

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 269

Introduced by Halloran, 33.

Read first time January 10, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend sections 2-3213,
2 2-3214, 16-404, and 17-614, Reissue Revised Statutes of Nebraska,
3 and sections 32-552, 32-553, 32-903, and 70-663, Revised Statutes
4 Cumulative Supplement, 2022; to eliminate obsolete provisions
5 relating to adjusting certain boundaries after the federal decennial
6 census and charter amendment procedures for certain public power
7 districts; to harmonize provisions; and to repeal the original
8 sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-3213, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 2-3213 (1) Except as provided in subsections (2), (3), and (4) of
4 this section, each district shall be governed by a board of directors of
5 five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, or
6 twenty-one members. The board of directors shall determine the number of
7 directors and in making such determination shall consider the complexity
8 of the foreseeable programs and the population and land area of the
9 district. Districts shall be political subdivisions of the state, shall
10 have perpetual succession, and may sue and be sued in the name of the
11 district.

12 (2) ~~At Except as provided by subsection (7) of this section,~~ at
13 least six months prior to the primary election, the board of directors of
14 any natural resources district may change the number of directors for the
15 district and may change subdistrict boundaries to accommodate the
16 increase or decrease in the number of directors.

17 (3) The board of directors shall utilize the criteria found in
18 subsection (1) of this section and in subsection (2) of section 2-3214
19 when changing the number of directors. Except as provided in subsection
20 (6) of this section, no director's term of office shall be shortened as a
21 result of any change in the number of directors. Any reduction in the
22 number of directors shall be made as directors take office during the two
23 succeeding elections or more quickly if the reduction can be made by not
24 filling vacancies on the board and if desired by the board. If necessary
25 to preserve staggered terms for directors when the reduction in number is
26 made in whole or in part through unfilled vacancies, the board may
27 provide for a one-time election of one or more directors for a two-year
28 term. The board of directors shall inform the Secretary of State whenever
29 any such one-time elections have been approved. Notwithstanding
30 subsection (1) of this section, the district may be governed by an even
31 number of directors during the two-year transition to a board of reduced

1 number.

2 (4) Whenever any change of boundaries, division, or merger results
3 in a natural resources district director residing in a district other
4 than the one to which such director was elected to serve, such director
5 shall automatically become a director of the board of the district in
6 which he or she then resides. Except as provided in subsection (6) of
7 this section, all such directors shall continue to serve in office until
8 the expiration of the term of office for which they were elected.
9 Directors or supervisors of other special-purpose districts merged into a
10 natural resources district shall not become members of the natural
11 resources district board but may be appointed as advisors in accordance
12 with section 2-3228. No later than six months after any change, division,
13 or merger, each affected board, in accordance with the procedures and
14 criteria found in this section and section 2-3214, shall determine the
15 number of directors for the district as it then exists, the option chosen
16 for nomination and election of directors, and, if appropriate, new
17 subdistrict boundaries.

18 (5) To facilitate the task of administration of any board increased
19 in size by a change of boundaries or merger, such board may appoint an
20 executive committee to conduct the business of the board in the interim
21 until board size reductions can be made in accordance with this section.
22 An executive committee shall be empowered to act for the full board in
23 all matters within its purview unless specifically limited by the board
24 in the establishment and appointment of the executive committee.

25 (6) Notwithstanding the provisions of section 2-3214 and subsections
26 (4) and (5) of this section, the board of directors of any natural
27 resources district established by merging two or more districts in their
28 entirety may provide that all directors be nominated and elected at the
29 first primary and general elections following the year in which such
30 merger becomes effective. In districts which have one director elected
31 from each subdistrict, each director elected from an even-numbered

1 subdistrict shall be elected for a two-year term and each director from
2 an odd-numbered district and any member to be elected at large shall be
3 elected for a four-year term. In districts which have two directors
4 elected from each subdistrict, the four candidates receiving the highest
5 number of votes at the primary election shall be carried over to the
6 general election, and at such general election the candidate receiving
7 the highest number of votes shall be elected for a four-year term and the
8 candidate receiving the second highest number of votes shall be elected
9 for a two-year term. Thereafter each director shall be elected for a
10 four-year term.

