

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 140

Introduced by Davis, 43.

Read first time January 09, 2015

Committee:

1 A BILL FOR AN ACT relating to elections; to amend sections 22-412,
2 32-517, 32-518, 32-520, 32-521, 32-522, 32-523, 32-526, 32-528,
3 32-529, 32-611, 32-612, 32-721, 32-810, 32-813, 32-814, 32-912, and
4 32-1033, Reissue Revised Statutes of Nebraska, and sections 32-312,
5 32-519, 32-524, 32-525, 32-602, 32-610, 32-615, 32-616, 32-623,
6 32-627, 32-702, 32-809, and 32-811, Revised Statutes Cumulative
7 Supplement, 2014; to change provisions for voting for partisan
8 county offices in primary elections in certain counties; to
9 harmonize provisions; and to repeal the original sections.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 22-412, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 22-412 Candidates for the consolidated office shall file with the
4 county clerk or election commissioner of their county of residence. The
5 names of such candidates shall be certified to the appropriate office of
6 each of the other counties to be placed on the primary ballot. At the
7 primary election following the approval of the consolidation of county or
8 township offices, and in the year prior to the expiration of the office
9 or offices consolidated, the two candidates receiving the greater number
10 of votes for the position of consolidated nonpartisan office shall be
11 nominated. If the consolidated office is under the laws of this state a
12 partisan office and any one of the counties involved in the consolidation
13 has a population of ten thousand or more inhabitants as determined by the
14 most recent federal decennial census, the candidate receiving the
15 greatest number of votes for each political party shall be nominated. If
16 the consolidated office is under the laws of this state a partisan office
17 and each of the counties involved in the consolidation has a population
18 of less than ten thousand inhabitants as determined by the most recent
19 federal decennial census, the two candidates receiving the greater number
20 of votes for the position of consolidated nonpartisan office shall be
21 nominated. The election commissioner or county clerk shall certify the
22 results of the primary election, as well as of the ensuing general
23 election, from his or her county to the election commissioner or county
24 clerk of the county having the largest population involved in the
25 consolidation who shall certify the winner to each of the other counties.

26 Sec. 2. Section 32-312, Revised Statutes Cumulative Supplement,
27 2014, is amended to read:

28 32-312 The registration application prescribed by the Secretary of
29 State pursuant to section 32-304 or 32-311.01 shall provide the
30 instructional statements and request the information from the applicant
31 as provided in this section.

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

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

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

10 NAME—the name of the applicant giving the first and last name in
11 full, the middle name in full or the middle initial, and the maiden name
12 of the applicant, if applicable.

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

23 POSTAL ADDRESS—the address at which the applicant receives mail if
24 different from the residence address.

25 ADDRESS OF LAST REGISTRATION—the name and number of the street,
26 avenue, or other location of the dwelling from which the applicant last
27 registered.

28 TELEPHONE NUMBERS—the telephone number of the applicant at work and
29 at home. At the request of the applicant, a designation shall be made
30 that the telephone number is an unlisted number, and such designation
31 shall preclude the listing of the applicant's telephone number on any

1 list of voter registrations.

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

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

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

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

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

24 REGISTRATION TAKEN BY—show the signature of the authorized official
25 or staff member accepting the application pursuant to section 32-309 or
26 32-310 or at least one of the deputy registrars taking the application
27 pursuant to section 32-306, if applicable.

28 PARTY AFFILIATION—show the party affiliation of the applicant as
29 Democrat, Republican, or Other or show no party affiliation as
30 Nonpartisan. ~~(Note: If you wish to vote in both partisan and nonpartisan
31 primary elections for state and local offices, you must indicate a~~

1 ~~political party affiliation on the registration application. If you~~
2 ~~register without a political party affiliation (nonpartisan), you will~~
3 ~~receive only the nonpartisan ballots for state and local offices at~~
4 ~~primary elections. If you register without a political party affiliation,~~
5 ~~you may vote in partisan primary elections for congressional offices.)~~

6 OTHER-information the Secretary of State determines will assist in
7 the proper and accurate registration of the voter.

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

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

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

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

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

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

20 Any registrant who signs this application knowing that any of the
21 information in the application is false shall be guilty of a Class IV
22 felony under section 32-1502 of the statutes of Nebraska. The penalty for
23 a Class IV felony is up to five years imprisonment, a fine of up to ten
24 thousand dollars, or both.

25 APPLICANT'S SIGNATURE-require the applicant to affix his or her
26 signature to the application.

27 Sec. 3. Section 32-517, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-517 Except as provided in section 22-417, a county clerk shall be
30 elected in each county having a population of four hundred thousand
31 inhabitants or less at the statewide general election in 1994 and each

1 four years thereafter and in counties having a population in excess of
2 four hundred thousand inhabitants at the statewide general election in
3 1996 and each four years thereafter. The county clerk shall meet the
4 qualifications found in sections 23-1301 and 23-3203 if applicable. In
5 counties that have a population of less than ten thousand inhabitants,
6 the office of county clerk shall be a partisan office, but the candidates
7 shall be nominated at the primary election without having a political
8 party designation on the ballot and elected at the general election with
9 a political party affiliation on the ballot. In counties that have a
10 population of ten thousand or more inhabitants, the office of county
11 clerk shall be a partisan office and shall be nominated and ~~The county~~
12 ~~clerk shall be~~ elected on the partisan ballot.

13 Sec. 4. Section 32-518, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-518 Except as provided in section 22-417, (1) a register of deeds
16 shall be elected in each county having a population of more than twenty
17 thousand and not more than four hundred thousand inhabitants at the
18 statewide general election in 1962 and each four years thereafter and in
19 counties having a population in excess of four hundred thousand
20 inhabitants at the statewide general election in 1964 and each four years
21 thereafter and (2) if the population of a county which has a separate
22 office of register of deeds pursuant to this section falls below twenty
23 thousand inhabitants after establishing such an office or if a county
24 which has a separate office of register of deeds immediately prior to
25 July 10, 1990, has a population of twenty thousand inhabitants or less,
26 the office of the register of deeds shall continue and the officer shall
27 be elected pursuant to this section as if the county had a population of
28 more than twenty thousand and not more than four hundred thousand
29 inhabitants. The term of the register of deeds shall be four years or
30 until his or her successor is elected and qualified. The register of
31 deeds shall meet the qualifications found in section 23-1501. In counties

1 that have a population of less than ten thousand inhabitants, the office
2 of register of deeds shall be a partisan office, but the candidates shall
3 be nominated at the primary election without having a political party
4 designation on the ballot and elected at the general election with a
5 political party affiliation on the ballot. In counties that have a
6 population of ten thousand or more inhabitants, the office of register of
7 deeds shall be a partisan office and shall be nominated an ~~The register~~
8 ~~of deeds shall be~~ elected on the partisan ballot.

9 Sec. 5. Section 32-519, Revised Statutes Cumulative Supplement,
10 2014, is amended to read:

11 32-519 (1) Except as provided in section 22-417, at the statewide
12 general election in 1990 and each four years thereafter, a county
13 assessor shall be elected in each county having a population of more than
14 three thousand five hundred inhabitants and more than one thousand two
15 hundred tax returns. The county assessor shall serve for a term of four
16 years.

