

AMENDMENTS TO LB 71

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

3 "Section 1. Section 14-201.03, Reissue Revised Statutes
4 of Nebraska, is amended to read:

5 14-201.03. The election commissioner in any county in
6 which is situated a city of the metropolitan class shall divide the
7 city into seven city council districts of compact and contiguous
8 territory. Such districts shall be numbered consecutively from one
9 to seven. One council member shall be elected from each ~~such~~
10 district. ~~The election commissioner shall redraw the boundaries of~~
11 ~~such districts, maintaining the compact and contiguous nature of~~
12 ~~each, when such districts are no longer substantially equal in~~
13 ~~population~~ city council shall be responsible for redrawing the city
14 council district boundaries pursuant to section 32-553.

15 Sec. 3. Section 32-553, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 32-553. (1) When any political subdivision except a
18 public power district nominates or elects members of the governing
19 board by districts, such districts shall be substantially equal in
20 population as determined by the most recent federal decennial
21 census. Any such political subdivision which has districts in
22 place on the date the census figures used in drawing district
23 boundaries for the Legislature are required to be submitted to the
24 state by the United States Department of Commerce, Bureau of the

1 Census, shall, if necessary to maintain substantial population
2 equality as required by this subsection, have new district
3 boundaries drawn within six months after the passage and approval
4 of the legislative bill providing for reestablishing legislative
5 districts. Any such political subdivision in existence on the date
6 the census figures used in drawing district boundaries for the
7 Legislature are required to be submitted to the state by the United
8 States Department of Commerce, Bureau of the Census, and which has
9 not established any district boundaries shall establish district
10 boundaries pursuant to this section within six months after such
11 date. If the deadline for drawing or redrawing district boundary
12 lines imposed by this section is not met, the procedures set forth
13 in section 32-555 shall be followed.

14 (2) The governing board of each such political
15 subdivision shall be responsible for drawing its own district
16 boundaries and shall, as nearly as possible, follow the precinct
17 lines created by the election commissioner or county clerk after
18 each federal decennial census, except that ~~the election~~
19 ~~commissioner of any county in which a city of the metropolitan~~
20 ~~class is located shall draw district boundaries for such city as~~
21 ~~required under this section and section 14-201.03 and the election~~
22 commissioner of any county in which a Class IV or V school district
23 is located shall draw district boundaries for such school district
24 as provided in this section and section 32-552.

25 Sec. 4. Section 32-555, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 32-555. (1) Except as provided in subsection (4) of this

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1 section, if the governing board of any city, village, county, or
2 school district which nominates or elects members to the board by
3 district or ward fails to draw district boundaries by the date
4 established in subsection (1) of section 32-553 or subsection (4)
5 of section 32-554, the county attorney of the county in which the
6 board is located shall file an action in the district court for the
7 purpose of ordering the board to draw district boundaries. If
8 within six months after the receipt of such order the board does
9 not comply, the members of the board shall be subject to removal
10 and the court shall order the Secretary of State to draw district
11 boundaries in accordance with the most recent federal decennial
12 census. Any vacancy resulting from such removal from office shall
13 be filled as provided by law.

14 (2) If the county attorney fails to file the action
15 required by subsection (1) of this section, he or she shall be
16 subject to removal from office. If the county attorney fails to
17 file such action, any citizen within the jurisdiction of the
18 governing board may file the action. The court shall order the
19 board to pay any costs and attorney's fees involved in such action.

20 (3) If an election commissioner required to draw district
21 boundaries for a ~~city of the metropolitan class~~ any county having
22 more than three hundred thousand inhabitants pursuant to ~~section~~
23 sections 23-151 and 32-553 fails to do so, the election
24 commissioner shall be subject to (a) suit by the county attorney
25 for the purpose of ordering the drawing of district boundaries, (b)
26 removal from office pursuant to section 32-214 for failure to
27 comply with an order to draw district boundaries within six months

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1 of receipt of such order, and (c) suit by any citizen for the
2 purpose of ordering the drawing of district boundaries and shall be
3 obligated to pay any costs and attorney's fees involved in any such
4 action.

5 (4) If the county board of any county having more than
6 three hundred thousand inhabitants fails to complete the process of
7 drawing district boundaries as provided for in sections 23-151 and
8 32-553, the procedures set forth in subdivision (3)(b) of section
9 23-151 shall be followed.

10 Sec. 5. Original sections 14-201.03, 32-538, 32-553, and
11 32-555, Reissue Revised Statutes of Nebraska, are repealed.

12 Sec. 6. Since an emergency exists, this act takes effect
13 when passed and approved according to law.".

14 2. Renumber the remaining section accordingly.