11 ~~(7) Following the release of the 2020 Census of Population data by~~
12 ~~the United States Department of Commerce, Bureau of the Census, as~~
13 ~~required by Public Law 94-171, any natural resources district that will~~
14 ~~have a change to the number of directors as a result of any adjustment to~~
15 ~~the boundaries of election districts shall provide to the election~~
16 ~~commissioner or county clerk (a) written notice of the need and necessity~~
17 ~~of his or her office to perform such adjustments and (b) a revised~~
18 ~~election district boundary map that has been approved by the board of~~
19 ~~directors and subjected to all public review and challenge ordinances of~~
20 ~~the natural resources district by December 30, 2021.~~

21 Sec. 2. Section 2-3214, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 2-3214 (1) District directors shall be elected as provided in
24 section 32-513. Elections shall be conducted as provided in the Election
25 Act. Registered voters residing within the district shall be eligible for
26 nomination as candidates for any at-large position or, in those districts
27 that have established subdistricts, as candidates from the subdistrict
28 within which they reside.

29 (2) The board of directors may choose to: (a) Nominate candidates
30 from subdistricts and from the district at large who shall be elected by
31 the registered voters of the entire district; (b) nominate and elect each

1 candidate from the district at large; or (c) nominate and elect
2 candidates from subdistricts of substantially equal population except
3 that any at-large candidate would be nominated and elected by the
4 registered voters of the entire district. Unless the board of directors
5 determines that the nomination and election of all directors will be at
6 large, the board shall strive to divide the district into subdistricts of
7 substantially equal population, except that no subdistrict shall have a
8 population greater than three times the population of any other
9 subdistrict within the district. Such subdistricts shall be consecutively
10 numbered and shall be established with due regard to all factors
11 including, but not limited to, the location of works of improvement and
12 the distribution of population and taxable values within the district.
13 ~~The Except as provided by subsection (7) of this section,~~ the boundaries
14 and numbering of such subdistricts shall be designated at least six
15 months prior to the primary election. Unless the district has been
16 divided into subdistricts with substantially equal population, all
17 directors shall be elected by the registered voters of the entire
18 district and all registered voters shall vote on the candidates
19 representing each subdistrict and any at-large candidates. If a district
20 has been divided into subdistricts with substantially equal population,
21 the board of directors may determine that directors shall be elected only
22 by the registered voters of the subdistrict except that an at-large
23 director may be elected by registered voters of the entire district.

24 (3) Except in districts which have chosen to have a single director
25 serve from each subdistrict, the number of subdistricts for a district
26 shall equal a number which is one less than a majority of directors for
27 the district. In districts which have chosen to have a single director
28 serve from each subdistrict, the number of subdistricts shall equal a
29 number which is equal to the total number of directors of the district or
30 which is one less than the total number of directors for the district if
31 there is an at-large candidate. If the number of directors to be elected

1 exceeds the number of subdistricts or if the term of the at-large
2 director expires in districts which have chosen to have a single director
3 serve from each subdistrict, candidates may file as a candidate from the
4 district at large. Registered voters may each cast a number of votes not
5 larger than the total number of directors to be elected.

6 (4) Elected directors shall take their oath of office in the same
7 manner provided for county officials.

8 (5) At least six months prior to the primary election, the board of
9 directors may choose to have a single director serve from each
10 subdistrict.

11 (6) The board of directors shall certify to the Secretary of State
12 and the election commissioners or county clerks the number of directors
13 to be elected at each election and the length of their terms as provided
14 in section 32-404.