17 (2) The county board of any county shall order the submission of the
18 question of electing a county assessor in the county to the registered
19 voters of the county at the next statewide general election upon
20 presentation of a petition to the county board (a) conforming to the
21 provisions of section 32-628, (b) not less than sixty days before any
22 statewide general election, (c) signed by at least ten percent of the
23 registered voters of the county secured in not less than two-fifths of
24 the townships or precincts of the county, and (d) asking that the
25 question be submitted to the registered voters in the county. The form of
26 submission upon the ballot shall be as follows: For election of county
27 assessor; Against election of county assessor. If a majority of the votes
28 cast on the question are against the election of a county assessor in
29 such county, the duties of the county assessor shall be performed by the
30 county clerk and the office of county assessor shall either cease with
31 the expiration of the term of the incumbent or continue to be abolished

1 if no such office exists at such time. If a majority of the votes cast on
2 the question are in favor of the election of a county assessor, the
3 office shall continue or a county assessor shall be elected at the next
4 statewide general election.

5 (3) The county assessor shall meet the qualifications found in
6 sections 23-3202 and 23-3204. In counties that have a population of less
7 than ten thousand inhabitants, the office of county assessor shall be a
8 partisan office, but the candidates shall be nominated at the primary
9 election without having a political party designation on the ballot and
10 elected at the general election with a political party affiliation on the
11 ballot. In counties that have a population of ten thousand or more
12 inhabitants, the office of county assessor shall be a partisan office and
13 shall be nominated and ~~The county assessor shall be~~ elected on the
14 partisan ballot.

15 Sec. 6. Section 32-520, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-520 A county sheriff shall be elected in each county at the
18 statewide general election in 1990 and each four years thereafter. The
19 term of the county sheriff shall be four years or until his or her
20 successor is elected and qualified. The county sheriff shall meet the
21 qualifications found in sections 23-1701 and 23-1701.01. In counties that
22 have a population of less than ten thousand inhabitants, the office of
23 county sheriff shall be a partisan office, but the candidates shall be
24 nominated at the primary election without having a political party
25 designation on the ballot and elected at the general election with a
26 political party affiliation on the ballot. In counties that have a
27 population of ten thousand or more inhabitants, the office of county
28 sheriff shall be a partisan office and shall be nominated and ~~The county~~
29 ~~sheriff shall be~~ elected on the partisan ballot.

30 Sec. 7. Section 32-521, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-521 A county treasurer shall be elected in each county at the
2 statewide general election in 1990 and each four years thereafter. The
3 term of the county treasurer shall be four years or until his or her
4 successor is elected and qualified. The county treasurer shall meet the
5 qualifications found in section 23-1601.01. In counties that have a
6 population of less than ten thousand inhabitants, the office of county
7 treasurer shall be a partisan office, but the candidates shall be
8 nominated at the primary election without having a political party
9 designation on the ballot and elected at the general election with a
10 political party affiliation on the ballot. In counties that have a
11 population of ten thousand or more inhabitants, the office of county
12 treasurer shall be a partisan office and shall be nominated and The
13 ~~county treasurer shall be~~ elected on the partisan ballot.

14 Sec. 8. Section 32-522, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-522 Except as provided in section 23-1201.01, a county attorney
17 shall be elected in each county at the statewide general election in 1990
18 and each four years thereafter. The term of the county attorney shall be
19 four years or until his or her successor is elected and qualified.
20 Candidates for the office of county attorney shall meet the
21 qualifications found in sections 23-1201.01 and 23-1201.02. In counties
22 that have a population of less than ten thousand inhabitants, the office
23 of county attorney shall be a partisan office, but the candidates shall
24 be nominated at the primary election without having a political party
25 designation on the ballot and elected at the general election with a
26 political party affiliation on the ballot. In counties that have a
27 population of ten thousand or more inhabitants, the office of county
28 attorney shall be a partisan office and shall be nominated and The ~~county~~
29 ~~attorney shall be~~ elected on the partisan ballot.

30 Sec. 9. Section 32-523, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-523 Except as otherwise provided in sections 23-3401 and 23-3404,
2 the public defender shall, in counties having a population in excess of
3 one hundred thousand inhabitants which have not elected a public defender
4 prior to July 10, 1984, be elected at the next statewide general election
5 following July 10, 1984, or the year in which the county attains a
6 population of one hundred thousand inhabitants and shall, in other
7 counties, be elected at the first statewide general election of county
8 officers following approval by the county board and every four years
9 thereafter. The term of the public defender shall be four years or until
10 his or her successor is elected and qualified. The public defender shall
11 meet the qualifications found in section 23-3401. In counties that have a
12 population of less than ten thousand inhabitants, the office of public
13 defender shall be a partisan office, but the candidates shall be
14 nominated at the primary election without having a political party
15 designation on the ballot and elected at the general election with a
16 political party affiliation on the ballot. In counties that have a
17 population of ten thousand or more inhabitants, the office of public
18 defender shall be a partisan office and shall be nominated and ~~The public~~
19 ~~defender shall be~~ elected on the partisan ballot.

20 Sec. 10. Section 32-524, Revised Statutes Cumulative Supplement,
21 2014, is amended to read:

22 32-524 (1) Except as provided in section 22-417:

23 (a) In counties having a population of seven thousand inhabitants or
24 more, there shall be elected one clerk of the district court at the
25 statewide general election in 1962 and every four years thereafter; and

26 (b) In counties having a population of less than seven thousand
27 inhabitants, there shall be elected a clerk of the district court at the
28 first statewide general election following a determination by the county
29 board and the district judge for the county that such officer should be
30 elected and each four years thereafter. When such a determination is not
31 made in such a county, the county clerk shall be ex officio clerk of the

1 district court and perform the duties by law devolving upon that officer,
2 unless there is an agreement between the State Court Administrator and
3 the county board that the clerk of the county court for such county shall
4 be the ex officio clerk of the district court and perform such duties.

5 (2) In any county upon presentation of a petition to the county
6 board (a) not less than sixty days before the statewide general election
7 in 1976 or every four years thereafter, (b) signed by registered voters
8 of the county equal in numbers to at least fifteen percent of the total
9 vote cast for Governor at the most recent gubernatorial election in the
10 county, secured in not less than two-fifths of the townships or precincts
11 of the county, and (c) asking that the question of not electing a clerk
12 of the district court in the county be submitted to the registered voters
13 therein, the county board, at the next statewide general election, shall
14 order the submission of the question to the registered voters of the
15 county. The form of submission upon the ballot shall be as follows:

16 For election of a clerk of the district court;

17 Against election of a clerk of the district court.

18 (3) If a majority of the votes cast on the question are against the
19 election of a clerk of the district court in such county, the duties of
20 the clerk of the district court shall be performed by the county clerk,
21 unless there is an agreement between the State Court Administrator and
22 the county board that the clerk of the county court for such county shall
23 be the ex officio clerk of the district court and perform such duties,
24 and the office of clerk of the district court shall either cease with the
25 expiration of the term of the incumbent or continue to be abolished if no
26 such office exists at such time.

27 (4) If a majority of the votes cast on the question are in favor of
28 the election of a clerk of the district court, the office shall continue
29 or a clerk of the district court shall be elected at the next statewide
30 general election as provided in subsection (1) of this section.

