

LEGISLATIVE BILL 735

Approved by the Governor March 13, 1974

Introduced by Judiciary Committee, Luedtke, 28, Chmn.;
Stull, 49; Carpenter, 48; Barnett, 26;
Fellman, 4; Chambers, 11; DeCamp, 40;
Richendifer, 16

AN ACT to amend section 24-508, Revised Statutes Supplement, 1972, and section 29-812, Revised Statutes Supplement, 1973, relating to courts; to permit associate county judges to serve counties other than the ones for which they were appointed; to provide for issuance of search warrants by associate county judges; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 24-508, Revised Statutes Supplement, 1972, be amended to read as follows:

24-508. (1) Each associate county judge shall be a legal voter in the county for which he is appointed and shall reside there so long as he serves as associate county judge, but may be assigned by the presiding county judge to perform the duties of associate county judge in any other county within the district in which the county for which he was appointed is located.

(2) No person shall be eligible for appointment as an associate county judge unless he is a graduate of a high school or holds a certificate of equivalency issued by the State Board of Education.

(3) No person shall take office for the first time as an associate county judge until he has attended an institute on the duties and functions of the office, unless such attendance is specifically waived by the Supreme Court. The Supreme Court shall provide for the establishment of such institute, and also shall provide for annual institutes or training courses for all county judges and associate county judges. No associate county judge shall be eligible for reappointment if he does not have a satisfactory record of attendance at such annual institutes or training courses, unless such attendance is specifically waived by the Supreme Court.

(4) Notwithstanding the requirements of subsection (2) of this section, all county judges, justices of the peace, and police magistrates holding

office on ~~January 4, 1973~~ July 6, 1972 shall be eligible for appointment as associate county judges, and all such county judges desiring such appointment shall be appointed as associate county judges.

Sec. 2. That section 29-812, Revised Statutes Supplement, 1973, be amended to read as follows:

29-812. A search warrant authorized by sections 29-812 to 29-821 may be issued by any district court judge or Supreme Court Judge of the State of Nebraska for execution anywhere within the State of Nebraska. A similar search warrant authorized by sections 29-812 to 29-821 may be issued by any county judge within his district or municipal court judge or associate county judge within the county wherein the property sought is located. Any court issuing a search warrant shall receive a fee of two dollars for all services connected therewith, including the taking of necessary acknowledgments and the filing of the return.

Sec. 3. That original section 24-508, Revised Statutes Supplement, 1972, and section 29-812, Revised Statutes Supplement, 1973, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.