15 ~~(7) Following the release of the 2020 Census of Population data by~~
16 ~~the United States Department of Commerce, Bureau of the Census, as~~
17 ~~required by Public Law 94-171, any board of directors requesting the~~
18 ~~adjustment of the boundaries of election districts shall provide to the~~
19 ~~election commissioner or county clerk (a) written notice of the need and~~
20 ~~necessity of his or her office to perform such adjustments and (b) a~~
21 ~~revised election district boundary map that has been approved by the~~
22 ~~board and subjected to all public review and challenge ordinances of the~~
23 ~~natural resources district by December 30, 2021.~~

24 Sec. 3. Section 16-404, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 16-404 (1) All ordinances and resolutions or orders for the
27 appropriation or payment of money in a city of the first class shall
28 require for their passage or adoption the concurrence of a majority of
29 all members elected to the city council. The mayor may vote on any such
30 matter when his or her vote will provide the additional vote required to
31 create a number of votes equal to a majority of the number of members

1 elected to the city council, and the mayor shall, for the purpose of such
2 vote, be deemed to be a member of the city council.

3 (2)(a) Ordinances of a general or permanent nature in a city of the
4 first class shall be read by title on three different days unless three-
5 fourths of the city council members vote to suspend this requirement,
6 except that in a city having a commission plan of government such
7 requirement may be suspended by a three-fifths majority vote.

8 (b) Regardless of the form of government, such requirement shall not
9 be suspended (i) for any ordinance for the annexation of territory or the
10 redrawing of boundaries for city council election districts or wards
11 ~~except as otherwise provided in subsection (4) of this section~~ or (ii) as
12 otherwise provided by law.

13 (c) In case such requirement is suspended, the ordinances shall be
14 read by title or number and then moved for final passage.

15 (d) Three-fourths of the city council members may require a reading
16 of any such ordinance in full before enactment under either procedure set
17 out in this section, except that in a city having a commission plan of
18 government, such reading may be required by a three-fifths majority vote.

19 (3) Ordinances in a city of the first class shall contain no subject
20 which is not clearly expressed in the title, and, except as provided in
21 section 19-915, no ordinance or section thereof shall be revised or
22 amended unless the new ordinance contains the entire ordinance or section
23 as revised or amended and the ordinance or section so amended is
24 repealed, except that:

25 (a) For an ordinance revising all the ordinances of a city of the
26 first class, the only title necessary shall be An ordinance of the city
27 of, revising all the ordinances of the city. Under such title
28 all the ordinances may be revised in sections and chapters or otherwise,
29 may be corrected, added to, and any part suppressed, and may be repealed
30 with or without a saving clause as to the whole or any part without other
31 title; and

1 (b) For an ordinance used solely to revise ordinances or code
2 sections or to enact new ordinances or code sections in order to adopt
3 statutory changes made by the Legislature which are specific and
4 mandatory and bring the ordinances or code sections into conformance with
5 state law, the title need only state that the ordinance revises those
6 ordinances or code sections affected by or enacts ordinances or code
7 sections generated by legislative changes. Under such title, all such
8 ordinances or code sections may be revised, repealed, or enacted in
9 sections and chapters or otherwise by a single ordinance without other
10 title.

11 ~~(4) Following the release of the 2020 Census of Population data by~~
12 ~~the United States Department of Commerce, Bureau of the Census, as~~
13 ~~required by Public Law 94-171, the city council of any city of the first~~
14 ~~class requesting the adjustment of the boundaries of election districts~~
15 ~~shall provide to the election commissioner or county clerk (a) written~~
16 ~~notice of the need and necessity of his or her office to perform such~~
17 ~~adjustments and (b) a revised election district boundary map that has~~
18 ~~been approved by the requesting city council and subjected to all public~~
19 ~~review and challenge ordinances of the city by December 30, 2021. The~~
20 ~~revised election district boundary map shall be adopted by ordinance.~~
21 ~~Such ordinance shall be read by title on three different days unless~~
22 ~~three-fourths of the city council members vote to suspend this~~
23 ~~requirement.~~

24 Sec. 4. Section 17-614, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 17-614 (1)(a) All ordinances and resolutions or orders for the
27 appropriation or payment of money shall require for their passage or
28 adoption the concurrence of a majority of all members elected to the city
29 council in a city of the second class or village board of trustees. The
30 mayor of a city of the second class may vote when his or her vote would
31 provide the additional vote required to attain the number of votes equal

1 to a majority of the number of members elected to the city council, and
2 the mayor shall, for the purpose of such vote, be deemed to be a member
3 of the city council.