31 (5) The term of the clerk of the district court shall be four years

1 or until his or her successor is elected and qualified. The clerk of the
2 district court shall meet the qualifications found in section 24-337.04.
3 In counties that have a population of less than ten thousand inhabitants,
4 the office of clerk of the district court shall be a partisan office, but
5 the candidates shall be nominated at the primary election without having
6 a political party designation on the ballot and elected at the general
7 election with a political party affiliation on the ballot. In counties
8 that have a population of ten thousand or more inhabitants, the office of
9 clerk of the district court shall be a partisan office and shall be
10 nominated and ~~The clerk of the district court shall be~~ elected on the
11 partisan ballot.

12 Sec. 11. Section 32-525, Revised Statutes Cumulative Supplement,
13 2014, is amended to read:

14 32-525 (1) Except as provided in section 22-417 and except for
15 counties which vote not to elect the county surveyor as provided in
16 subsection (2) or (4) of this section, a county surveyor on either a
17 full-time or part-time basis, as determined by the county board in
18 accordance with section 23-1901, shall be elected in each county having a
19 population of less than one hundred fifty thousand inhabitants at the
20 statewide general election in 1990 and each four years thereafter.

21 (2)(a) Except as provided in section 22-417 and in subsection (3) of
22 this section, in each county having a population of less than one hundred
23 fifty thousand inhabitants, the question of electing a county surveyor in
24 the county shall be submitted to the registered voters of the county at
25 the statewide general election in 2020. The form of submission upon the
26 ballot shall be as follows: For election of county surveyor; Against
27 election of county surveyor.

28 (b) If a majority of the votes cast on the question are against the
29 election of a county surveyor in such county, the office of county
30 surveyor shall cease as an elected office with the expiration of the term
31 of the incumbent or shall remain as it exists if no elected official

1 holds that office. In such counties, the office shall be filled as
2 provided in subsection (2) of section 23-1901.01.

3 (c) If a majority of the votes cast on the question are in favor of
4 the election of a county surveyor, the office shall continue to be
5 elected as provided in subsection (1) of this section or, if no elected
6 county surveyor is in office, a county surveyor shall be elected at the
7 next statewide general election as provided in subsection (1) of this
8 section.

9 (3) If a county having a population of less than one hundred fifty
10 thousand inhabitants has an elected county surveyor in office on January
11 1, 2020, the county board may, prior to February 1, 2020, following a
12 public hearing, adopt a resolution to continue to elect the county
13 surveyor for the county and not to submit the question pursuant to
14 subsection (2) of this section.

15 (4)(a) Beginning in 2021, in each county having a population of less
16 than one hundred fifty thousand inhabitants, the county board shall
17 submit the question of electing a county surveyor in the county to the
18 registered voters of the county at the next statewide general election if
19 (i) the county board, by majority vote of all the members of the county
20 board, adopts a resolution on or before September 1 prior to the next
21 statewide general election to submit the question to the voters or (ii) a
22 petition conforming to section 32-628 asking for the submission of the
23 question to the voters is presented to the election commissioner or
24 county clerk on or before September 1 prior to the next statewide general
25 election signed by at least ten percent of the registered voters of the
26 county. The election commissioner or county clerk shall verify the
27 signatures pursuant to section 32-631 and place the question on the
28 ballot if he or she determines that at least ten percent of the
29 registered voters of the county have signed the petition.

30 (b) The form of submission upon the ballot shall be as follows: For
31 election of county surveyor; Against election of county surveyor.

1 (c) If a majority of the votes cast on the question are against the
2 election of a county surveyor in such county, the office of county
3 surveyor shall cease as an elected office with the expiration of the term
4 of the incumbent or shall remain as it exists if no elected official
5 holds that office. In such counties, the office shall be filled as
6 provided in subsection (2) of section 23-1901.01.

7 (d) If a majority of the votes cast on the question are in favor of
8 the election of a county surveyor, the office shall continue to be
9 elected as provided in subsection (1) of this section or, if no elected
10 county surveyor is in office, a county surveyor shall be elected at the
11 next statewide general election as provided in subsection (1) of this
12 section.

13 (5) The term of the county surveyor shall be four years or until his
14 or her successor is elected and qualified. The county surveyor shall meet
15 the qualifications found in sections 23-1901 and 23-1901.01. In counties
16 that have a population of less than ten thousand inhabitants, the office
17 of county surveyor shall be a partisan office, but the candidates shall
18 be nominated at the primary election without having a political party
19 designation on the ballot and elected at the general election with a
20 political party affiliation on the ballot. In counties that have a
21 population of ten thousand or more inhabitants, the office of county
22 surveyor shall be a partisan office and shall be nominated and ~~The county~~
23 ~~surveyor shall be~~ elected on the partisan ballot.

24 Sec. 12. Section 32-526, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 32-526 Except as provided in section 22-417, a county engineer shall
27 be elected in each county having a population of one hundred fifty
28 thousand inhabitants or more at the statewide general election in 1990
29 and each four years thereafter. The term of the county engineer shall be
30 four years or until his or her successor is elected and qualified. The
31 county engineer shall meet the qualifications found in section 23-1901.

1 In counties that have a population of less than ten thousand inhabitants,
2 the office of county engineer shall be a partisan office, but the
3 candidates shall be nominated at the primary election without having a
4 political party designation on the ballot and elected at the general
5 election with a political party affiliation on the ballot. In counties
6 that have a population of ten thousand or more inhabitants, the office of
7 county engineer shall be a partisan office and shall be nominated and The
8 ~~county engineer shall be~~ elected on the partisan ballot.

9 Sec. 13. Section 32-528, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 32-528 (1) In counties having a county board of three commissioners,
12 two commissioners shall be elected at the statewide general election in
13 1994 and each four years thereafter, and one commissioner shall be
14 elected at the statewide general election in 1996 and each four years
15 thereafter. In counties having a county board of five commissioners,
16 three commissioners shall be elected at the statewide general election in
17 1994 and each four years thereafter, and two commissioners shall be
18 elected at the statewide general election in 1996 and each four years
19 thereafter. In counties having a county board of seven or more
20 commissioners, one commissioner shall be elected in each odd-numbered
21 commissioner district at the statewide general election in 1994 and each
22 four years thereafter, and one commissioner shall be elected in each
23 even-numbered commissioner district at the statewide general election in
24 1996 and each four years thereafter.

25 (2) Except for commissioners first elected after the county adopts
26 the commissioner form of government or has increased the number of
27 commissioners, the term of each county commissioner shall be four years
28 or until his or her successor is elected and qualified. At the first
29 election held to choose the board of commissioners in any county having
30 three commissioners, the person having the highest number of votes shall
31 serve for four years and the two receiving the next highest number of

1 votes shall serve for two years, and if any three or more persons have
2 the same number of votes, their terms of office shall be determined by
3 the county canvassing board. The county commissioners shall meet the
4 qualifications found in section 23-150. Nothing in this section shall be
5 construed to prohibit the reelection of a commissioner holding office if
6 the commissioner is reelected to represent his or her respective
7 district. In counties that have a population of less than ten thousand
8 inhabitants, the office of county commissioner shall be a partisan
9 office, but the candidates shall be nominated at the primary election
10 without having a political party designation on the ballot and elected at
11 the general election with a political party affiliation on the ballot. In
12 counties that have a population of ten thousand or more inhabitants, the
13 office of county commissioner shall be a partisan office and shall be
14 nominated and ~~The county commissioners shall be~~ elected on the partisan
15 ballot.

16 (3)(a) In counties having not more than one hundred fifty thousand
17 inhabitants, one commissioner shall be nominated and elected from each
18 district by the registered voters of the district.

