

AMENDMENTS TO LB 1035

Introduced by Government, Military and Veterans Affairs

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

3 Section 1. Section 32-610, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-610 No person shall be allowed to file a candidate
6 filing form as a partisan candidate or to have his or her
7 name placed upon a primary election ballot of a political party
8 unless (1) he or she is a registered voter of the political
9 party if required pursuant to section 32-702 and (2) ~~at the last~~
10 election one of the two immediately preceding statewide general
11 elections, (a) a candidate nominated by the political party polled
12 at least five percent of the entire vote in the state, county,
13 political subdivision, or district in which the candidate seeks the
14 nomination for office. in a statewide race or (b) a combination
15 of candidates nominated by the political party for a combination
16 of districts that encompass all of the voters of the entire
17 state polled at least five percent of the vote in each of their
18 respective districts. A candidate filing form filed in violation of
19 this section shall be void.

20 Sec. 2. Section 32-811, Revised Statutes Supplement,
21 2011, is amended to read:

22 32-811 (1) If the names of candidates properly filed
23 for nomination at the primary election for directors of natural

1 resources districts, directors of public power districts, directors
2 of reclamation districts, members of airport authority boards
3 elected pursuant to sections 32-547 to 32-549, members of the
4 boards of governors of community college areas, members of the
5 boards of Class III or Class V school districts which nominate
6 candidates at a primary election, and officers of cities of the
7 first or second class and cities having a city manager plan of
8 government do not exceed two candidates for each position to
9 be filled, any such candidates shall be declared nominated and
10 their names shall not appear on any primary election ballots. The
11 official abstract of votes kept by the county or state shall show
12 the names of such candidates with the statement Nominated Without
13 Opposition. The election commissioner or county clerk shall place
14 the names of such automatically nominated candidates on the general
15 election ballot as provided in section 32-814.

16 (2) Candidates shall not appear on the ballot in the
17 primary election for the board of directors in public power
18 districts receiving annual gross revenue of less than forty million
19 dollars, for county weed district boards, and for the board of
20 trustees in villages.

21 (3) If the number of candidates for delegates to a county
22 or national political party convention are the same in number or
23 less than the number of candidates to be elected, the names shall
24 not appear on the primary election ballot and those so filed shall
25 receive a certificate of election.

26 Sec. 3. Section 32-1031, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 32-1031 (1) After counting the ballots under section
2 32-1027, the county canvassing board shall proceed with the
3 official canvass of votes cast on election day. If in the
4 process of canvassing the votes for any candidate or measure
5 in any precinct the election commissioner or county clerk or the
6 canvassing board determines that there is an obvious error in
7 the certification of the votes, the error shall be corrected. The
8 county canvassing board may open the ballots-cast container and
9 recount the ballots for any candidate or any measure which appears
10 to be in error. If the county canvassing board finds and corrects
11 any such error, it shall make the correction entry in the precinct
12 sign-in register, the precinct list of registered voters, and the
13 official summary or summaries of votes cast and shall attach a
14 letter of explanation to each book where the correction was made.
15 The letter shall be signed by all members of the county canvassing
16 board.

17 (2) When it has been determined that the returns in all
18 precincts are correct, the county canvassing board shall ~~enter the~~
19 ~~same in a permanent ledger. The permanent ledger shall be preserved~~
20 ~~by provide a record of the results to~~ the election commissioner or
21 county clerk either in a ledger or by using a computer printout.
22 The election commissioner or county clerk shall preserve the record
23 of the results for the period of time specified by the State
24 Records Administrator pursuant to the Records Management Act, and
25 then it may be transferred to the State Archives of the Nebraska
26 State Historical Society for permanent preservation.

27 (3) Any recesses or adjournments of the county canvassing

1 board shall be to a fixed time and publicly announced. When a
2 recess is called, all ballots that have not been counted and
3 all other supplies shall be placed in a fireproof safe or other
4 suitable location which is locked until such board reconvenes.

5 Sec. 4. Original sections 32-610 and 32-1031, Reissue
6 Revised Statutes of Nebraska, and section 32-811, Revised Statutes
7 Supplement, 2011, are repealed.

8 Sec. 5. The following section is outright repealed:
9 Section 32-718, Reissue Revised Statutes of Nebraska.