

LEGISLATIVE BILL 434

Approved by the Governor May 26, 2009

Introduced by Janssen, 15; Wallman, 30.

FOR AN ACT relating to counties; to amend sections 23-202, 23-294, and 23-295, Revised Statutes Cumulative Supplement, 2008; to change ballot questions regarding township organization; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 23-202, Revised Statutes Cumulative Supplement, 2008, is amended to read:

23-202 (1) In counties not under township organization, a registered voter may file a petition or petitions for the submission of the question of township organization. The petition or petitions shall be signed by registered voters equal in number to five percent of the voters registered in the county at the preceding statewide general election.

(2) When the petition or petitions are filed in the office of the county clerk or election commissioner, the question shall be submitted to the registered voters at the next general election held not less than seventy days after the filing of the petitions. The questions on the ballot shall be respectively: For changing to township organization, with a seven-member county board of supervisors; or Against changing to township organization.

(3) Elections shall be conducted as provided in the Election Act.

Sec. 2. Section 23-294, Revised Statutes Cumulative Supplement, 2008, is amended to read:

23-294 (1) If the petition or county board resolution to discontinue township organization specifies a five-member county board of commissioners pursuant to section 23-293, the questions on the ballot shall be respectively: ~~For continuance of township organization; or~~ For discontinuance of township organization and creation of a five-member county board of commissioners; or Against changing to a commissioner form of county government, effective at the expiration of the supervisors' terms of office in January of the third calendar year following this election.

(2) If the petition or county board resolution to discontinue township organization specifies a seven-member county board of commissioners pursuant to section 23-293, the questions on the ballot shall be respectively: ~~For continuance of township organization; or~~ For discontinuance of township organization and creation of a seven-member county board of commissioners; or Against changing to a commissioner form of county government, effective at the expiration of the supervisors' terms of office in January of the third calendar year following this election.

(3) Elections shall be conducted regarding discontinuance of township organization as provided in the Election Act.

Sec. 3. Section 23-295, Revised Statutes Cumulative Supplement, 2008, is amended to read:

23-295 If a majority of the votes cast on the question are ~~against~~ for the discontinuance of township organization, then such organization shall cease to exist effective at the expiration of the supervisors' terms of office in January of the third calendar year following such election.

Sec. 4. Original sections 23-202, 23-294, and 23-295, Revised Statutes Cumulative Supplement, 2008, are repealed.