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LB 414

on the advancement of LB 414. Senator Wehrbein. Senator Wehrbein waives off. Senator Schmitt.

SENATOR SCHMITT: Yes, Mr. President, I got a couple questions I guess for Senator Beutler.

SENATOR CUDABACK: Would you yield, Senator Beutler?

SENATOR SCHMITT: One of the questions I have, Senator, is with your section-by-section printout there, which I was looking at and kind of figure out in the top one there, Section 1, in counties having less than 7,000 inhabitants, county board and the judges of the district court judicial district shall determine whether the county will have a clerk of the district court position and whether the county clerk will be the ex officio clerk of the district court. My question there, I guess two questions, one, in the small counties where we now have the county clerk doing the district clerk work, will this do away with the county clerk's office, or will this just make another position?

SENATOR BEUTLER: No, Senator, it won't do away with the county clerk's office at all. The statute, if I'm understanding what you're asking, the statute that you are talking about is current law and is retained.

SENATOR SCHMITT: So we'd have our county clerk, but would we have a clerk of the district court then as another position in our rural counties?

SENATOR BEUTLER: You could continue to do it the same way, but probably the Supreme Court is going to move to merge those offices in that particular kind of situation and when they do that they will pick up the clerk of the district court function that the county clerk does...

SENATOR SCHMITT: Um-hum.

SENATOR BEUTLER: ...and then, at that point, the county can either cut down on the salary of the county clerk, but the county clerk will still be there, or if they're not able to do that they may not...they may not have much savings.