19 (b) Until 2010, in counties having a population of more than one
20 hundred fifty thousand but not more than three hundred thousand
21 inhabitants, one commissioner shall be nominated from each district by
22 the registered voters of the district and shall be elected by the
23 registered voters of the entire county. Beginning in 2010 in counties
24 having a population of more than one hundred fifty thousand but not more
25 than three hundred thousand inhabitants, one commissioner shall be
26 nominated and elected from each district by the registered voters of the
27 district as provided in subsection (5) of this section.

28 (c) In counties having more than three hundred thousand inhabitants,
29 one commissioner shall be nominated and elected from each district by the
30 registered voters of the district.

31 (4) In counties in which a majority has voted to have five

1 commissioners as provided in section 23-148, the three commissioners of
2 such county whose terms of office will expire after the election shall
3 continue in office until the expiration of the terms for which they were
4 elected and until their successors are elected and qualified. Two
5 commissioners shall be appointed pursuant to section 32-567 to serve
6 until the first Thursday after the first Tuesday in January following the
7 next statewide general election. At the next statewide general election,
8 commissioners shall be elected to fill the positions of any commissioners
9 appointed under this section. At the first primary election after such
10 appointments, filings shall be accepted for terms of two years and for
11 terms of four years so that two commissioners will be elected to four-
12 year terms at one election and three commissioners will be elected to
13 four-year terms at the next election.

14 (5) In counties having more than one hundred fifty thousand but not
15 more than three hundred thousand inhabitants which are changing from
16 nominating by district and electing at large to nominating and electing
17 by district as provided in subdivision (3)(b) of this section, the
18 commissioners shall continue in office until the expiration of the terms
19 for which they were elected and until their successors are elected and
20 qualified. At the primary election in 2010, one commissioner in such
21 counties shall be nominated from each odd-numbered district. At the
22 ensuing general election, one commissioner shall be elected from each
23 odd-numbered district. At the primary election in 2012, one commissioner
24 in such counties shall be nominated from each even-numbered district. At
25 the ensuing general election, one commissioner shall be elected from each
26 even-numbered district.

27 Sec. 14. Section 32-529, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 32-529 At the first general election after the adoption of township
30 organization by a county, one supervisor shall be elected in each
31 supervisor district. Thereafter one supervisor shall be elected in each

1 odd-numbered supervisor district at the general election two years after
2 the first general election and each four years thereafter, and one
3 supervisor shall be elected in each even-numbered supervisor district at
4 the general election four years after the first general election and each
5 four years thereafter. Each county supervisor shall be nominated and
6 elected by the registered voters of the district from which he or she is
7 elected. Except for supervisors first elected after the county has
8 adopted township organization, the term of each county supervisor shall
9 be four years or until his or her successor is elected and qualified. The
10 county supervisors shall meet the qualifications found in section 23-268.
11 In counties that have a population of less than ten thousand inhabitants,
12 the office of county supervisor shall be a partisan office, but the
13 candidates shall be nominated at the primary election without having a
14 political party designation on the ballot and elected at the general
15 election with a political party affiliation on the ballot. In counties
16 that have a population of ten thousand or more inhabitants, the office of
17 county supervisor shall be a partisan office and shall be nominated and
18 ~~The county supervisors shall be elected on the partisan ballot.~~

19 Sec. 15. Section 32-602, Revised Statutes Cumulative Supplement,
20 2014, is amended to read:

21 32-602 (1) Any person seeking an elective office shall be a
22 registered voter at the time of filing for the office pursuant to section
23 32-606 or 32-611.

24 (2) Any person filing for office shall meet the constitutional and
25 statutory requirements of the office for which he or she is filing. If a
26 person is filing for a partisan office other than a partisan county
27 office provided for in sections 32-517 to 32-529 in counties that have a
28 population of less than ten thousand inhabitants, he or she shall be a
29 registered voter affiliated with the appropriate political party if
30 required pursuant to section 32-702. If the person is required to sign a
31 contract or comply with a bonding or equivalent commercial insurance

1 policy requirement prior to holding such office, he or she shall be at
2 least nineteen years of age at the time of filing for the office.

3 (3) A person shall not be eligible to file for an office if he or
4 she holds the office and his or her term of office expires after the
5 beginning of the term of office for which he or she would be filing. This
6 subsection does not apply to filing for an office to represent a
7 different district, ward, subdistrict, or subdivision of the same
8 governmental entity as the office held at the time of filing.

9 (4) The governing body of the political subdivision swearing in the
10 officer shall determine whether the person meets all requirements prior
11 to swearing in the officer.

12 Sec. 16. Section 32-610, Revised Statutes Cumulative Supplement,
13 2014, is amended to read:

14 32-610 (1) No person shall be allowed to file a candidate filing
15 form as a partisan candidate or to have his or her name placed upon a
16 primary election ballot of a political party if subsection (2) of section
17 32-720 applies to the political party.

18 (2) For any other political party, no person shall be allowed to
19 file a candidate filing form as a partisan candidate or to have his or
20 her name placed upon a primary election ballot of a political party
21 unless (a 1) he or she is a registered voter of the political party if
22 required pursuant to section 32-702 and (b 2) at one of the two
23 immediately preceding statewide general elections, (i a) a candidate
24 nominated by the political party polled at least five percent of the
25 entire vote in the state in a statewide race or (ii b) a combination of
26 candidates nominated by the political party for a combination of
27 districts that encompass all of the voters of the entire state polled at
28 least five percent of the vote in each of their respective districts.

29 (3) A candidate filing form filed in violation of this section shall
30 be void.

31 Sec. 17. Section 32-611, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 32-611 Twenty-five registered voters of the same political party may
3 seek to have a person's name placed on the primary election ballot of the
4 political party as a partisan candidate or on the primary election ballot
5 for a partisan county office provided for in sections 32-517 to 32-529
6 without a political party designation by filing an affidavit stating that
7 they are registered voters, the political party with which they are
8 registered, the name of the proposed candidate, and that the proposed
9 candidate is a registered voter of the same political party. The
10 affidavit shall be filed in the same manner and with the same filing
11 officer as provided for candidate filing forms. The proposed candidate
12 shall, within five days from the date of the filing of the affidavit,
13 file a candidate filing form as provided in section 32-607 stating that
14 he or she is a registered voter and is affiliated with the political
15 party named in the affidavit. If the candidate filing form is not filed
16 within such five-day period, the name of the candidate shall not be
17 placed upon the primary election ballot.

18 Sec. 18. Section 32-612, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 32-612 (1) A change of political party affiliation by a registered
21 voter so as to affiliate with the political party named in the candidate
22 filing form or in an affidavit as a write-in candidate pursuant to
23 section 32-615 after the first Friday in December prior to the statewide
24 primary election shall not be effective to meet the requirements of
25 section 32-610 or 32-611 or subsection (4) of this section, except that
26 any person may change his or her political party affiliation after the
27 first Friday in December prior to the statewide primary election to
28 become a candidate of a new political party which has successfully
29 completed the petition process required by section 32-716.

30 (2) No registered voter, candidate, or proposed candidate shall
31 swear falsely as to political party affiliation or shall swear that he or

1 she affiliates with two or more political parties. Any candidate who
2 swears falsely as to political party affiliation or swears that he or she
3 affiliates with two or more political parties shall not be the candidate
4 of such party and shall not be entitled to assume the office for which he
5 or she filed even if he or she receives a majority or plurality of the
6 votes therefor at the following general election.

