this
24 act subdivision (1)(b) of section 32-524 or subsection (3) of section
25 32-524 for a clerk magistrate as clerk of the county court to perform the
26 duties ~~be ex officio~~ clerk of the district court, the clerk magistrate
27 shall perform the duties required by law of the clerk of the district
28 court under the direction of the district court judge for the county and
29 the State Court Administrator.

30 Sec. 18. Section 32-524, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-524 (1) Except as provided in section 2 of this act, in section
2 ~~22-417:(a)~~ In counties having a population of seven thousand inhabitants
3 or more, there shall be elected one clerk of the district court at the
4 statewide general election in 1962 and every four years thereafter. ~~;~~ and

5 ~~(b) In counties having a population of less than seven thousand~~
6 ~~inhabitants, there shall be elected a clerk of the district court at the~~
7 ~~first statewide general election following a determination by the county~~
8 ~~board and the district judge for the county that such officer should be~~
9 ~~elected and each four years thereafter. When such a determination is not~~
10 ~~made in such a county, the county clerk shall be ex officio clerk of the~~
11 ~~district court and perform the duties by law devolving upon that officer,~~
12 ~~unless there is an agreement between the State Court Administrator and~~
13 ~~the county board that the clerk of the county court for such county shall~~
14 ~~be the ex officio clerk of the district court and perform such duties.~~

15 ~~(2) In any county upon presentation of a petition to the county~~
16 ~~board (a) not less than sixty days before the statewide general election~~
17 ~~in 1976 or every four years thereafter, (b) signed by registered voters~~
18 ~~of the county equal in numbers to at least fifteen percent of the total~~
19 ~~vote cast for Governor at the most recent gubernatorial election in the~~
20 ~~county, secured in not less than two-fifths of the townships or precincts~~
21 ~~of the county, and (c) asking that the question of not electing a clerk~~
22 ~~of the district court in the county be submitted to the registered voters~~
23 ~~therein, the county board, at the next statewide general election, shall~~
24 ~~order the submission of the question to the registered voters of the~~
25 ~~county. The form of submission upon the ballot shall be as follows:~~

26 ~~For election of a clerk of the district court;~~

27 ~~Against election of a clerk of the district court.~~

28 ~~(3) If a majority of the votes cast on the question are against the~~
29 ~~election of a clerk of the district court in such county, the duties of~~
30 ~~the clerk of the district court shall be performed by the county clerk,~~
31 ~~unless there is an agreement between the State Court Administrator and~~

1 ~~the county board that the clerk of the county court for such county shall~~
2 ~~be the ex officio clerk of the district court and perform such duties,~~
3 ~~and the office of clerk of the district court shall either cease with the~~
4 ~~expiration of the term of the incumbent or continue to be abolished if no~~
5 ~~such office exists at such time.~~

6 ~~(4) If a majority of the votes cast on the question are in favor of~~
7 ~~the election of a clerk of the district court, the office shall continue~~
8 ~~or a clerk of the district court shall be elected at the next statewide~~
9 ~~general election as provided in subsection (1) of this section.~~

10 ~~(2) (5) The term of the clerk of the district court shall be four~~
11 ~~years or until his or her successor is elected and qualified. The clerk~~
12 ~~of the district court shall meet the qualifications found in section~~
13 ~~24-337.04. The clerk of the district court shall be elected on the~~
14 ~~partisan ballot.~~

15 Sec. 19. Section 32-567, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-567 Vacancies in office shall be filled as follows:

18 (1) In state and judicial district offices and in the membership of
19 any board or commission created by the state when no other method is
20 provided, by the Governor;

21 (2) In county offices, by the county board, except as provided in
22 section 2 of this act;

23 (3) In the membership of the county board, by the county clerk,
24 county attorney, and county treasurer;

25 (4) In the membership of the city council, according to section
26 32-568 or 32-569, as applicable;

27 (5) In township offices, by the township board or, if there are two
28 or more vacancies on the township board, by the county board;

29 (6) In offices in public power and irrigation districts, according
30 to section 70-615;

31 (7) In offices in natural resources districts, according to section

1 2-3215;

2 (8) In offices in community college areas, according to section
3 85-1514;

4 (9) In offices in educational service units, according to section
5 79-1217;

6 (10) In offices in hospital districts, according to section 23-3534;

7 (11) In offices in metropolitan utilities districts, according to
8 section 14-2104;

9 (12) In membership on airport authority boards, according to section
10 3-502, 3-611, or 3-703, as applicable;

11 (13) In membership on the board of trustees of a road improvement
12 district, according to section 39-1607;

13 (14) In membership on the council of a municipal county, by the
14 council; and

15 (15) For learning community coordinating councils, according to
16 section 32-546.01.

17 Sec. 20. Section 33-106.02, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 33-106.02 (1) The clerk of the district court of each county shall
20 not retain for his or her own use any fees, revenue, perquisites, or
21 receipts, fixed, enumerated, or provided in this or any other section of
22 the statutes of the State of Nebraska or any fees authorized by federal
23 law to be collected or retained by a county official.

