

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 311

Introduced by Wickersham, 49

Read first time January 12, 1999

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to political subdivisions; to amend sections
2 19-1102 to 19-1104, 23-122, 23-905, 23-1302, and 79-1034,
3 Reissue Revised Statutes of Nebraska, and section 80-407,
4 Revised Statutes Supplement, 1998; to change and
5 eliminate various reporting and publication requirements
6 for financial information; to harmonize provisions; to
7 repeal the original sections; and to outright repeal
8 sections 16-722, 19-1101, 23-346.01, 23-1605, and
9 77-1745, Reissue Revised Statutes of Nebraska, and
10 section 23-3305, Revised Statutes Supplement, 1998.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 19-1102, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 19-1102. It shall be the duty of each village or city
4 clerk in every village or city having a population of not more than
5 one hundred thousand to prepare and publish the official
6 proceedings of the village or city board, council, or commission
7 within thirty days after any meeting of the board, council, or
8 commission. The publication shall be in a newspaper of general
9 circulation in the village or city, and shall set forth (1) a
10 statement of the proceedings of the meeting, and shall also include
11 the amount of each claim allowed, the purpose of the claim, and the
12 name of the claimant, except that and (2) the aggregate amount of
13 all payroll claims which claims may be included as one item.
14 Between July 15 and August 15 of each year, the employee job titles
15 and the current annual, monthly, or hourly salaries corresponding
16 to such job titles shall be published. Each job title published
17 shall be descriptive and indicative of the duties and functions of
18 the position. The charge for the publication shall not exceed the
19 rates provided for in section 23-122.

20 Sec. 2. Section 19-1103, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 19-1103. Publication under ~~sections 19-1101 and section~~
23 19-1102 shall be made in one legal newspaper of general circulation
24 in such village or city. If no legal newspaper is published in the
25 village or city, then such publication shall be made in one legal
26 newspaper published or of general circulation within the county in
27 which such village or city is located. The cost of publication
28 shall be paid out of the general funds of such village or city.

1 Sec. 3. Section 19-1104, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 19-1104. Any village or city clerk, or treasurer,
4 failing or neglecting to comply with ~~the provisions of sections~~
5 ~~19-1101 to 19-1102 and~~ 19-1103 shall be deemed guilty of a
6 misdemeanor and shall, upon conviction, be fined, not to exceed
7 twenty-five dollars, and be liable, in addition, to removal from
8 office for such failure or neglect.

9 Sec. 4. Section 23-122, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 23-122. The county board of all counties having a
12 population of less than one hundred fifty thousand inhabitants
13 shall cause to be published, within ten working days after the
14 close of each annual, regular, or special meeting of the board, (1)
15 a brief statement of the proceedings, (2) ~~the thereof which shall~~
16 ~~also include the amount of each claim allowed, the purpose of the~~
17 ~~claim, and the name of the claimant, except that the aggregate~~
18 ~~amount of all payroll claims which claims may be included as one~~
19 ~~item, and (3) a statement of the proceedings upon the equalization~~
20 ~~of the assessment roll. The statement or claim shall be published~~
21 ~~in one newspaper of general circulation published in the county.~~
22 ~~and also its proceedings upon the equalization of the assessment~~
23 ~~roll. Between July 15 and August 15 of each year, the employee job~~
24 ~~titles and the current annual, monthly, or hourly salaries~~
25 ~~corresponding to such job titles shall be published. Each job~~
26 ~~title published shall be descriptive and indicate the duties and~~
27 ~~functions of the position. No publication in a newspaper shall be~~
28 ~~required unless the same can be done at an expense not exceeding~~

1 ~~three-fourths of the legal rate for advertising notices.~~

2 Sec. 5. Section 23-905, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 23-905. The form of the county budget and the form of
5 the budget document, as required by the County Budget Act of 1937,
6 shall be formulated by the Auditor of Public Accounts and the
7 Attorney General. The Auditor of Public Accounts shall draft the
8 forms and act in an advisory capacity in the preparation of the
9 budget and may authorize the use of computer equipment and
10 processing in the preparation of the budget. He or she shall
11 transmit copies of the forms to the county clerk of each county in
12 the state on or before ~~June~~ July 1 of each year. Any hospital
13 established pursuant to section 23-3501 may file its budget on an
14 accrual basis. The budget document form shall include such
15 estimate blanks for the various offices and departments of the
16 county and such other additional forms as the Auditor of Public
17 Accounts or the Attorney General deems necessary in the computation
18 and preparation of the county budget. The expense of printing and
19 transmitting the required copies to the counties by the Auditor of
20 Public Accounts shall be borne by the state and included in the
21 proper appropriation.

