

AMENDMENTS TO LB451

Introduced by Government, Military and Veterans Affairs.

1 1. Insert the following new sections:

2 Section 1. Section 18-2713, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 18-2713 Before adopting an economic development program, a city
5 shall submit the question of its adoption to the registered voters at an
6 election. The governing body of the city shall order the submission of
7 the question by filing a certified copy of the resolution proposing the
8 economic development program with the election commissioner or county
9 clerk not later than fifty ~~forty-one~~ days prior to a special election or
10 a municipal primary or general election which is not held at the
11 statewide primary or general election or not later than March 1 ~~fifty~~
12 ~~days~~ prior to a statewide primary election or September 1 prior to a
13 statewide general election. The question on the ballot shall briefly set
14 out the terms, conditions, and goals of the proposed economic development
15 program, including the length of time during which the program will be in
16 existence, the year or years within which the funds from local sources of
17 revenue are to be collected, the source or sources from which the funds
18 are to be collected, the total amount to be collected for the program
19 from local sources of revenue, and whether the city proposes to issue
20 bonds pursuant to the Local Option Municipal Economic Development Act to
21 provide funds to carry out the economic development program. The ballot
22 question shall also specify whether additional funds from other noncity
23 sources will be sought beyond those derived from local sources of
24 revenue. In addition to all other information, if the funds are to be
25 derived from the city's property tax, the ballot question shall state the
26 present annual cost of the economic development program per ten thousand
27 dollars of assessed valuation based upon the most recent valuation of the

1 city certified to the Property Tax Administrator pursuant to section
2 77-1613.01. The ballot question shall state: "Shall the city of (name of
3 the city) establish an economic development program as described here by
4 appropriating annually from local sources of revenue \$..... for
5 years?". If the only city revenue source for the proposed economic
6 development program is a local option sales tax that has not yet been
7 approved at an election, the ballot question specifications in this
8 section may be repeated in the sales tax ballot question.

9 If a majority of those voting on the issue vote in favor of the
10 question, the governing body may implement the proposed economic
11 development program upon the terms set out in the resolution. If a
12 majority of those voting on the economic development program vote in
13 favor of the question when the only city revenue source is a proposed
14 sales tax and a majority of those voting on the local option sales tax
15 vote against the question, the governing body shall not implement the
16 economic development program, and it shall become null and void. If a
17 majority of those voting on the issue vote against the question, the
18 governing body shall not implement the economic development program.

19 Sec. 3. Section 32-301, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-301 (1) The Secretary of State shall implement, in a uniform and
22 nondiscriminatory manner, a single, uniform, official, centralized,
23 interactive computerized statewide voter registration list defined,
24 maintained, and administered at the office of the Secretary of State that
25 contains the name and registration information of every legally
26 registered voter in the state and assigns a unique identifier to each
27 legally registered voter in the state. The computerized list shall serve
28 as the single system for storing and managing the official list of
29 registered voters throughout the state and shall comprise the voter
30 registration register. The computerized list shall be coordinated with
31 other agency data bases within the state and shall be available for

1 electronic access by election commissioners and county clerks. The
2 computerized list shall serve as the official voter registration list for
3 the conduct of all elections under the Election Act. The Secretary of
4 State shall provide such support as may be required so that election
5 commissioners and county clerks are able to electronically enter voter
6 registration information obtained by such officials on an expedited basis
7 at the time the information is received. The Secretary of State shall
8 provide adequate technological security measures to prevent unauthorized
9 access to the computerized list. ~~No General Funds shall be appropriated~~
10 ~~for purposes of this list, and funds available in the Election~~
11 ~~Administration Fund may be used for such purposes.~~

12 (2) The election commissioner or county clerk shall provide for the
13 registration of the electors of the county. Upon receipt of a voter
14 registration application in his or her office from an eligible elector,
15 the election commissioner or county clerk shall enter the information
16 from the application in the voter registration register and may create an
17 electronic image, photograph, microphotograph, or reproduction in an
18 electronic digital format to be used as the voter registration record.
19 The election commissioner or county clerk shall provide a precinct list
20 of registered voters for each precinct for the use of judges and clerks
21 of election in their respective precincts on election day. An
22 electronically prepared list of registered voters in a form prescribed by
23 the Secretary of State shall meet the requirements for a precinct list of
24 registered voters.

