

LEGISLATIVE BILL 653

Approved by the Governor April 30, 1971

Introduced by Roland A. Luedtke, 28th District

AN ACT to amend sections 16-115, 23-102, 23-1504, 46-1,132, 48-160, 60-1403, 75-105, 76-512, 77-1857, 81-873, and 84-402, Reissue Revised Statutes of Nebraska, 1943, relating to the seal; to authorize the use of ink stamp seals as prescribed; and to repeal the original sections.

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

Section 1. That section 16-115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-115. The corporate name of each city of the first class shall be the City of, and all process whatever affecting any such city shall be served upon the mayor or acting mayor, or in the absence of both of said officers from the city, then upon the city clerk. The city shall procure and keep a seal with such emblem and device as it may think proper. Such seal may be either an engraved or ink stamp seal. It shall have engraved ~~included~~ thereon the City of, together with date of incorporation, which shall be the seal of the city, and no other seal shall be used by the city. The impression or representation of said the seal by stamp shall be sufficient sealing in all cases where sealing is required. An impression or representation of such seal shall be filed in the office of the Secretary of State, together with a resolution of the city council that the same has been duly adopted and is the seal of said city.

Sec. 2. That section 23-102, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-102. The board shall procure and keep a seal, with such emblems and devices as it may think proper, which may be either an engraved or ink stamp seal and which shall be the seal of the county, and no other seal shall be used by the county clerk, except where the county clerk is ex officio clerk of the district court, in which case he shall use the seal of said court in all matters and proceedings therein. The impression or representation of said seal by stamp shall

be a sufficient sealing in all cases where sealing is required.

Sec. 3. That section 23-1504, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1504. The register of deeds shall have and keep an official seal, which may be either an engraved or ink stamp seal, and which shall have engraved included thereon the name of the county, register of deeds, and the word Nebraska, and he shall attach an impression or representation of said seal to every certificate made by him except such as are required to be endorsed upon instruments filed in his office for record. Copies of any record in his office, certified under his hand and said official seal, shall be receivable in evidence in all respects in the same manner as the original records.

Sec. 4. That section 46-1,132, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

46-1,132. The sale shall be by sealed bids. The directors may reject any and all bids and readvertise, if in their judgment it is for the best interest of the district. Upon approval of the sale, by a two-thirds vote of the board of directors of the district, the president of the board of directors shall in the name of the irrigation or drainage district execute and deliver a deed or contract to the purchaser, which deed or contract shall be attested by the secretary, and the seal of the irrigation or drainage district shall be ~~impressed-thereon~~ affixed thereto.

Sec. 5. That section 48-160, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-160. The Nebraska Workmen's Compensation Court shall have a seal for the authentication of its orders, awards, judgments, summons, subpoenas, and other writs, ~~and said seal~~ The seal may be either an engraved or ink stamp seal, and shall bear the inscription words Nebraska Workmen's Compensation Court--Official Seal, and shall be judicially noticed.

Sec. 6. That section 60-1403, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-1403. The board shall have full power to regulate the issuance and revocation of licenses in accordance with and subject to the provisions of this act, to perform all acts and duties provided for herein necessary to the administration and enforcement of this act, and to make and enforce rules and regulations relating to the administration of but not inconsistent with the provisions of this act. The board shall adopt a seal, which may be either an engraved or ink stamp seal, with the words Nebraska Motor Vehicle Dealers License Board and such other devices as the board may desire engraved included thereon by which it shall authenticate the acts of its office. Copies of all records and papers in the office of the board, under the hand and seal of its office, shall be received in evidence in all cases equally and with like effect as the original.

Sec. 7. That section 75-105, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

75-105. The commissioners shall be known collectively as the State Railway Commission and shall have a seal, which may be either an engraved or ink stamp seal, similar to the seal of this state, with the words Railway Commission of Nebraska engraved included thereon. They shall be furnished with an office in the State Capitol and with necessary furniture, stationery and supplies. Immediately after a newly elected member of the commission has taken the oath of office prescribed in section 75-102, the commission shall meet at Lincoln, and organize. The commission shall also appoint (1) clerks, at least one of whom shall be an expert stenographer and typist, and (2) such other employees as may be necessary, who shall be persons who are as expert as may be necessary to perform the duties which may be required of them.

Sec. 8. That section 76-512, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

76-512. The board shall organize by election of a chairman, vice-chairman, and a secretary. The secretary may or may not be a member of the board, but a secretary who is not a member of the board shall not have the right to vote. The board shall have the power to compel the attendance of witnesses and the chairman or vice-chairman or secretary shall have the power to administer oaths. The board shall adopt a seal, which may be either an engraved or ink stamp seal with the

words Abstracters Board of Examiners, State of Nebraska, and such other device as the board may desire engraved included thereon, by which it shall authenticate the acts of the board. Copies of all records and papers in the office of the board, certified by the signature of the secretary and the seal of the board, shall be received in evidence in all cases equally and with like effect as the originals. The board may adopt such rules and regulations, not inconsistent with the provisions of sections 25-1292 and 76-509 to 76-528, as it shall deem necessary for the proper administration of its powers and duties and the carrying out of the purposes of sections 25-1292 and 76-509 to 76-528. Such rules and regulations may provide that, except for hearings on the revocation of certificates issued by the board, the business of the board may be conducted while in session as a body, or by correspondence. Such correspondence shall be directed to the secretary to be incorporated into the records of the board. The action of the majority of the members of the board shall be deemed the action of the board.

Sec. 9. That section 77-1857, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1857. County treasurers shall have and keep an official seal, which may be either an engraved or an ink stamp seal, and which seal shall have engraved included thereon the name of the county followed by the word County, the name of the state, and the words County Treasurer. Each county treasurer shall attach affix an impression or representation of such seal to every certificate of tax sale and tax deed made by him.

Sec. 10. That section 81-873, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-873. The commission shall adopt a seal, which may be either an engraved or ink stamp seal, with the words State Real Estate Commission, State of Nebraska and such other device as the commission may desire engraved included thereon, by which it shall authenticate the acts of the commission. Copies of all records and papers in the office of the commission, certified by the signature of the director and the seal of the commission, shall be received in evidence in all cases equally and with like effect as the originals.

Sec. 11. That section 84-402, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

84-402. The Board of Educational Lands and Funds shall procure a seal with proper devices and the words Nebraska State Land Office engraved included thereon, which seal shall be used by it officially in all matters pertaining to its office wherein a seal is required.

Sec. 12. All persons, officers, and governmental and nongovernmental bodies and associations heretofore authorized by law to adopt and use a seal on official documents are hereby authorized to adopt and use either an engraved or ink stamp seal for such purposes, unless the use of ink stamp seals for such purposes is specifically prohibited by law.

Sec. 13. That original sections 16-115, 23-102, 23-1504, 46-1,132, 48-160, 60-1403, 75-105, 76-512, 77-1857, 81-873, and 84-402, Reissue Revised Statutes of Nebraska, 1943, are repealed.