

the county clerk, I believe in many cases, to perform those functions in a very small county. So that wasn't the issue on the table that we dealt with in terms of should clerks be elected or not. It was at what population base should they or not be elected under current law.

SENATOR WESELY: I appreciate that, Senator Conway, but I'm looking at your committee statement. It says the counties under 6,000, currently the county clerk performs the function of district court clerk. If you adopt your committee amendment, any county 7,000 or below, and that would, obviously, include counties under 6,000, who now would have to have a county clerk perform that function...

PRESIDENT MOUL: One minute.

SENATOR WESELY: ...could decide to add yet another elected position, an elected clerk of the district court. Is that not correct?

SENATOR CONWAY: That's correct in the sense that before there was a slice in between. You had to be elected over the seven, between seven and six they were in positions where they had the option; below six, they had no option, it was simply an appointment. What the bill originally addressed was making that slice larger because they had people who were elected but their populations were waning to the point where...

SENATOR WESELY: Oh, I see.

SENATOR CONWAY: ...that was creating a problem for them. So that was the adjustment that really the bill intended to address. Then the committee looked at it and said, why should a county below a specific level be treated so much differently than all the others? And so we simply took out that lower tier of you can't have one but we thought the counties should have the prerogative like the in between slice, like between the five and the seven slice, why should somebody under five be precluded from having an optional basis. Typically,...

PRESIDENT MOUL: Time.

SENATOR CONWAY: ...I think they will continue to do that in the very small counties.