7 (3) The name of a candidate shall not appear printed on more than
8 one political party ballot. The name of a candidate shall not appear more
9 than once on any ballot at a primary election except for the office of
10 delegate to a political party's county, state, or national convention. A
11 candidate who is a registered voter of one political party shall not
12 accept the nomination of another political party.

13 (4) In order to count write-in votes on a political party ballot in
14 the primary election, the candidate who receives the votes must be a
15 registered voter of that political party unless the political party
16 allows candidates not affiliated with the party by not adopting a rule
17 under section 32-702.

18 Sec. 19. Section 32-615, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 32-615 (1) Except as otherwise provided in subsection (2) of this
21 section, any candidate engaged in or pursuing a write-in campaign shall
22 file a notarized affidavit of his or her intent together with the receipt
23 for any filing fee with the filing officer as provided in section 32-608
24 no earlier than December 1 and no later than ten days prior to the
25 election.

26 (2) For any county office elected pursuant to sections 32-517 to
27 32-529 which is subject to subdivision (1)(b) of section 32-811, a
28 candidate may engage in or pursue a write-in campaign if he or she files
29 a notarized affidavit of his or her intent together with the receipt for
30 the filing fee with the filing officer as provided in section 32-608 on
31 or before March 3 of the year of the statewide primary election. If such

1 an affidavit is filed as prescribed, the election commissioner or county
2 clerk in counties that have a population of ten thousand or more
3 inhabitants shall place that county office on the statewide primary
4 election ballot with the name ~~names~~ of the candidate properly filed for
5 the nomination of the applicable political party and a line for write-in
6 candidates and in counties that have a population of less than ten
7 thousand inhabitants shall place that county office on the statewide
8 primary election ballot with the name of the candidate properly filed for
9 the nomination and a line for write-in candidates.

10 (3) A candidate who has been defeated as a candidate in the primary
11 election or defeated as a write-in candidate in the primary election
12 shall not be eligible as a write-in candidate for the same office in the
13 general election unless (a) a vacancy on the ballot exists pursuant to
14 section 32-625 or (b) the candidate was a candidate for an office
15 described in sections 32-512 to 32-550 and the candidate lost the
16 election as a result of a determination pursuant to section 32-1122 in
17 the case of a tie vote.

18 (4) A candidate who files a notarized affidavit shall be entitled to
19 all write-in votes for the candidate even if only the last name of the
20 candidate has been written if such last name is reasonably close to the
21 proper spelling.

22 Sec. 20. Section 32-616, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:

24 32-616 (1)(a) Except as otherwise provided in subdivision (b) of
25 this subsection, any Any registered voter who was not a candidate in the
26 primary election and who was not registered to vote with a party
27 affiliation on or after March 1 and before the general election in the
28 calendar year of the general election may have his or her name placed on
29 the general election ballot for a partisan office by filing petitions as
30 prescribed in sections 32-617 to 32-621 or by nomination by political
31 party convention or committee pursuant to section 32-627 or 32-710.

1 (b) Any registered voter of a county that has a population of less
2 than ten thousand inhabitants who was not a candidate in the primary
3 election may have his or her name placed on the general election ballot
4 for a partisan office by filing petitions as prescribed in sections
5 32-617 to 32-621.

6 (2) Any candidate who was defeated in the primary election and any
7 registered voter who was not a candidate in the primary election may have
8 his or her name placed on the general election ballot if a vacancy exists
9 on the ballot under subsection (2) of section 32-625 and the candidate
10 files for the office by petition as prescribed in sections 32-617 and
11 32-618, files as a write-in candidate as prescribed in section 32-615, or
12 is nominated by political party convention or committee pursuant to
13 section 32-627 or 32-710.

14 Sec. 21. Section 32-623, Revised Statutes Cumulative Supplement,
15 2014, is amended to read:

16 32-623 (1) If any person nominated for elective office for the
17 general election notifies the filing officer with whom the candidate
18 filing form or other acceptance of nomination was filed by filing a
19 statement, in writing and duly acknowledged, that he or she declines such
20 nomination on or before September 1 before the election, the person's
21 name shall not be printed on the ballot, but no declination shall be
22 effective after such date. The filing officer shall inform (a) one or
23 more persons whose names are attached to the nomination if the candidate
24 was nominated by a political party convention or committee or (b) τ if
25 nominated at a primary election for an office other than a partisan
26 county office provided for in sections 32-517 to 32-529 in counties that
27 have a population of less than ten thousand inhabitants, the chairperson
28 or secretary of the campaign or political party committee of his or her
29 political party if there is one within the jurisdiction of the filing
30 officer and, if not, at least three of the prominent members of the
31 candidate's political party within the jurisdiction of the filing officer

1 that such candidate has declined the nomination by mailing or delivering
2 to them personally notice of such fact. Such declination shall create a
3 vacancy on the ballot which may be filled pursuant to section 32-627.

4 (2) In lieu of filing a declination with the Secretary of State, the
5 person so nominated may file a declination with the election commissioner
6 or county clerk in the county in which he or she resides. Any election
7 commissioner or county clerk receiving such a declination shall within
8 five days after its receipt forward a copy of the written declination
9 statement to the Secretary of State. The Secretary of State shall make
10 notifications if required by this section for all individuals for whom he
11 or she receives a copy of the written declination statement.

12 Sec. 22. Section 32-627, Revised Statutes Cumulative Supplement,
13 2014, is amended to read:

14 32-627 (1) If a vacancy on the ballot arises ~~for any partisan office~~
15 ~~except President and Vice President of the United States~~ before a general
16 election for any partisan office other than a partisan county office
17 provided for in sections 32-517 to 32-529 in counties that have a
18 population of less than ten thousand inhabitants or President and Vice
19 President of the United States, the vacancy shall be filled by the
20 majority vote of the proper committee of the same political party. If the
21 vacancy exists for an office serving only a particular district of the
22 state, only those members of the political party committee who reside
23 within that district shall participate in selecting the candidate to fill
24 the vacancy. No vacancy on the ballot shall be deemed to have occurred if
25 a political party makes no nomination of a candidate at the primary
26 election for the office. If a vacancy on the ballot arises for Governor,
27 the vacancy shall be filled by the majority vote of the proper committee
28 of the same political party, and the candidate for Governor shall select
29 a person of the same political party to be the candidate for Lieutenant
30 Governor on the general election ballot. If a vacancy on the ballot
31 arises for the Lieutenant Governor on or before September 1, the

1 candidate for Governor shall select a new candidate for Lieutenant
2 Governor in the same manner as required in section 32-619.01.

3 (2) The chairperson and secretary of the executive committee for the
4 political party shall make and file with the filing officer a certificate
5 setting forth the cause of the vacancy, the name of the person so
6 nominated, the office for which he or she was nominated, the name of the
7 person for which the new nominee is to be substituted, the place of
8 residence of the person so nominated, the street and number of the
9 residence or place of business of the person so nominated if such person
10 resides in a city, and the name of the political party with which the
11 person so nominated affiliates which such committee represents. The
12 certificate shall be signed by the chairperson and secretary with the
13 name and places of their residences and sworn to by them before some
14 officer authorized to administer oaths. If there is no executive
15 committee of the political party or in lieu of the executive committee
16 filling such vacancy, a mass convention of the political party may fill
17 the vacancy and the chairperson and secretary of such convention shall
18 make and file with the filing officer a certificate in form and manner
19 substantially as is required to be filed by the chairperson and secretary
20 of the executive committee under this subsection. The certificate shall
21 be filed by September 1 for a general election and have the same force
22 and effect as the candidate filing form provided for in section 32-607.
23 The filing fee charged to candidates for such offices shall accompany the
24 filing of the certificate.

