

AMENDMENTS TO LB 121

Introduced by Giese, 17.

1 1. Strike original section 3 and insert the following new
2 sections:

3 Sec. 4. Section 32-519, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-519 (1) Except as provided in this section and
6 sections 22-417 and 77-1340, at the statewide general election
7 in 1990 and each four years thereafter, a county assessor shall
8 be elected in each county having a population of more than three
9 thousand five hundred inhabitants and more than one thousand two
10 hundred tax returns. The county assessor shall serve for a term of
11 four years.

12 (2) The county board of any county shall order the
13 submission of the question of electing a county assessor in the
14 county to the registered voters of the county at the next statewide
15 general election upon presentation of a petition to the county
16 board (a) conforming to the provisions of section 32-628, (b)
17 not less than sixty days before any statewide general election,
18 (c) signed by at least ten percent of the registered voters of
19 the county secured in not less than two-fifths of the townships
20 or precincts of the county, and (d) asking that the question be
21 submitted to the registered voters in the county. The form of
22 submission upon the ballot shall be as follows: For election of
23 county assessor; Against election of county assessor. If a majority

1 of the votes cast on the question are against the election of a
2 county assessor in such county, the duties of the county assessor
3 shall be performed by the county clerk and the office of county
4 assessor shall either cease with the expiration of the term of
5 the incumbent or continue to be abolished if no such office exists
6 at such time. If a majority of the votes cast on the question
7 are in favor of the election of a county assessor, the office
8 shall continue or a county assessor shall be elected at the next
9 statewide general election.

10 (3) The county board shall submit the election of a
11 county assessor to the registered voters of the county at a special
12 election called for that purpose when required pursuant to section
13 77-1340. A county assessor elected at a special election shall
14 serve until a successor is elected at the next statewide general
15 election.

16 ~~(3)~~ (4) The county assessor shall meet the qualifications
17 found in sections 23-3202 and 23-3204. The county assessor shall be
18 elected on the partisan ballot.

19 Sec. 5. Section 32-559, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-559 Except as provided in section 77-3444, any
22 election of a county assessor pursuant to section 77-1340 or
23 any issue to be submitted to the registered voters at a special
24 election by a political subdivision shall be certified by the clerk
25 of the political subdivision to the election commissioner or county
26 clerk at least fifty days prior to the election. A special election
27 may be held by mail as provided in sections 32-952 to 32-959.

1 Any other special election under this section shall be subject to
2 section 32-405.

3 In lieu of submitting the issue at a special election,
4 any political subdivision may submit the issue at a statewide
5 primary or general election or at any scheduled county election,
6 except that no such issue shall be submitted at a statewide
7 election or scheduled county election unless the issue to be
8 submitted has been certified by the clerk of the political
9 subdivision to the election commissioner or county clerk by March
10 1 for the primary election and by September 1 for the general
11 election. After the election commissioner or county clerk has
12 received the certification of the issue to be submitted, he or she
13 shall be responsible for all matters relating to the submission of
14 the issue to the registered voters, except that the clerk of the
15 political subdivision shall be responsible for the publication or
16 posting of any required special notice of the submission of such
17 issue other than the notice required to be given of the statewide
18 election issues. The election commissioner or county clerk shall
19 prepare the ballots and issue ballots for early voting and shall
20 also conduct the submission of the issue, including the receiving
21 and counting of the ballots on the issue. The election returns
22 shall be made to the election commissioner or county clerk. The
23 ballots shall be counted and canvassed at the same time and in
24 the same manner as the other ballots. Upon completion of the
25 canvass of the vote by the county canvassing board, the election
26 commissioner or county clerk shall certify the election results to
27 the governing body of the political subdivision. The canvass by the

1 county canvassing board shall have the same force and effect as if
2 made by the governing body of the political subdivision.

3 2. On page 10, strike beginning with "The" in line 24
4 through line 25 and insert "The appointed assessor shall continue
5 to perform the county assessor's duties until (a) an assessor is
6 elected at the next statewide general election for appointments
7 which will be effective July 1, 2010, or (b) an assessor is elected
8 at a special election and the county canvassing board declares
9 a winner under the Election Act for appointments which will be
10 effective July 1, 2011.".

11 3. On page 11, line 1, strike "the next election.".

12 4. On page 13, line 12, after "next" insert "statewide
13 general".

14 5. Renumber the remaining sections, correct internal
15 references accordingly, and correct the operative date section
16 and repealer so that the sections added by this amendment become
17 operative on their effective date.