4 (b) Ordinances of a general or permanent nature shall be read by
5 title on three different days unless three-fourths of the city council or
6 village board of trustees vote to suspend this requirement. Such
7 requirement shall not be suspended (i) for any ordinance for the
8 annexation of territory or the redrawing of boundaries for city council
9 or village board of trustees election districts or wards ~~except as~~
10 ~~otherwise provided in subsection (3) of this section~~ or (ii) as otherwise
11 provided by law.

12 (c) In case such requirement is suspended, the ordinances shall be
13 read by title and then moved for final passage.

14 (d) Three-fourths of the city council or village board of trustees
15 may require a reading of any such ordinance in full before enactment
16 under either procedure set out in this section.

17 (2) Ordinances shall contain no subject which is not clearly
18 expressed in the title, and, except as provided in section 19-915, no
19 ordinance or section of such ordinance shall be revised or amended unless
20 the new ordinance contains the entire ordinance or section as revised or
21 amended and the ordinance or section so amended is repealed, except that:

22 (a) For an ordinance revising all the ordinances of the city of the
23 second class or village, the title need only state that the ordinance
24 revises all the ordinances of the city or village. Under such title all
25 the ordinances may be revised in sections and chapters or otherwise, may
26 be corrected, added to, and any part suppressed, and may be repealed with
27 or without a saving clause as to the whole or any part without other
28 title; and

29 (b) For an ordinance used solely to revise ordinances or code
30 sections or to enact new ordinances or code sections in order to adopt
31 statutory changes made by the Legislature which are specific and

1 mandatory and bring the ordinances or code sections into conformance with
2 state law, the title need only state that the ordinance revises those
3 ordinances or code sections affected by or enacts ordinances or code
4 sections generated by legislative changes. Under such title, all such
5 ordinances or code sections may be revised, repealed, or enacted in
6 sections and chapters or otherwise by a single ordinance without other
7 title.

8 ~~(3) Following the release of the 2020 Census of Population data by~~
9 ~~the United States Department of Commerce, Bureau of the Census, as~~
10 ~~required by Public Law 94-171, the city council of any city of the second~~
11 ~~class or village board of trustees requesting the adjustment of the~~
12 ~~boundaries of election districts shall provide to the election~~
13 ~~commissioner or county clerk (a) written notice of the need and necessity~~
14 ~~of his or her office to perform such adjustments and (b) a revised~~
15 ~~election district boundary map that has been approved by the requesting~~
16 ~~city council or village board of trustees and subjected to all public~~
17 ~~review and challenge ordinances of the city or village by December 30,~~
18 ~~2021. The revised election district boundary map shall be adopted by~~
19 ~~ordinance. Such ordinance shall be read by title on three different days~~
20 ~~unless three-fourths of the members of the city council or village board~~
21 ~~of trustees vote to suspend this requirement.~~

22 Sec. 5. Section 32-552, Revised Statutes Cumulative Supplement,
23 2022, is amended to read:

24 32-552 (1) ~~At~~ Except as provided by subsection (4) of this section,
25 at least five months prior to an election, the governing board of any
26 political subdivision requesting the adjustment of the boundaries of
27 election districts shall provide to the election commissioner or county
28 clerk (a) written notice of the need and necessity of his or her office
29 to perform such adjustments and (b) a revised election district boundary
30 map that has been approved by the requesting political subdivision's
31 governing board and subjected to all public review and challenge

1 ordinances of the political subdivision.

2 (2) After each ~~the next~~ federal decennial census, the election
3 commissioner of the county in which the greater part of a Class IV school
4 district is situated shall, subject to review by the school board, divide
5 the school district into seven numbered districts, substantially equal in
6 population as determined by the most recent federal decennial census. The
7 election commissioner shall consider the location of schools within the
8 district and their boundaries. The election commissioner shall adjust the
9 boundaries of the election districts, subject to final review and
10 adjustment by the school board, to conform to changes in the territory
11 and population of the school district and also following each federal
12 decennial census. Except when specific procedures are otherwise provided,
13 section 32-553 shall apply to all Class IV school districts.

