

## LEGISLATIVE BILL 20

Approved by the Governor February 26, 1991

Introduced by Coordsen, 32

AN ACT relating to elective offices; to amend sections 32-425, 32-4,155, and 70-624.04, Reissue Revised Statutes of Nebraska, 1943; to change certain ballot and filing restrictions; to authorize holding of other elective office by certain directors; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 32-425, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-425. (1) Every primary ballot shall contain the name of every candidate filing under the provisions of sections 32-503.01, 32-514, and 32-524, and subdivision (1)(a) of section 32-504, and no other names. The name of a candidate shall not appear on the ballot or any series of ballots at any primary election more than once when an individual's name appears on the ballot at any primary election as a candidate for member of the Legislature or an elective office described in Article IV, section 1, of the Constitution of Nebraska, that individual's name shall not appear anywhere else on the primary ballot except for the office of delegate to a national or county convention, and no person shall be eligible to serve in more than one elected office defined in section 32-421-01.

(2) When, at the primary election, two or more of the surnames of candidates for the same office are the same in spelling or sound, the Secretary of State, county clerk, city clerk, election commissioner, or any other public officer upon whom is enjoined the duty of preparing and publishing official ballots, may, on the request of any such candidate, print on the ballot immediately below his or her the candidate's name in not to exceed five words the post office address and occupation of such candidate. The designation thus made shall be set in lightface type, capital and lowercase letters, of the same size as the name of the candidate is printed.

Sec. 2. That section 32-4,155, Reissue Revised Statutes of Nebraska, 1943, be amended to read

as follows:

32-4,155. No ~~individual person serving as a member of the Legislature or in an elective office described in Article IV, section 1, of the Constitution of Nebraska~~ shall be eligible to file for two or more elected public offices to be filled at the same election, except for the position of delegate to a national or county convention. Any such individual who has filed for an elected public office shall withdraw such filing pursuant to section 32-519.01 prior to filing for any other elected public office to be filled at the same election, except for the position of delegate to a national or county convention. Any filing made in violation of this section shall be void and the county clerk, election commissioner, or Secretary of State shall not place the name of any individual on the ballot for any office for which such individual filed in violation of this section. Any person filing in violation of this section shall be guilty of a Class IV misdemeanor.

Sec. 3. That section 70-624.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-624.04. ~~Officers~~ Directors and employees of public power districts, public power and irrigation districts, and public utility companies shall be permitted to hold other elective office as provided in section 32-563. No contracts of any such public power district, public power and irrigation district, or public utility company shall be void or voidable by reason of such service by its ~~officers~~ directors or employees.

Sec. 4. That original sections 32-425, 32-4,155, and 70-624.04, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.