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LB 414

as Senator Beutler has indicated, a major provision of LB 414 is the transfer of the district court clerks from employment by the county to employment by the state. Under the original green copy of LB 414, district court clerks, consolidated clerks of the courts and employees of these clerks would become state employees on January 9, 2003. In order to transfer those employees to state employment the state will gradually reimburse for the costs of salaries, benefits and expenses of these employees at the rate...at a rate of 25 percent per year, over 4 years, under the original provisions. The Judiciary Committee amendment retains the January 9, 2003 date on which district court employees would be transferred from county employment to state employment. The effect of maintaining the date then, from the green copy, which was introduced in the last session, is to shorten the transition period in which the state reimburses counties for personnel costs. Given that shortened transition period, reduced from four years to three years, the reimbursement rate is by the committee amendment increased from 25 percent per year to 33 percent per year, under the committee amendment, in order that we're at 100 percent at the end of the three year period. The second change by the committee amendment is a clarification in Section 3 that only the county, and not the district in which the Supreme Court is considering consolidation, must prepare a consolidation plan. Your understanding, of course, being that there is in each county a clerk of the district court. We're not talking the whole district doing a consolidation but the county. The Judiciary Committee amendment also changes the way in which a consolidation plan is approved. Section 3 of the bill provides for a consolidation plan to be submitted to the State Court Administrator, approved and adopted by the Supreme Court, and then approved by a majority of the judges affected by the merger. The Judiciary Committee's amendment also provides that the judges affected by the merger approve the consolidation plan prior to it being submitted to the State Court Administrator's Office. This prevents the situation where a majority of the affected judges could essentially veto the implementation of a consolidation plan ordered by the Supreme Court. The committee amendment changes the procedures in Section 4, subpart (1) for appointing the clerk of the courts in a consolidated district, so that when a vacancy exists the clerk will be appointed by a panel consisting of the presiding district court judge of the