22 Sec. 6. Section 23-1302, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 23-1302. It shall be the general duty of the county
25 clerk:

26 (1) To record in a book provided for that purpose all
27 proceedings of the board;

28 (2) To make regular entries of its resolutions and

1 decisions in all questions concerning the raising of money;

2 (3) To countersign all warrants issued by the board and
3 signed by its ~~chairman~~ chairperson;

4 (4) To preserve and file all accounts acted upon by the
5 board, with its action thereon; and he or she shall perform such
6 special duties as are required of him or her by law, except that ~~+~~
7 ~~PROVIDED,~~ in a county having a county comptroller, all accounts
8 acted upon by the board shall remain on file in the office of such
9 comptroller; ~~and the county clerk shall certify to the county~~
10 ~~treasurer as of June 15 and December 15 of each year the total~~
11 ~~amount of unpaid claims of the county;~~ and

12 (5) To prepare and file with the county board of his or
13 her county the annual inventory statement of county personal
14 property in his or her custody and possession, and to perform the
15 duties enjoined upon him or her by sections 23-346 to 23-350.

16 Sec. 7. Section 79-1034, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 79-1034. The county treasurer shall collect or cause to
19 be collected the fines and all money for school purposes in his or
20 her county and take all proper measures to secure to each district
21 its full amount of school funds. ~~All county treasurers shall~~
22 ~~report to the State Treasurer and Tax Commissioner semiannually,~~ on
23 or before the third Monday of April and the first Monday of
24 November and at such other times as the Tax Commissioner may
25 require, a statement showing the whole amount of money collected on
26 behalf of school districts from all sources, noting the interest
27 separately, and the amount received on account of licenses and
28 fines and from all other sources from which school funds are

1 ~~derived, together with a statement showing the amount paid out, to~~
2 ~~whom, and on what account. At the same time the The county~~
3 treasurer shall ~~pay over~~ remit to the State Treasurer all funds and
4 money, from whatever source derived, belonging to the general
5 school fund in his or her hands and make a settlement thereof with
6 the State Treasurer.

7 Sec. 8. Section 80-407, Revised Statutes Supplement,
8 1998, is amended to read:

9 80-407. Each county veterans service committee shall
10 cooperate with and assist the Department of Veterans' Affairs in
11 the performance and discharge of its duties and functions. Each
12 such county veterans service committee shall appoint, subject to
13 confirmation by the county board, a county veterans service officer
14 for its county after the applicant has been certified as eligible
15 according to section 80-410 by the Director of Veterans' Affairs.
16 Service officers appointed prior to March 27, 1969, shall also be
17 certified as eligible. The county veterans service committee, in
18 cooperation with the Department of Veterans' Affairs, shall issue a
19 certificate of appointment, and establish a service center for the
20 assistance of veterans, and is authorized to accept, for the
21 purpose of carrying out its program of assistance to veterans,
22 grants of funds from the county, municipalities, veterans, civic,
23 religious, and fraternal organizations and groups, and private
24 citizens. The county boards of the counties involved, after
25 meeting with the affected veterans service committees, are
26 authorized to join two or more counties in the appointment of a
27 county veterans service officer for a given area with the expenses
28 to be shared by the counties involved. The county board and the

1 county veterans service committee shall be authorized to appoint or
2 place any veterans service officer on a part-time basis if such
3 officer's service shall not require forty hours per week. Members
4 of the county veterans service committee shall be ineligible to
5 serve as county veterans service officers or assistant county
6 veterans service officers. ~~Each county veterans service committee~~
7 ~~shall report quarterly, on September 30, December 31, March 31, and~~
8 ~~June 30 its doings and expenditures to the Department of Veterans~~
9 ~~Affairs and to the county, municipalities, organizations, and~~
10 ~~agencies which have contributed funds for the work of such county~~
11 ~~veterans service committee.~~

12 Sec. 9. Original sections 19-1102 to 19-1104, 23-122,
13 23-905, 23-1302, and 79-1034, Reissue Revised Statutes of Nebraska,
14 and section 80-407, Revised Statutes Supplement, 1998, are
15 repealed.

16 Sec. 10. The following sections are outright repealed:
17 Sections 16-722, 19-1101, 23-346.01, 23-1605, and 77-1745, Reissue
18 Revised Statutes of Nebraska, and section 23-3305, Revised Statutes
19 Supplement, 1998.