25 Sec. 4. Section 32-304, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 32-304 (1) The Secretary of State in conjunction with the Department
28 of Motor Vehicles shall, on or before September 1, 2015, develop and
29 implement a registration application process which may be used statewide
30 to register to vote and update voter registration records electronically
31 using the Secretary of State's web site. An applicant who has a valid

1 Nebraska motor vehicle operator's license or state identification card
2 may use the application process to register to vote or to update his or
3 her voter registration record with changes in his or her personal
4 information or other information related to his or her eligibility to
5 vote. For each electronic application, the Secretary of State shall
6 obtain a copy of the electronic representation of the applicant's
7 signature from the Department of Motor Vehicles' records of his or her
8 motor vehicle operator's license or state identification card for
9 purposes of voter registration.

10 (2) The application shall contain substantially all the information
11 provided in section 32-312 and the following informational statements:

12 (a) An applicant who submits this application electronically is
13 affirming that the information in the application is true. Any applicant
14 who submits this application electronically knowing that any of the
15 information in the application is false shall be guilty of a Class IV
16 felony under section 32-1502 of the statutes of Nebraska. The penalty for
17 a Class IV felony is up to two five years imprisonment and twelve months
18 of post-release supervision, a fine of up to ten thousand dollars, or
19 both;

20 (b) An applicant who submits this application electronically is
21 agreeing to the use of his or her signature from the Department of Motor
22 Vehicles' records of his or her motor vehicle operator's license or state
23 identification card for purposes of voter registration;

24 (c) To vote at the polling place on election day, the completed
25 application must be submitted on or before the third Friday before the
26 election; and

27 (d) The election commissioner or county clerk will, upon receipt of
28 the application for registration, send an acknowledgment of registration
29 to the applicant indicating whether the application is proper or not.

30 Sec. 5. Section 32-312, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-312 The registration application prescribed by the Secretary of
2 State pursuant to section 32-304 or 32-311.01 shall provide the
3 instructional statements and request the information from the applicant
4 as provided in this section.

5 CITIZENSHIP—"Are you a citizen of the United States of America?"
6 with boxes to check to indicate whether the applicant is or is not a
7 citizen of the United States.

8 AGE—"Are you at least eighteen years of age or will you be eighteen
9 years of age on or before the first Tuesday following the first Monday of
10 November of this year?" with boxes to check to indicate whether or not
11 the applicant will be eighteen years of age or older on election day.

12 WARNING—"If you checked 'no' in response to either of these
13 questions, do not complete this application.".

14 NAME—the name of the applicant giving the first and last name in
15 full, the middle name in full or the middle initial, and the maiden name
16 of the applicant, if applicable.

17 RESIDENCE—the name and number of the street, avenue, or other
18 location of the dwelling where the applicant resides if there is a
19 number. If the registrant resides in a hotel, apartment, tenement house,
20 or institution, such additional information shall be included as will
21 give the exact location of such registrant's place of residence. If the
22 registrant lives in an incorporated or unincorporated area not identified
23 by the use of roads, road names, or house numbers, the registrant shall
24 state the section, township, and range of his or her residence and the
25 corporate name of the school district as described in section 79-405 in
26 which he or she is located.

27 POSTAL ADDRESS—the address at which the applicant receives mail if
28 different from the residence address.

29 ADDRESS OF LAST REGISTRATION—the name and number of the street,
30 avenue, or other location of the dwelling from which the applicant last
31 registered.

1 TELEPHONE NUMBERS—the telephone number of the applicant at work and
2 at home. At the request of the applicant, a designation shall be made
3 that the telephone number is an unlisted number, and such designation
4 shall preclude the listing of the applicant's telephone number on any
5 list of voter registrations.

6 EMAIL ADDRESS—an email address of the applicant. At the request of
7 the applicant, a designation shall be made that the email address is
8 private, and such designation shall preclude the listing of the
9 applicant's email address on any list of voter registrations.

