

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION SUPPORTING THE PASSAGE OF LB 1045

WHEREAS, the County Board of Commissioners of Sarpy County is responsible to all the citizens of Sarpy County to act responsibly in the management of public funds; and,

WHEREAS, LB 1045, as introduced to the One Hundred and First Nebraska Legislature, would change the provisions surrounding the duties of Jury Commissioner allowing an Election Commissioner to continue the duties until a county reaches 200,000 residents; and,

WHEREAS, this change in state law would be beneficial to the taxpayers of Sarpy County.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that said Board hereby supports the passage of legislation by the Nebraska legislature which will allow the Sarpy County Election Commissioner to continue the duties as Jury Commissioner.

DATED this 2nd day of March, 2010.

Moved by Rich Jensen, seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

none

none

ABSTAIN:
none

[Signature]
County Clerk




Memo

To: Sarpy County Board of Commissioners
From: Wayne Bena, Election/Jury Commissioner
CC: Brian Hanson
Date: 2/26/2010
Re: LB 1045

Under current state law, Counties between 50,000 and 150,000 residents can choose to have a separate Jury Commissioner's office or if authorized by the District Court Judges, the Election Commissioner may handle the duties. Once a County reaches 150,000 residents, the duties of Jury Commissioner are automatically transferred to the Clerk of the District Court. Once a county reaches 200,000 residents, the District Court Judges can decide if the Jury Commissioner duties shall lie with the Election Commissioner or the Clerk of the District Court.

LB 1045 would eliminate the transfer of duties to the Clerk of the District Court after reaching 150,000 residents and thus after a county reaches 200,000 residents, the District Court Judges would make a decision on who should handle the duties of Jury Commissioner.

This change in state law is supported by Carol Kremer, the Judges of the District Court and me. This change would ultimately save Sarpy County taxpayers money by not having to make the automatic change after the census. Below, please find a rough estimate of the costs from my office associated with such a move. These costs are in addition to any costs incurred by the Clerk of the District Court.

One time costs:

Cost of changing Sign and Door : \$555.00

Continuing Costs for Election Commission: (Upon Approval of the County Board)

Replacement of an employee at 60% which is assumed to have shifted to the Clerk of the District Court

Salary	\$21,795
Retirement (6.75%)	\$1,471
Soc. Sec. (7.65%)	<u>\$1,667</u>
Total	\$24,933

Please find a copy of LB 1045 after this memo. If you have any questions, please do not hesitate to contact me.

Wayne Bena
Election/Jury Commissioner
402-593-2167

LB 1045

LB 1045

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1045

Introduced by Lautenbaugh, 18.

Read first time January 21, 2010

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to courts; to amend section 25-1625,
- 2 Reissue Revised Statutes of Nebraska; to change and
- 3 eliminate provisions relating to the designation of jury
- 4 commissioner; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-1625, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 25-1625 (1) In each county of the State of Nebraska there
4 shall be a jury commissioner.

5 (2) In counties having a population of not more than
6 fifty thousand inhabitants, the clerk of the district court shall
7 be jury commissioner ex officio.

8 (3) In counties having a population of more than fifty
9 thousand, and not more than one two hundred fifty thousand
10 inhabitants, the jury commissioner shall be a separate office
11 in the county government or the duties may be performed, when
12 authorized by the judges of the district court within such
13 counties, by the election commissioner. The jury commissioner
14 shall receive an annual salary of not less than twelve hundred
15 dollars.

16 ~~(4) In counties having a population of more than one~~
17 ~~hundred fifty thousand inhabitants and not more than two hundred~~
18 ~~thousand inhabitants, the clerk of the district court shall perform~~
19 ~~the duties of jury commissioner without additional compensation.~~

20 ~~(5)~~ (4) In counties having a population in excess of
21 two hundred thousand inhabitants, the judges of the district court
22 within such counties shall determine whether the clerk of the
23 district court will perform the duties of jury commissioner without
24 additional compensation or the election commissioner will be jury
25 commissioner ex officio.

1 ~~(6)~~ (5) In all counties the necessary expenses incurred
2 in the performance of the duties of jury commissioner shall be
3 paid by the county board of the county out of the general fund,
4 upon proper claims approved by one of the district judges in the
5 judicial district and duly filed with the county board.

6 ~~(7)~~ (6) In all counties the jury commissioner shall
7 prepare and file the annual inventory statement with the county
8 board of the county of all county personal property in his or her
9 custody or possession, as provided in sections 23-346 to 23-350.

10 Sec. 2. Original section 25-1625, Reissue Revised
11 Statutes of Nebraska, is repealed.