

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 299**

Introduced by Seiler, 33.

Read first time January 17, 2013

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to elections; to amend section 32-554, Reissue
- 2 Revised Statutes of Nebraska; to change provisions
- 3 regarding political subdivisions; and to repeal the
- 4 original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 32-554, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-554 (1)(a) Any city not under a home rule charter,  
4 village, county, or school district nominating and electing members  
5 to its governing board at large may, either by majority vote of the  
6 governing body or by petition of registered voters pursuant to  
7 subsection (2) of this section, at a general election submit, at a  
8 general election, the question of nominating and electing members to  
9 its governing board by district or ward.

10           (b) Any city not under a home rule charter, village,  
11 county having not more than three hundred thousand inhabitants, or  
12 school district nominating and electing members to its governing  
13 board by district or ward may, either by majority vote of the  
14 governing body or by petition of registered voters pursuant to  
15 subsection (2) of this section, at a general election submit, at a  
16 general election, the question of nominating and electing members to  
17 its governing board at large.

18           (c) Any city of the first class, except a city having  
19 adopted the commissioner or city manager plan of government,  
20 nominating and electing members to its governing body by ward may,  
21 either by ordinance by majority vote of the governing body or by  
22 petition of registered voters pursuant to subsection (2) of this  
23 section, at a general election submit, at a general election, the  
24 question of nominating and electing some of the members to its  
25 governing body by ward and some at large, either by ordinance by a

1 ~~vote of a majority of the members of the governing body or by~~  
2 ~~petition of the registered voters of the city.~~ No more than three  
3 four members of the city council may be elected on an at-large basis,  
4 and at least four members of the city council shall be elected by  
5 ward. The ordinance of the governing body or petition shall specify  
6 the number of at-large members to be elected. At the first election  
7 in which one or more at-large members are to be elected to the city  
8 council, the members shall be elected to serve for initial terms of  
9 office of the following lengths: (i) If one at-large member is to be  
10 elected, he or she shall serve for a four-year term; (ii) ~~If~~if two  
11 at-large members are to be elected, the candidate receiving the  
12 highest number of votes shall be elected to serve for a four-year  
13 term and the other elected member shall be elected to serve for a  
14 two-year term; ~~and~~ (iii) ~~If~~if three at-large members are to be  
15 elected, the two candidates receiving the highest number of votes  
16 shall be elected to serve for four-year terms and the other elected  
17 member shall be elected to serve for a two-year term; and (iv) if  
18 four at-large members are to be elected, the two candidates receiving  
19 the highest number of votes shall be elected to serve for four-year  
20 terms and the other elected members shall be elected to serve for  
21 two-year terms. Following the initial term of office, all at-large  
22 council members shall be elected to serve for four-year terms. No  
23 candidate may file as both an at-large candidate and a candidate by  
24 ward at the same election.

25 (2) Petitions for submission of the question shall be

1 signed by registered voters of the city, village, county, or school  
2 district desiring to change the procedures for electing the governing  
3 board of the city, village, county, or school district. The petition  
4 or petitions shall be signed by registered voters equal in number to  
5 twenty-five percent of the votes cast for the person receiving the  
6 highest number of votes in the city, village, county, or school  
7 district at the preceding general election for electing the last  
8 member or members to its governing board. Each sheet of the petition  
9 shall have printed the full and correct copy of the question as it  
10 will appear on the official ballot. The petitions shall be filed with  
11 the county clerk or election commissioner not less than seventy days  
12 prior to the date of the general election, and no signatures shall be  
13 added or removed from the petitions after they have been so filed.  
14 Petitions shall be verified as provided in section 32-631. If the  
15 petition or petitions are found to contain the required number of  
16 valid signatures, the county clerk or election commissioner shall  
17 place the question on a separate ballot to be issued to the  
18 registered voters of the city, village, county, or school district  
19 entitled to vote on the question.

20 (3)(a) Any city, village, county, or school district  
21 voting to change from nominating and electing the members of its  
22 governing board by district or ward to nominating and electing some  
23 or all of such members at large shall notify the public and instruct  
24 the filing officer to accept the appropriate filings on an at-large  
25 basis. Candidates to be elected at large shall be nominated and

1 elected on an at-large basis at the next primary and general election  
2 following submission of the question.

3 (b) Any city, village, county, or school district voting  
4 to change from nominating and electing the members of its governing  
5 board at large to nominating and electing by district or ward shall  
6 notify the public and instruct the filing officer to accept all  
7 filings by district or ward. Candidates shall be nominated and  
8 elected by district or ward at the next primary and general election  
9 following submission of the question. When district or ward elections  
10 have been approved by the majority of the electorate, the governing  
11 board of any city, village, county, or school district approving such  
12 question shall establish districts substantially equal in population  
13 as determined by the most recent federal decennial census except as  
14 provided in subsection (2) of section 32-553.

15 (4) Except as provided in section 14-201, each city not  
16 under a home rule charter, village, county, and school district which  
17 votes to nominate and elect members to its governing board by  
18 district or ward shall establish districts or wards so that  
19 approximately one-half of the members of its governing board may be  
20 nominated and elected from districts or wards at each election.  
21 Districts or wards shall be created not later than October 1 in the  
22 year following the general election at which the question was voted  
23 upon. If the governing board fails to draw district boundaries by  
24 October 1, the procedures set forth in section 32-555 shall be  
25 followed.

1                   Sec. 2. Original section 32-554, Reissue Revised Statutes  
2 of Nebraska, is repealed.