25 Sec. 23. Section 32-702, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:

27 32-702 Any political party may, by the adoption of a rule, require
28 that an individual must be a registered voter affiliated with that party
29 in order for his or her name to be any individual whose name is placed on
30 such party's partisan primary election ballot or on the statewide general
31 election ballot with a designation that the individual is affiliated with

1 ~~that party be a registered voter affiliated with such party.~~ If the
2 political party adopts or revokes the rule and notifies the Secretary of
3 State by filing the rule or notice of the revocation with the Secretary
4 of State prior to December 1 of the calendar year before a statewide
5 primary election, the rule or revocation is effective for the next and
6 subsequent statewide primary and general elections. If a rule or notice
7 of revocation is filed with the Secretary of State on or after December 1
8 of the calendar year before a statewide primary election and on or before
9 the day of the statewide primary election, the rule or revocation is
10 effective for the subsequent statewide primary and general elections.

11 Sec. 24. Section 32-721, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-721 Any candidate of any political party for an office to be
14 filled at a special election other than a partisan county office provided
15 for in sections 32-517 to 32-529 in counties that have a population of
16 less than ten thousand inhabitants shall be nominated by a convention or
17 central committee of his or her political party. The nomination shall be
18 in writing, shall contain the name of the office for which each person
19 was nominated and the name and residence of each person so nominated,
20 including, if in a city, the street and number of residence, and place of
21 business, if any, and shall designate in not more than five words the
22 political party which such convention or committee represents. The
23 presiding officer and the secretary of such convention or committee shall
24 sign the nomination and include their respective places of business and
25 take an oath before an officer qualified to administer oaths that the
26 affiants were such officers at such convention or committee and that the
27 certificate and the statements therein contained are true to the best of
28 their knowledge and belief. Such conventions or committee meetings shall
29 be held not less than seventy days prior to the date fixed by law for the
30 election of the persons so nominated. The nomination shall be filed with
31 the filing officer prescribed in section 32-607 not less than seventy

1 days before the election.

2 Sec. 25. Section 32-809, Revised Statutes Cumulative Supplement,
3 2014, is amended to read:

4 32-809 (1) The form of the official ballot at the statewide primary
5 election shall be prescribed by the Secretary of State. At the top of the
6 ballot and over all else shall be printed in boldface type the name of
7 the political party, Official Ballot, Primary Election 20.. .
8 Each division containing the names of the office and a list of candidates
9 for such office shall be separated from other groups by a bold line. The
10 ballot shall list at-large candidates and subdistrict candidates under
11 appropriate headings. Candidates for partisan county office provided for
12 in sections 32-517 to 32-529 shall be placed on the primary election
13 ballot as provided in section 32-810.

14 (2) All proposals for constitutional amendments, candidates for
15 delegates to the national political party conventions, and candidates on
16 the nonpartisan ballot shall be submitted on a ballot where bold lines
17 separate one office or issue from another. Proposals for constitutional
18 amendments proposed by the Legislature shall be placed on the ballot as
19 provided in sections 49-201 to 49-211. Each candidate for delegate to the
20 national political party convention shall have his or her preference for
21 the candidacy for the office of President of the United States or the
22 fact that he or she is uncommitted shown on the ballot in parenthesis and
23 indented on the line immediately below the name of the candidate. All
24 constitutional amendments shall be placed on a separate ballot when a
25 paper ballot is used which requires the ballot after being voted to be
26 folded before being deposited in a ballot box. When an optical-scan
27 ballot is used which requires a ballot envelope or sleeve in which the
28 ballot after being voted is placed before being deposited in a ballot
29 box, constitutional amendments may be printed on either side of the
30 ballot and shall be separated from other offices or issues by a bold
31 line. Constitutional amendments so arranged shall constitute a separate

1 ballot.

2 (3) Except as otherwise provided in section 32-811, the statewide
3 primary election ballot shall contain the name of every candidate filing
4 or recognized under subsection (1) of section 32-606 and sections 32-611,
5 32-613, and 32-614 and no other names. No name of a candidate for member
6 of the Legislature or an elective office described in Article IV, section
7 1, of the Constitution of Nebraska shall appear on any ballot or any
8 series of ballots at any primary election more than once except for the
9 names of candidates for the office of delegate to a county, state, or
10 national political party convention. When two or more of the last names
11 of candidates for the same office at the primary election are the same in
12 spelling or sound, the official ballots may, on the request of any such
13 candidate, have his or her address printed immediately below his or her
14 name in capital and lowercase letters in lightface type of the same size
15 as the type in which the name of the candidate is printed.

16 Sec. 26. Section 32-810, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-810 (1) Except for candidates for a partisan county office
19 provided for in sections 32-517 to 32-529 in counties that have a
20 population of less than ten thousand inhabitants, the ~~The~~ election
21 commissioner or county clerk shall place the names of all partisan
22 candidates certified to him or her by the Secretary of State and of those
23 partisan candidates filing in his or her office on a primary election
24 ballot headed with the political party designation. Candidates for a
25 partisan county office provided for in sections 32-517 to 32-529 in
26 counties that have a population of less than ten thousand inhabitants
27 shall be placed on the primary election ballot headed by the words County
28 Ticket. The names of each nonpartisan candidate certified by the
29 Secretary of State and of each nonpartisan candidate filing in the office
30 of the election commissioner or county clerk shall be placed on the
31 primary election ballot headed by the words Nonpartisan Ticket.

1 (2) If any office is not subject to the upcoming election, the
2 office shall be omitted from the ballot and the remaining offices shall
3 move up so that the same relative order is preserved. The order of any
4 offices may be altered to allow for the best utilization of ballot space
5 in order to avoid printing a second ballot when one ballot would be
6 sufficient if an optical-scan ballot is used. All proposals on the ballot
7 submitted by a political subdivision shall follow all offices on the
8 ballot for such political subdivision.

9 (3) The election commissioner or county clerk shall follow the order
10 of precincts or wards as set out in the official abstract book on file in
11 his or her office in preparing the official ballots. At the primary
12 election, on the first set of ballots for the first precinct or ward
13 shall be the names of candidates filing by date and hour as certified by
14 the Secretary of State and for local candidates the names of candidates
15 shall be listed in the order of filing by date and hour with the election
16 commissioner or county clerk. When there are more candidates than
17 vacancies for the same office, the names of all partisan and nonpartisan
18 candidates at a primary election shall be rotated precinct by precinct in
19 each office division in the order in which the precincts are set out in
20 the official abstract book. In making the changes of position, the
21 printer shall take the line of type at the head of each office division
22 and place it at the bottom of that division, shoving up the column so
23 that the name that was second shall be first after the change.