24 (2) In a county that has an elected clerk of the district court:

25 (a) The clerk shall on or before the fifteenth day of each month
26 make a report to the county board, under oath, showing the different
27 items of such fees, revenue, perquisites, or receipts received, from
28 whom, at what time, and for what service, and the total amount received
29 by such officer since the last report, and also the amount received for
30 the current year; -

31 (b) ~~(2)~~ The clerk shall account for and pay any fees, revenue,

1 perquisites, or receipts not later than the fifteenth day of the month
2 following the calendar month in which such fees, revenue, perquisites, or
3 receipts were received in the following manner:

4 (i) ~~(a)~~ Of the forty-two-dollar docket fee imposed pursuant to
5 section 33-106, through June 30, 2016, five dollars shall be remitted to
6 the State Treasurer for credit to the General Fund and two dollars shall
7 be remitted to the State Treasurer for credit to the Nebraska Retirement
8 Fund for Judges, beginning July 1, 2016, through June 30, 2017, three
9 dollars shall be remitted to the State Treasurer for credit to the
10 General Fund and four dollars shall be remitted to the State Treasurer
11 for credit to the Nebraska Retirement Fund for Judges, and beginning July
12 1, 2017, one dollar shall be remitted to the State Treasurer for credit
13 to the General Fund and six dollars shall be remitted to the State
14 Treasurer for credit to the Nebraska Retirement Fund for Judges;

15 (ii) ~~(b)~~ Of the twenty-seven-dollar docket fee imposed for appeal of
16 a criminal case to the district court pursuant to section 33-106, two
17 dollars shall be remitted to the State Treasurer for credit to the
18 Nebraska Retirement Fund for Judges; and

19 (iii) ~~(c)~~ The remaining fees, revenue, perquisites, or receipts
20 shall be credited to the general fund of the county.

21 (3) In a county that has eliminated the office of clerk of the
22 district court pursuant to sections 1 to 5 of this act:

23 (a) The clerk of the courts shall on or before the fifteenth day of
24 each month make a report to the State Treasurer, under oath, showing the
25 different items of such fees, revenue, perquisites, or receipts received,
26 from whom, at what time, and for what service, and the total amount
27 received by such officer since the last report, and also the amount
28 received for the current year;

29 (b) The clerk of the courts shall account for and pay any fees,
30 revenue, perquisites, or receipts not later than the fifteenth day of the
31 month following the calendar month in which such fees, revenue,

1 perquisites, or receipts were received in the following manner:

2 (i) Of the forty-two-dollar docket fee imposed pursuant to section
3 33-106, one dollar shall be remitted to the State Treasurer for credit to
4 the General Fund and six dollars shall be remitted to the State Treasurer
5 for credit to the Nebraska Retirement Fund for Judges;

6 (ii) Of the twenty-seven-dollar docket fee imposed for appeal of a
7 criminal case to the district court pursuant to section 33-106, two
8 dollars shall be remitted to the State Treasurer for credit to the
9 Nebraska Retirement Fund for Judges; and

10 (c) The remaining fees, revenue, perquisites, or receipts shall be
11 remitted to the State Treasurer for credit to the General Fund.

12 Sec. 21. Section 43-512.05, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 43-512.05 (1) It shall be the duty of the clerks of the district
15 courts to furnish the Department of Health and Human Services monthly
16 statistical information and any other information required by the
17 department to properly account for child, spousal, and medical support
18 payments.

19 (2)(a) In a county that has an elected clerk of the district court,
20 the ~~The~~ clerk of each district court shall negotiate and enter into a
21 written agreement with the department in order to receive reimbursement
22 for the costs incurred in carrying out sections 43-512 to 43-512.10 and
23 43-512.12 to 43-512.18.

24 (b) In a county that has eliminated the office of the clerk of the
25 district court pursuant to sections 1 to 5 of this act, the State Court
26 Administrator shall negotiate and enter into a written agreement with the
27 department in order to receive reimbursement for the costs incurred by
28 the clerk of the district court in carrying out sections 43-512 to
29 43-512.10 and 43-512.12 to 43-512.18.

30 (3) ~~(2)~~ The department and the governing board of the county, county
31 attorney, or authorized attorney may enter into a written agreement

1 regarding the determination of paternity and child, spousal, and medical
2 support enforcement for the purpose of implementing such sections.
3 Paternity shall be established when it can be determined that the
4 collection of child support is feasible.

5 (4) ~~(3)~~ The department shall adopt and promulgate rules and
6 regulations regarding the rate and manner of reimbursement for costs
7 incurred in carrying out such sections, taking into account relevant
8 federal law, available federal funds, and any appropriations made by the
9 Legislature.

10 (5)(a) In a county that has an elected clerk of the district court,
11 any ~~Any~~ reimbursement funds shall be added to the budgets of those county
12 officials who have performed the services as called for in the
13 cooperative agreements and carried over from year to year as required by
14 law.

15 (b) In a county that has eliminated the office of the clerk of the
16 district court pursuant to sections 1 to 5 of this act, any reimbursement
17 funds shall be appropriated to the Supreme Court.

18 Sec. 22. This act becomes operative on January 1, 2020.

19 Sec. 23. Original sections 11-119, 11-125, 11-126, 22-417, 23-120,
20 23-121, 23-1114.03, 23-1114.04, 23-1114.05, 23-1114.06, 24-507, 32-524,
21 32-567, 33-106.02, and 43-512.05, Reissue Revised Statutes of Nebraska,
22 and section 23-2504, Revised Statutes Cumulative Supplement, 2018, are
23 repealed.