

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 980

Introduced by Johnson, 23.

Read first time January 17, 2014

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to county government and officers; to amend
2 section 23-2,100, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to termination of a
4 township board; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-2,100, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 23-2,100 ~~(1) If a township board has become inactive, the~~
4 ~~county board of supervisors shall hold a public hearing on the issue~~
5 ~~of termination of the township board. Notice of the hearing shall be~~
6 ~~published for two consecutive weeks in a newspaper of general~~
7 ~~circulation in the county. For purposes of this section, a township~~
8 ~~board has become inactive when two or more board positions are vacant~~
9 ~~and the county board has been unable to fill such positions in~~
10 ~~accordance with section 32-567 for six or more months.~~

11 (1) If two or more vacancies exist on a township board
12 and the county board has made reasonable attempts but has been unable
13 to fill the vacant positions pursuant to section 32-567 within forty-
14 five days after the vacancies occur, the county board shall hold a
15 public hearing on the issue of termination of the township board.
16 Notice of the hearing shall be published for two consecutive weeks in
17 a newspaper of general circulation in the county.

18 (2) If no appointment to the township board ~~has been is~~
19 made within ~~thirty-forty-five~~ days after the public hearing because
20 no resident of the township has provided written notice to the county
21 board that he or she will serve on the township board, the county
22 board may adopt a resolution to terminate the township board. The
23 resolution shall state the effective date of the termination.

24 (3) Between the date of the public hearing and the date
25 of termination of the township board, the business of the township

1 shall be handled according to this subsection. No tax distributions
2 shall be made to the township. Such funds shall be held by the county
3 board in a separate township fund and disbursed only to pay
4 outstanding obligations of the township board. All claims against the
5 township board shall be filed with the county clerk and heard by the
6 county board. Upon allowance of a claim, the county board shall
7 direct the county clerk to draw a warrant upon the township fund. The
8 warrant shall be signed by the chairperson of the county board and
9 countersigned by the county clerk.

10 (4) Upon termination of a township board, the county
11 board shall settle all unfinished business of the township board and
12 shall dispose of all property under ownership of the township. Any
13 proceeds of such sale shall first be disbursed to pay any outstanding
14 obligations of the township, and remaining funds shall be credited to
15 the road fund of the county board. Any remaining township board
16 members serving as of the date of termination shall deposit with the
17 county clerk all township records, papers, and documents pertaining
18 to the affairs of the township and shall certify to the county clerk
19 the amount of outstanding indebtedness in existence on the date of
20 termination. The county board shall levy a tax upon the taxable
21 property located within the boundaries of the township to pay any
22 outstanding indebtedness not paid for under this subsection or
23 subsection (3) of this section, and to pay future obligations of the
24 township until such time as the township board may become
25 reactivated.

1 (5) If more than fifty percent of the township boards in
2 a county have been terminated, the county board shall file with the
3 election commissioner or county clerk a resolution supporting the
4 discontinuance of the township organization of the county pursuant to
5 subsection (2) of section 23-293.

6 Sec. 2. Original section 23-2,100, Reissue Revised
7 Statutes of Nebraska, is repealed.