24 Sec. 27. Section 32-811, Revised Statutes Cumulative Supplement,
25 2014, is amended to read:

26 32-811 (1)(a) If the names of candidates properly filed for
27 nomination at the primary election for directors of natural resources
28 districts, directors of public power districts, members of airport
29 authority boards elected pursuant to sections 32-547 to 32-549, members
30 of the boards of governors of community college areas, members of the
31 boards of Class III or Class V school districts which nominate candidates

1 at a primary election, candidates for a partisan county office provided
2 for in sections 32-517 to 32-529 in counties that have a population of
3 less than ten thousand inhabitants, and officers of cities of the first
4 or second class and cities having a city manager plan of government do
5 not exceed two candidates for each position to be filled, any such
6 candidates shall be declared nominated and their names shall not appear
7 on any primary election ballots.

8 (b) If the number of candidates properly filed for the nomination of
9 a political party at the primary election for a partisan county office
10 provided for in sections 32-517 to 32-529 in counties that have a
11 population of ten thousand or more inhabitants ~~any county officer elected~~
12 ~~pursuant to sections 32-517 to 32-529~~ does not exceed the number of
13 candidates to be nominated by that party for that office, any such
14 properly filed candidates shall be declared nominated and their names
15 shall not appear on any primary election ballots.

16 (c) The official abstract of votes kept by the county or state shall
17 show the names of such candidates with the statement Nominated Without
18 Opposition. The election commissioner or county clerk shall place the
19 names of such automatically nominated candidates on the general election
20 ballot as provided in section 32-814 or 32-815.

21 (2) Candidates shall not appear on the ballot in the primary
22 election for the offices listed in subsection (2) of section 32-606.

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

28 Sec. 28. Section 32-813, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-813 (1) The names of all candidates and all proposals to be voted
31 upon at the general election shall be arranged upon the ballot in parts

1 separated from each other by bold lines in the order the offices and
2 proposals are set forth in this section. If any office is not subject to
3 the upcoming election, the office shall be omitted from the ballot and
4 the remaining offices shall move up so that the same relative order is
5 preserved. The order of any offices may be altered to allow for the best
6 utilization of ballot space in order to avoid printing a second ballot
7 when one ballot would be sufficient if an optical-scan ballot is used.
8 All proposals on the ballot shall remain separate from the offices, and
9 the proposals shall follow all offices on the ballot.

10 (2)(a) If the election is in a year in which a President of the
11 United States is to be elected, the names and spaces for voting for
12 candidates for President and Vice President shall be entitled
13 Presidential Ticket in boldface type.

14 (b) The names of candidates for President and Vice President for
15 each political party shall be grouped together, and each group shall be
16 enclosed with brackets with the political party name next to the brackets
17 and one square or oval opposite the names in which the voter indicates
18 his or her choice.

19 (c) The names of candidates for President and Vice President who
20 have successfully petitioned on the ballot for the general election shall
21 be grouped together with the candidates appearing on the same petition
22 being grouped together, and each group shall be enclosed with brackets
23 with the words "By Petition" next to the brackets and one square or oval
24 opposite the names in which the voter indicates his or her choice.

25 (d) Beneath the names of the candidates for President and Vice
26 President certified by the officers of the national political party
27 conventions pursuant to section 32-712 and beneath the names of all
28 candidates for President and Vice President placed on the general
29 election ballot by petition, two write-in lines shall be provided in
30 which the voter may fill in the names of the candidates of his or her
31 choice. The lines shall be enclosed with brackets with one square or oval

1 opposite the names in which the voter indicates his or her choice. The
2 name appearing on the top line shall be considered to be the candidate
3 for President, and the name appearing on the second line shall be
4 considered to be the candidate for Vice President.

5 (3) The names and spaces for voting for candidates for United States
6 Senator if any are to be elected shall be entitled United States
7 Senatorial Ticket in boldface type.

8 (4) The names and spaces for voting for candidates for
9 Representatives in Congress shall be entitled Congressional Ticket in
10 boldface type. Above the candidates' names, the office shall be
11 designated For Representative in Congress District.

12 (5) The names and spaces for voting for candidates for the various
13 state officers shall be entitled State Ticket in boldface type. Each set
14 of candidates shall be separated by lines across the column, and above
15 each set of candidates shall be designated the office for which they are
16 candidates, arranged in the order prescribed by the Secretary of State.
17 The candidates for Governor of each political party receiving the highest
18 number of votes in the primary election shall be grouped together with
19 their respective candidates for Lieutenant Governor. Each group shall be
20 enclosed with brackets with the political party name next to the brackets
21 and one square or oval opposite the names in which the voter indicates
22 his or her choice for Governor and Lieutenant Governor jointly. The
23 candidates for Governor and Lieutenant Governor who have successfully
24 petitioned on the general election ballot shall be grouped together with
25 the candidates appearing on the same petition being grouped together.
26 Each group shall be enclosed with brackets with the words "By Petition"
27 next to the brackets and one square or oval opposite the names in which
28 the voter indicates his or her choice for Governor and Lieutenant
29 Governor jointly. Beneath the names of the candidates for Governor
30 nominated at a primary election by political party and their respective
31 candidates for Lieutenant Governor and beneath the names of all

1 candidates for Governor and Lieutenant Governor placed on the general
2 election ballot by petition, one write-in line shall be provided in which
3 the registered voter may fill in the name of the candidate for Governor
4 of his or her choice and one square or oval opposite the line in which
5 the voter indicates his or her choice for Governor.

6 (6) The names and spaces for voting for nonpartisan candidates shall
7 be entitled Nonpartisan Ticket in boldface type. The names of all
8 nonpartisan candidates shall appear in the order listed in this
9 subsection, except that when using an optical-scan ballot, the order of
10 offices may be altered to allow for the best utilization of ballot space
11 to avoid printing a second ballot when one ballot would be sufficient:

- 12 (a) Legislature;
- 13 (b) State Board of Education;
- 14 (c) Board of Regents of the University of Nebraska;
- 15 (d) Chief Justice of the Supreme Court;
- 16 (e) Judge of the Supreme Court;
- 17 (f) Judge of the Court of Appeals;
- 18 (g) Judge of the Nebraska Workers' Compensation Court;
- 19 (h) Judge of the District Court;
- 20 (i) Judge of the Separate Juvenile Court;
- 21 (j) Judge of the County Court; and
- 22 (k) County officers in the order prescribed by the election
23 commissioner or county clerk.

24 (7) The names and spaces for voting for the various county offices
25 and for measures submitted to the county vote only or in only a part of
26 the county shall be entitled County Ticket in boldface type. The
27 nominated candidates for partisan county offices shall be placed on the
28 general election ballot with a designation of their political party
29 affiliation, if any. If the election commissioner or county clerk deems
30 it advisable, the measures may be submitted on a separate ballot if using
31 a paper ballot or on either side of an optical-scan ballot if the ballot

1 is placed in a ballot envelope or sleeve before being deposited in a
2 ballot box.

3 (8) The candidates for office in the precinct only or in the city or
4 village only shall be printed on the ballot, except that if the election
5 commissioner or county clerk deems it advisable, candidates for these
6 offices may be submitted on a separate ballot if using a paper ballot or
7 on either side of an optical-scan ballot if the ballot is placed in a
8 ballot envelope or sleeve before being deposited in a ballot box.