10 DRIVER'S LICENSE NUMBER OR LAST FOUR DIGITS OF SOCIAL SECURITY
11 NUMBER—if the applicant has a Nebraska driver's license, the license
12 number, and if the applicant does not have a Nebraska driver's license,
13 the last four digits of the applicant's social security number.

14 DATE OF APPLICATION FOR REGISTRATION—the month, day, and year when
15 the applicant presented himself or herself for registration, when the
16 applicant completed and signed the registration application if the
17 application was submitted by mail or delivered to the election official
18 by the applicant's personal messenger or personal agent, or when the
19 completed application was submitted if the registration application was
20 completed pursuant to section 32-304.

21 PLACE OF BIRTH—show the state, country, kingdom, empire, or dominion
22 where the applicant was born.

23 DATE OF BIRTH—show the date of the applicant's birth. The applicant
24 shall be at least eighteen years of age or attain eighteen years of age
25 on or before the first Tuesday after the first Monday in November to have
26 the right to register and vote in any election in the present calendar
27 year.

28 REGISTRATION TAKEN BY—show the signature of the authorized official
29 or staff member accepting the application pursuant to section 32-309 or
30 32-310 or at least one of the deputy registrars taking the application
31 pursuant to section 32-306, if applicable.

1 PARTY AFFILIATION—show the party affiliation of the applicant as
2 Democrat, Republican, or Other or show no party affiliation as
3 Nonpartisan. (Note: If you wish to vote in both partisan and nonpartisan
4 primary elections for state and local offices, you must indicate a
5 political party affiliation on the registration application. If you
6 register without a political party affiliation (nonpartisan), you will
7 receive only the nonpartisan ballots for state and local offices at
8 primary elections. If you register without a political party affiliation,
9 you may vote in partisan primary elections for congressional offices.)

10 OTHER—information the Secretary of State determines will assist in
11 the proper and accurate registration of the voter.

12 Immediately following the spaces for inserting information as
13 provided in this section, the following statement shall be printed:

14 To the best of my knowledge and belief, I declare under penalty of
15 election falsification that:

16 (1) I live in the State of Nebraska at the address provided in this
17 application;

18 (2) I have not been convicted of a felony or, if convicted, it has
19 been at least two years since I completed my sentence for the felony,
20 including any parole term;

21 (3) I have not been officially found to be non compos mentis
22 (mentally incompetent); and

23 (4) I am a citizen of the United States.

24 Any registrant who signs this application knowing that any of the
25 information in the application is false shall be guilty of a Class IV
26 felony under section 32-1502 of the statutes of Nebraska. The penalty for
27 a Class IV felony is up to two five years imprisonment and twelve months
28 of post-release supervision, a fine of up to ten thousand dollars, or
29 both.

30 APPLICANT'S SIGNATURE—require the applicant to affix his or her
31 signature to the application.

1 Sec. 11. Section 32-915, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-915 (1) A person whose name does not appear on the precinct list
4 of registered voters at the polling place for the precinct in which he or
5 she resides, whose name appears on the precinct list of registered voters
6 at the polling place for the precinct in which he or she resides at a
7 different residence address as described in section 32-914.02, or whose
8 name appears with a notation that he or she received a ballot for early
9 voting may vote a provisional ballot if he or she:

10 (a) Claims that he or she is a registered voter who has continuously
11 resided in the county in which the precinct is located since registering
12 to vote;

13 (b) Is not entitled to vote under section 32-914.01 or 32-914.02;

14 (c) Has not registered to vote or voted in any other county since
15 registering to vote in the county in which the precinct is located;

16 (d) Has appeared to vote at the polling place for the precinct to
17 which the person would be assigned based on his or her residence address;
18 and

19 (e) Completes and signs a registration application before voting.

20 (2) A voter whose name appears on the precinct list of registered
21 voters for the polling place with a notation that the voter is required
22 to present identification pursuant to section 32-318.01 but fails to
23 present identification may vote a provisional ballot if he or she
24 completes and signs a registration application before voting.