14 (3) For purposes of election of members to the board of education of
15 a Class V school district:

16 (a) Such ~~(a)(i) The Legislature hereby divides such~~ school district
17 is divided into nine numbered election districts of compact and
18 contiguous territory and of as nearly equal population as may be
19 practical. Each election district shall be entitled to one member on the
20 board of education of such Class V school district. ~~The Legislature~~
21 ~~adopts the official population figures and maps from the 2010 Census~~
22 ~~Redistricting (Public Law 94-171) TIGER/Line Shapefiles published by the~~
23 ~~United States Department of Commerce, Bureau of the Census. The numbers~~
24 ~~and boundaries of the election districts are designated and established~~
25 ~~by a map identified and labeled as OPS-13-002, filed with the Clerk of~~
26 ~~the Legislature, and incorporated by reference as part of Laws 2013,~~
27 ~~LB125. Such districts are drawn using the boundaries of the Class V~~
28 ~~school district as they existed on February 12, 2013; (ii) the Clerk of~~
29 ~~the Legislature shall transfer possession of the map referred to in~~
30 ~~subdivision (a)(i) of this subsection to the Secretary of State and the~~
31 ~~election commissioner of the county in which the greater part of the~~

1 ~~school district is situated on February 12, 2013; (iii) when questions of~~
2 ~~interpretation of such election district boundaries arise, the map~~
3 ~~referred to in subdivision (a)(i) of this subsection in possession of~~
4 ~~such election commissioner shall serve as the indication of the~~
5 ~~legislative intent in drawing the election district boundaries; and (iv)~~
6 ~~the Secretary of State and such election commissioner shall also have~~
7 ~~available for viewing on his or her website the map referred to in~~
8 ~~subdivision (a)(i) of this subsection identifying the boundaries for such~~
9 ~~election districts; and~~

10 (b) After each ~~the next~~ federal decennial census, the election
11 commissioner of the county in which the greater part of a Class V school
12 district is situated shall divide the school district into nine numbered
13 districts of compact and contiguous territory and of as nearly equal
14 population as may be practical. The election commissioner shall adjust
15 the boundaries of such districts, subject to final review and adjustment
16 by the school board, to conform to changes in the territory of the school
17 district ~~and also following each federal decennial census.~~

18 ~~(4) Following the release of the 2020 Census of Population data by~~
19 ~~the United States Department of Commerce, Bureau of the Census, as~~
20 ~~required by Public Law 94-171, the governing board of any political~~
21 ~~subdivision requesting the adjustment of the boundaries of election~~
22 ~~districts shall provide to the election commissioner or county clerk (a)~~
23 ~~written notice of the need and necessity of his or her office to perform~~
24 ~~such adjustments and (b) a revised election district boundary map that~~
25 ~~has been approved by the requesting political subdivision's governing~~
26 ~~board and subjected to all public review and challenge ordinances of the~~
27 ~~political subdivision by December 30, 2021.~~

28 ~~(5) The Secretary of State may grant additional days upon request of~~
29 ~~the political subdivision if precinct maps are not delivered to the~~
30 ~~political subdivision by November 1, 2021, or for an extraordinary~~
31 ~~circumstance.~~

1 Sec. 6. Section 32-553, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 32-553 (1)(a) When any political subdivision except a public power
4 district nominates or elects members of the governing board by districts,
5 such districts shall be substantially equal in population as determined
6 by the most recent federal decennial census.