9 (9) All proposals submitted by initiative or referendum and
10 proposals for constitutional amendments shall be placed on a separate
11 ballot when a paper ballot is used which requires that the ballot after
12 being voted be folded before being deposited in a ballot box. When an
13 optical-scan ballot is used which requires a ballot envelope or sleeve in
14 which the ballot after being voted is placed before being deposited in a
15 ballot box, initiative or referendum proposals and proposals for
16 constitutional amendments may be placed on either side of the ballot,
17 shall be separated by a bold line, and shall follow all other offices
18 placed on the same side of the ballot. Initiative or referendum proposals
19 and constitutional amendments so arranged shall constitute a separate
20 ballot. Proposals for constitutional amendments proposed by the
21 Legislature shall be placed on the ballot as provided in sections 49-201
22 to 49-211.

23 Sec. 29. Section 32-814, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-814 (1) The election commissioner or county clerk shall place the
26 names of all nonpartisan candidates upon the same official general
27 election ballot as the partisan candidates. The names placed on the
28 official and sample general election ballots shall be the names of
29 candidates nominated in the primary election, the names of petition
30 candidates if any, the names of automatically nominated candidates as
31 provided in section 32-811, and the names of candidates filing as

1 provided in subsection (2) of section 32-606. The names of the candidates
2 shall be placed under the proper titles.

3 (2) The election commissioner or county clerk shall place on the
4 official general election ballot in each office division no more than
5 twice as many names as there are places to be filled at the general
6 election unless more than one candidate has successfully petitioned on
7 the ballot to fill a vacancy after the primary election. The names of the
8 nonpartisan candidates and candidates for partisan county office provided
9 for in sections 32-517 to 32-529 in counties that have a population of
10 less than ten thousand inhabitants who received the highest number of
11 votes for the office for which they were candidates in the primary
12 election shall be placed on the official ballot. If more than one person
13 was a candidate for the same position in the primary election, the
14 election commissioner or county clerk shall place on the official ballot
15 the names of the two persons who received the highest number of votes in
16 the primary election for the position for which they were candidates.

17 (3) When the name of a person is written in and voted for as a
18 candidate for an office for which he or she did not file in the primary
19 election, such person shall not be entitled to a certificate of
20 nomination at the primary election and shall not have his or her name
21 placed on the general election ballot unless he or she (a) receives at
22 least five percent of the total vote cast for Governor or for President
23 of the United States at the immediately preceding general election in the
24 political subdivision from which nominees for such position are to be
25 chosen, (b) is one of the candidates receiving the number of votes
26 qualifying him or her for nomination, and (c) meets the requirements for
27 the office.

28 (4) If there are more candidates than vacancies for the same office,
29 the election commissioner or county clerk shall rotate the names of the
30 nonpartisan candidates on the official general election ballot. The
31 election commissioner or county clerk shall follow the order of precincts

1 or wards as set out in the official abstract book on file in his or her
2 office in preparing the official ballots. The first set of ballots for
3 the first precinct or ward shall be the names of candidates filing by
4 date and hour or of those candidates filing petitions, and for local
5 candidates the names of candidates shall be listed in the order of filing
6 by date and hour with the election commissioner or county clerk or of
7 those candidates filing petitions. Thereafter the names shall be rotated
8 precinct by precinct in each office division in the order in which the
9 precincts are set out in the official abstract book. In making the change
10 of position, the printer shall take the line of type at the head of each
11 division and place it at the bottom of that division, shoving up the
12 column so that the name that was second shall be first after the change.

13 Sec. 30. Section 32-912, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 32-912 (1) Any registered voter desiring to vote in a primary
16 election held under the Election Act shall be entitled to participate in
17 such primary election upon presenting himself or herself at the polling
18 place for his or her residence. A registered voter who is affiliated with
19 a political party shall receive from the receiving board all nonpartisan
20 ballots, ~~and~~ the partisan ballot of the political party indicated on his
21 or her voter registration, and, in counties that have a population of
22 less than ten thousand inhabitants, ballots for nominating candidates for
23 partisan county offices provided for in sections 32-517 to 32-529. Except
24 as provided in subsections (2) and (3) of this section, a registered
25 voter at a primary election who is not affiliated with any political
26 party shall receive ~~only~~ nonpartisan ballots and, in counties that have a
27 population of less than ten thousand inhabitants, ballots for nominating
28 candidates for partisan county offices provided for in sections 32-517 to
29 32-529 at a primary election.

30 (2) Any political party may allow registered voters who are not
31 affiliated with a political party to vote in the primary election for any

1 elective office for which the party has candidates except for the office
2 of delegate to the party's county, state, or national convention. Any
3 political party desiring to permit such registered voters to vote for
4 candidates of that party in the primary election shall file a letter
5 stating that the governing body of the political party has adopted a rule
6 allowing registered voters who are not affiliated with a political party
7 to vote in the primary election for candidates of that party. The letter
8 and copy of the adopted rule shall be filed with the Secretary of State
9 at least sixty days before the primary election. The Secretary of State
10 shall notify the appropriate election commissioners and county clerks in
11 writing that the political party filing the letter will allow registered
12 voters who are not affiliated with a political party to vote in the
13 primary election for candidates of that party. Once filed, the rule
14 allowing such voters to vote in such primary election shall be
15 irrevocable and shall apply only to the primary election immediately
16 following the adoption of the rule.

17 (3) A registered voter who is not affiliated with a political party
18 and who desires to vote in the primary election for the office of United
19 States Senator or United States Representative may request a partisan
20 ballot for either or both of such offices from any political party. The
21 election commissioner or county clerk shall post a notice in a
22 conspicuous location, easily visible and readable by voters prior to
23 approaching the receiving board, that a registered voter who is not
24 affiliated with a political party may request such ballots. No such
25 registered voter shall receive more than one such partisan ballot.

26 (4) The registered voters residing in a political subdivision may
27 cast their ballots for candidates for the offices in that subdivision and
28 for issues proposed for that subdivision, except that when officers are
29 to be nominated or elected from a subdistrict of the political
30 subdivision, the registered voters residing in the subdistrict may only
31 vote for candidates from the subdistrict and for candidates for officers

1 to be elected at large from the whole political subdivision.

2 Sec. 31. Section 32-1033, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-1033 The election commissioner or county clerk shall, within
5 forty days after the election, prepare, sign, and deliver a certificate
6 of nomination or a certificate of election to each person whom the county
7 canvassing board has declared to have received the highest vote for
8 county, city, or village offices. Except as provided in section 32-811
9 for automatically nominated candidates, no ~~No~~ person shall be issued a
10 certificate of nomination as a candidate of a political party unless such
11 person has received a number of votes at least equal to five percent of
12 the total ballots cast at the primary election by registered voters
13 affiliated with that political party in the district which the office for
14 which he or she is a candidate serves. The certificate shall be
15 substantially as follows:

16 State of Nebraska. At an election held on the day of
17 20.., was elected to the office of for the term
18 of years from the day of 20.. (or when filling
19 a vacancy, for the residue of the term ending on the day of
20 20..). Given at this day of 20.. .

21 Sec. 32. Original sections 22-412, 32-517, 32-518, 32-520, 32-521,
22 32-522, 32-523, 32-526, 32-528, 32-529, 32-611, 32-612, 32-721, 32-810,
23 32-813, 32-814, 32-912, and 32-1033, Reissue Revised Statutes of
24 Nebraska, and sections 32-312, 32-519, 32-524, 32-525, 32-602, 32-610,
25 32-615, 32-616, 32-623, 32-627, 32-702, 32-809, and 32-811, Revised
26 Statutes Cumulative Supplement, 2014, are repealed.