25 (3) Each person voting by provisional ballot shall enclose his or
26 her ballot in an envelope marked Provisional Ballot and shall, by signing
27 the certification on the front of the envelope or a separate form
28 attached to the envelope, certify to the following facts:

29 (a) I am a registered voter in County;

30 (b) My name or address did not correctly appear on the precinct list
31 of registered voters;

1 (c) I registered to vote on or about this date

2 (d) I registered to vote

3 in person at the election office or a voter registration site,

4 by mail,

5 by using the Secretary of State's web site,

6 through the Department of Motor Vehicles,

7 on a form through another state agency,

8 in some other way;

9 (e) I have not resided outside of this county or voted outside of
10 this county since registering to vote in this county;

11 (f) My current address is shown on the registration application
12 completed as a requirement for voting by provisional ballot; and

13 (g) I am eligible to vote in this election and I have not voted and
14 will not vote in this election except by this ballot.

15 (4) The voter shall sign the certification under penalty of election
16 falsification. The following statements shall be on the front of the
17 envelope or on the attached form: By signing the front of this envelope
18 or the attached form you are certifying to the information contained on
19 this envelope or the attached form under penalty of election
20 falsification. Election falsification is a Class IV felony and may be
21 punished by up to two five years imprisonment and twelve months of post-
22 release supervision, a fine of up to ten thousand dollars, or both.

23 (5) If the person's name does not appear on the precinct list of
24 registered voters for the polling place and the judge or clerk of
25 election determines that the person's residence address is located in
26 another precinct within the same county, the judge or clerk of election
27 shall direct the person to his or her correct polling place to vote.

28 Sec. 12. Section 32-939, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-939 (1) As provided in section 32-939.02, the persons listed in
31 this subsection who are residents of Nebraska but who reside outside of

1 Nebraska or the United States shall be allowed to simultaneously register
2 to vote and make application for ballots for all elections in a calendar
3 year through the use of the Federal Post Card Application or a personal
4 letter which includes the same information as appears on the Federal Post
5 Card Application:

6 (a) Members of the armed forces of the United States or the United
7 States Merchant Marine, and their spouses and dependents residing with
8 them who are absent from the state;

9 (b) Citizens temporarily residing outside of the United States and
10 the District of Columbia; and

11 (c) Overseas citizens.

12 (2)(a) As provided in section 32-939.02, a person who is the age of
13 an elector and a citizen of the United States residing outside the United
14 States, who has never resided in the United States, who has not
15 registered to vote in any other state of the United States, and who has a
16 parent registered to vote within this state shall be eligible to register
17 to vote and vote in one county in which either one of his or her parents
18 is a registered voter.

19 (b) A person registering to vote or voting pursuant to this
20 subsection shall sign and enclose with the registration application and
21 with the ballot being voted a form provided by the election commissioner
22 or county clerk substantially as follows: I am the age of an elector and
23 a citizen of the United States residing outside the United States, I have
24 never resided in the United States, I have not registered to vote in any
25 other state of the United States, and I have a parent registered to vote
26 in County, Nebraska. I hereby declare, under penalty of
27 election falsification, a Class IV felony, that the statements above are
28 true to the best of my knowledge.

29 THE PENALTY FOR ELECTION FALSIFICATION IS IMPRISONMENT FOR UP TO TWO
30 FIVE YEARS AND TWELVE MONTHS POST-RELEASE SUPERVISION OR A FINE NOT TO
31 EXCEED TEN THOUSAND DOLLARS, OR BOTH.

1 (Signature of Voter)

2 2. On page 2, line 10, reinstate the stricken "or" and after "or"
3 insert "file for an elective office during his or her term".

4 3. On page 5, lines 29 and 31, strike "forty-five" and insert
5 "forty-two".

6 4. On page 7, line 30, strike "unsealed identification envelope" and
7 insert "oath"; and in line 31 strike ", and upon the back of the envelope
8 shall be printed" and insert "and shall be in".

9 5. On page 8, lines 3 and 11, strike "enclosed"; and strike
10 beginning with the comma in line 5 through the second "envelope" in line
11 6.

12 6. Renumber the remaining sections and correct the repealer
13 accordingly.