

AMENDMENTS TO LB 405

Introduced by Mines, 18

1 1. Insert the following new sections:

2 Sec. 3. Section 23-151, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 23-151 (1) Each county under commissioner organization
5 having not more than three hundred thousand inhabitants shall be
6 divided into three districts numbered respectively, one, two, and
7 three, or into five districts as provided for in sections 23-148
8 and 23-149 numbered respectively, one, two, three, four, and five.
9 ~~Beginning October 1, 1991,~~ on the effective date of this act, each
10 county having more than three hundred thousand inhabitants shall be
11 divided into ~~seven~~ nine districts numbered respectively, one, two,
12 three, four, five, six, ~~and seven,~~ eight, and nine.

13 (2) Such districts shall consist of two or more voting
14 precincts comprising compact and contiguous territory and embracing
15 a substantially equal division of the population of the county.
16 District boundary lines shall not be subject to alteration
17 more than once every ten years except as otherwise provided in
18 subsection (3) of this section.

19 (3)(a) In counties having more than three hundred
20 thousand inhabitants, the establishment of district boundary lines
21 pursuant to subsection (1) of this section shall be completed not
22 later than ~~October 1, 1991,~~ July 1, 2007, or within one year
23 after the county attains a population of more than three hundred

1 thousand inhabitants, whichever occurs later. ~~Beginning in~~ In 2001
2 and every ten years thereafter, the district boundary lines of any
3 county having more than three hundred thousand inhabitants shall
4 be redrawn, if necessary to maintain substantially equal district
5 populations, by the date specified in section 32-553.

6 (b) The establishment of district boundary lines and any
7 alteration thereof under this subsection shall be done by the
8 county board. If the county board fails to do so by the applicable
9 deadline, district boundaries shall be drawn by the election
10 commissioner within six months after the deadline established for
11 the drawing or redrawing of district boundaries by the county
12 board. If the election commissioner fails to meet such deadline,
13 the remedies established in subsection (3) of section 32-555 shall
14 apply.

15 (4) The district boundary lines shall not be changed at
16 any session of the county board unless all of the commissioners are
17 present at such session.

18 (5) Commissioners shall be elected as provided in section
19 32-528. Elections shall be conducted as provided in the Election
20 Act.

21 Sec. 4. Section 32-528, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 32-528 (1) In counties having a county board of three
24 commissioners, two commissioners shall be elected at the statewide
25 general election in 1994 and each four years thereafter, and one
26 commissioner shall be elected at the statewide general election
27 in 1996 and each four years thereafter. In counties having a

1 county board of five commissioners, three commissioners shall be
2 elected at the statewide general election in 1994 and each four
3 years thereafter, and two commissioners shall be elected at the
4 statewide general election in 1996 and each four years thereafter.
5 In counties having a county board of seven ~~or more~~ commissioners,
6 one commissioner shall be elected in each odd-numbered commissioner
7 district at the statewide general election in 1994 and each
8 four years thereafter, and one commissioner shall be elected in
9 each even-numbered commissioner district at the statewide general
10 election in 1996 and each four years thereafter. In counties
11 having a county board of nine commissioners, one commissioner
12 shall be elected in each even-numbered commissioner district at the
13 statewide general election in 2008 and each four years thereafter,
14 and one commissioner shall be elected in each odd-numbered
15 commissioner district at the statewide general election in 2010
16 and each four years thereafter.

17 (2) Except for commissioners first elected after the
18 county adopts the commissioner form of government or has increased
19 the number of commissioners, the term of each county commissioner
20 shall be four years or until his or her successor is elected
21 and qualified. At the first election held to choose the board of
22 commissioners in any county having three commissioners, the person
23 having the highest number of votes shall serve for four years and
24 the two receiving the next highest number of votes shall serve
25 for two years, and if any three or more persons have the same
26 number of votes, their terms of office shall be determined by the
27 county canvassing board. The county commissioners shall meet the

1 qualifications found in section 23-150. Nothing in this section
2 shall be construed to prohibit the reelection of a commissioner
3 holding office if the commissioner is reelected to represent his or
4 her respective district. The county commissioners shall be elected
5 on the partisan ballot.

6 (3) In counties having not more than three hundred
7 thousand inhabitants, one commissioner shall be nominated and
8 elected from each district by the registered voters of the
9 district, except that in counties having a population of more than
10 one hundred fifty thousand but not more than three hundred thousand
11 inhabitants, one commissioner shall be nominated from each district
12 by the registered voters of the district and shall be elected by
13 the registered voters of the entire county. Beginning in 1992 in
14 counties having more than three hundred thousand inhabitants, one
15 commissioner shall be nominated and elected from each district by
16 the registered voters of the district.

17 (4) In counties in which a majority has voted to have
18 five commissioners as provided in section 23-148, the three
19 commissioners of such county whose terms of office will expire
20 after the election shall continue in office until the expiration of
21 the terms for which they were elected and until their successors
22 are elected and qualified. Two commissioners shall be appointed
23 pursuant to section 32-567 to serve until the first Thursday after
24 the first Tuesday in January following the next statewide general
25 election. At the next statewide general election, commissioners
26 shall be elected to fill the positions of any commissioners
27 appointed under this section. At the first primary election after

1 such appointments, filings shall be accepted for terms of two years
2 and for terms of four years so that two commissioners will be
3 elected to four-year terms at one election and three commissioners
4 will be elected to four-year terms at the next election.

5 (5) In counties having more than three hundred thousand
6 inhabitants, the ~~three~~ commissioners ~~whose terms of office will~~
7 ~~expire in 1995~~ holding office on the effective date of this act
8 shall continue in office until the expiration of the terms for
9 which they were elected and until their successors are elected and
10 qualified. At the primary election in ~~1992,~~ 2008, one commissioner
11 in such counties shall be nominated from each ~~odd-numbered~~
12 even-numbered district. At the ensuing general election, one
13 commissioner shall be elected from each ~~odd-numbered~~ even-numbered
14 district. At the primary election in ~~1994,~~ 2010, one commissioner
15 in such counties shall be nominated from each ~~even-numbered~~
16 odd-numbered district. At the ensuing general election, one
17 commissioner shall be elected from each ~~even-numbered~~ odd-numbered
18 district. Beginning in ~~1992,~~ 2008, each commissioner in such
19 counties shall hold office for four years or until his or her
20 successor is elected and qualified. Nothing in this subsection
21 shall be construed to prohibit the reelection of a commissioner
22 holding office ~~in 1992 or 1994~~ on the effective date of this
23 act if such commissioner is reelected to represent the district
24 in which he or she resides. By August 1, 2007, an eighth and a
25 ninth commissioner shall be appointed by a majority vote of the
26 commissioners holding office on such date and shall serve until
27 their successors are elected pursuant to this section.

- 1 2. On page 4, line 5, after "14-201" insert ", 23-151,
- 2 32-528,".
- 3 3. Renumber the remaining sections accordingly.