

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 411

Introduced by Scheer, 19.

Read first time January 18, 2019

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to county boards; to amend section 23-149,
- 2 Reissue Revised Statutes of Nebraska, and section 23-148, Revised
- 3 Statutes Cumulative Supplement, 2018; to provide an additional
- 4 method of changing the number of commissioners; to harmonize
- 5 provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-148, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 23-148 The county board of commissioners in all counties having not
4 more than four hundred thousand inhabitants as determined by the most
5 recent federal decennial census shall consist of three persons except as
6 follows:

7 (1) Pursuant to petitions filed or a vote of the county board under
8 section 23-149, the ~~The~~ registered voters in any county containing not
9 more than four hundred thousand inhabitants as determined by the most
10 recent federal decennial census may vote at any general election as to
11 whether their county board shall consist of three or five commissioners.
12 Upon the completion of the canvass by the county canvassing board, the
13 proposition shall be decided and, if the number of commissioners is
14 increased from three to five commissioners, vacancies shall be deemed to
15 exist and the procedures set forth in sections 32-567 and 32-574 shall be
16 instituted; and

17 (2) The registered voters of any county under township organization
18 voting to discontinue township organization may also vote as to the
19 number of county commissioners as provided in sections 23-292 to 23-299.

20 Sec. 2. Section 23-149, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 23-149 (1)(a) (1) ~~(1)~~ In counties not under township organization, a
23 registered voter may file a petition or petitions for the submission of
24 the question regarding the number of commissioners on the county board.
25 The petition or petitions shall be signed by registered voters equal in
26 number to five percent of the voters registered in the county at the
27 preceding statewide general election.

28 (b) In counties not under township organization, the county board
29 may, by majority vote of all members, adopt a resolution for the
30 submission of the question regarding the number of commissioners on the
31 county board.

1 (2) When the petition or petitions or the resolution is are filed
2 with the in the office of the county clerk or election commissioner or
3 county clerk not less than seventy days before the date of any general
4 election, the ~~county clerk or~~ election commissioner or county clerk shall
5 cause the question to be submitted to the voters of the county at such
6 election and give notice thereof in the general notice of such election.
7 The forms of ballots shall be respectively: For three commissioners and
8 For five commissioners; and the same shall be printed upon the regular
9 ballots cast for officers voted for at such election and shall be counted
10 and canvassed in the same manner.

11 (3) If a majority of votes cast at the election favor the
12 proposition For five commissioners, thereafter the county shall have five
13 commissioners, and if a majority of the ballots cast at the election
14 favor the proposition For three commissioners, thereafter the county
15 shall have three commissioners.

16 Sec. 3. Original section 23-149, Reissue Revised Statutes of
17 Nebraska, and section 23-148, Revised Statutes Cumulative Supplement,
18 2018, are repealed.