7 ~~(b)(i) Any (b) Except as provided by subdivision (c) of this~~
8 ~~subsection, (i) any such political subdivision that which has districts~~
9 ~~in place on the date the census figures used in drawing district~~
10 ~~boundaries for the Legislature are required to be submitted to the state~~
11 ~~by the United States Department of Commerce, Bureau of the Census, shall,~~
12 ~~if necessary to maintain substantial population equality as required by~~
13 ~~this subsection, have new district boundaries drawn within six months~~
14 ~~after the passage and approval of the legislative bill providing for~~
15 ~~reestablishing legislative districts, and~~

16 (ii) ~~Any~~ any such political subdivision in existence on the date the
17 census figures used in drawing district boundaries for the Legislature
18 are required to be submitted to the state by the United States Department
19 of Commerce, Bureau of the Census, and which has not established any
20 district boundaries shall establish district boundaries pursuant to this
21 section within six months after such date.

22 ~~(c) Following the release of the 2020 Census of Population data by~~
23 ~~the United States Department of Commerce, Bureau of the Census, as~~
24 ~~required by Public Law 94-171, any such political subdivision which has~~
25 ~~districts in place on the date the census figures used in drawing~~
26 ~~district boundaries for the Legislature are required to be submitted to~~
27 ~~the state by the United States Department of Commerce, Bureau of the~~
28 ~~Census, shall, if necessary to maintain substantial population equality~~
29 ~~as required by this subsection, have new district boundaries drawn and~~
30 ~~submitted to the election commissioner or county clerk by December 30,~~
31 ~~2021, after the passage and approval of the legislative bill providing~~

1 ~~for reestablishing legislative districts. Any such political subdivision~~
2 ~~in existence on the date the census figures used in drawing district~~
3 ~~boundaries for the Legislature are required to be submitted to the state~~
4 ~~by the United States Department of Commerce, Bureau of the Census, and~~
5 ~~which has not established any district boundaries shall establish~~
6 ~~district boundaries and submit the boundaries to the election~~
7 ~~commissioner or county clerk pursuant to this section by December 30,~~
8 ~~2021.~~

9 ~~(d) The Secretary of State may grant additional days upon request of~~
10 ~~the political subdivision if precinct maps are not delivered to the~~
11 ~~political subdivision by November 1, 2021, or for an extraordinary~~
12 ~~circumstance.~~

13 ~~(c) (e) If the deadline for drawing or redrawing district boundary~~
14 ~~lines imposed by this section is not met, the procedures set forth in~~
15 ~~section 32-555 shall be followed.~~

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

23 Sec. 7. Section 32-903, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 32-903 (1) The election commissioner or county clerk shall create
26 precincts composed of compact and contiguous territory within the
27 boundary lines of legislative districts. The precincts shall contain not
28 less than seventy-five nor more than one thousand seven hundred fifty
29 registered voters based on the number of voters voting at the last
30 statewide general election, except that a precinct may contain less than
31 seventy-five registered voters if in the judgment of the election

1 commissioner or county clerk it is necessary to avoid creating an undue
2 hardship on the registered voters in the precinct. The election
3 commissioner or county clerk shall create precincts based on the number
4 of votes cast at the immediately preceding presidential election or the
5 current list of registered voters for the precinct. The election
6 commissioner or county clerk shall revise and rearrange the precincts and
7 increase or decrease them at such times as may be necessary to make the
8 precincts contain as nearly as practicable not less than seventy-five nor
9 more than one thousand seven hundred fifty registered voters voting at
10 the last statewide general election. The election commissioner or county
11 clerk shall, when necessary and possible, readjust precinct boundaries to
12 coincide with the boundaries of cities, villages, and school districts
13 which are divided into districts or wards for election purposes. The
14 election commissioner or county clerk shall not make any precinct changes
15 in precinct boundaries or divide precincts into two or more parts between
16 the statewide primary and general elections unless he or she has been
17 authorized to do so by the Secretary of State. If changes are authorized,
18 the election commissioner or county clerk shall notify each state and
19 local candidate affected by the change.

20 (2) The election commissioner or county clerk may alter and divide
21 the existing precincts, except that when any city of the first class by
22 ordinance divides any ward of such city into two or more voting districts
23 or polling places, the election commissioner or county clerk shall
24 establish precincts or polling places in conformity with such ordinance.
25 No such alteration or division shall take place between the statewide
26 primary and general elections except as provided in subsection (1) of
27 this section.

28 ~~(3) Following the release of the 2020 Census of Population data by~~
29 ~~the United States Department of Commerce, Bureau of the Census, as~~
30 ~~required by Public Law 94-171, the election commissioner or county clerk~~
31 ~~shall create, revise, or rearrange precincts in compliance with~~

1 ~~subsections (1) and (2) of this section and deliver maps of the updated~~
2 ~~precinct boundaries to all applicable political subdivisions within the~~
3 ~~jurisdiction of the election commissioner or county clerk by November 1,~~
4 ~~2021.~~

5 ~~(4) The Secretary of State may grant additional days for election~~
6 ~~commissioners and county clerks to meet the requirements of subsection~~
7 ~~(3) of this section for an extraordinary circumstance.~~

8 Sec. 8. Section 70-663, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 70-663 ~~(1) This subsection applies to charter amendments submitted~~
11 ~~after December 31, 2021. Upon such authorization as provided in section~~
12 ~~70-662 occurring,~~ the proposed amendment shall thereupon be submitted to
13 the Nebraska Power Review Board, together with a petition setting forth
14 the reasons for the adoption of such amendment, and requesting that the
15 same be approved. The Nebraska Power Review Board shall then cause notice
16 to be given by publication for three consecutive weeks in two legal
17 newspapers of general circulation within such district. Such notice shall
18 set forth in full the proposed amendment and set a date, not sooner than
19 three weeks after the last date of publication of the notice, for
20 protests, complaints, or objections to be filed with the Nebraska Power
21 Review Board in opposition to the adoption of such amendment. The cost of
22 such publication shall be paid by such district. If any person residing
23 in such district, or affected by the proposed amendment, shall, within
24 the time provided, file a protest, complaint, or objection, the Nebraska
25 Power Review Board shall schedule a hearing and give due notice thereof
26 to the district, the district's representative, and the person who filed
27 such protest, complaint, or objection. Any person filing a protest,
28 complaint, or objection may appear at such hearing and contest the
29 approval by the Nebraska Power Review Board of such proposed amendment.
30 After all protests, complaints, or objections have been heard, the
31 Nebraska Power Review Board shall act upon the petition and either

1 approve or disapprove the amendment. If no protests, complaints, or
2 objections are properly filed, the board shall either approve the
3 amendment without a hearing or schedule a hearing to determine whether or
4 not the amendment should be approved. If a hearing is scheduled, due
5 notice shall be provided to the district and the district representative.

6 ~~(2) This subsection applies to charter amendments submitted before~~
7 ~~December 31, 2021. Following the release of the 2020 Census of Population~~
8 ~~data by the United States Department of Commerce, Bureau of the Census,~~
9 ~~as required by Public Law 94-171, any public power district seeking an~~
10 ~~amendment to its charter shall submit the proposed amendment to the~~
11 ~~Nebraska Power Review Board on or before December 17, 2021. If the~~
12 ~~proposed amendment is in proper form, the Nebraska Power Review Board~~
13 ~~shall give conditional approval of the amendment on or before December~~
14 ~~30, 2021. The approval process provided in subsection (1) of this section~~
15 ~~shall occur concurrent with the conditional approval process. If a~~
16 ~~protest, complaint, or objection is filed and a hearing is set, any~~
17 ~~decision from the Nebraska Power Review Board rejecting the amendment~~
18 ~~shall be decided and notification provided to the Secretary of State by~~
19 ~~March 1, 2022. Immediately upon receiving such notification, the~~
20 ~~Secretary of State shall notify all election commissioners and county~~
21 ~~clerks responsible for such elections within the public power district~~
22 ~~that the conditionally approved boundaries were rejected and that the~~
23 ~~previous boundaries shall be used for the primary and general elections.~~

24 Sec. 9. Original sections 2-3213, 2-3214, 16-404, and 17-614,
25 Reissue Revised Statutes of Nebraska, and sections 32-552, 32-553,
26 32-903, and 70-663, Revised Statutes Cumulative Supplement, 2022, are
27 repealed.