

AMENDMENTS TO LB56

Introduced by Mello

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

3           Section 1. Section 32-615, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5           32-615 ~~Any~~ (1) Except as otherwise provided in subsection  
6 (2) of this section, any candidate engaged in or pursuing a  
7 write-in campaign shall file a notarized affidavit of his or her  
8 intent together with the receipt for any filing fee with the filing  
9 officer as provided in section 32-608 no earlier than December 1  
10 and no later than ten days prior to the election.

11           (2) For any county office elected pursuant to sections  
12 32-517 to 32-529 which is subject to subdivision (1)(b) of section  
13 32-811, a candidate may engage in or pursue a write-in campaign if  
14 he or she files a notarized affidavit of his or her intent together  
15 with the receipt for the filing fee with the filing officer as  
16 provided in section 32-608 on or before March 3 of the year of  
17 the statewide primary election. If such an affidavit is filed as  
18 prescribed, the election commissioner or county clerk shall place  
19 that county office on the statewide primary election ballot with  
20 the names of the candidate properly filed for the nomination of the  
21 applicable political party and a line for write-in candidates.

22           (3) A candidate who has been defeated as a candidate in  
23 the primary election or defeated as a write-in candidate in the

1 primary election shall not be eligible as a write-in candidate for  
2 the same office in the general election unless a vacancy on the  
3 ballot exists pursuant to section 32-625.

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

8 Sec. 2. Section 32-811, Revised Statutes Cumulative  
9 Supplement, 2012, is amended to read:

10 32-811 (1) (a) If the names of candidates properly filed  
11 for nomination at the primary election for directors of natural  
12 resources districts, directors of public power districts, members  
13 of airport authority boards elected pursuant to sections 32-547 to  
14 32-549, members of the boards of governors of community college  
15 areas, members of the boards of Class III or Class V school  
16 districts which nominate candidates at a primary election, and  
17 officers of cities of the first or second class and cities having  
18 a city manager plan of government do not exceed two candidates for  
19 each position to be filled, any such candidates shall be declared  
20 nominated and their names shall not appear on any primary election  
21 ballots.

22 (b) If the number of candidates properly filed for the  
23 nomination of a political party at the primary election for any  
24 county officer elected pursuant to sections 32-517 to 32-529 does  
25 not exceed the number of candidates to be nominated by that party  
26 for that office, any such properly filed candidates shall be  
27 declared nominated and their names shall not appear on any primary

1 election ballots.

2           (c) The official abstract of votes kept by the county or  
3 state shall show the names of such candidates with the statement  
4 Nominated Without Opposition. The election commissioner or county  
5 clerk shall place the names of such automatically nominated  
6 candidates on the general election ballot as provided in section  
7 32-814 or 32-815.

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

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

16           Sec. 3. Section 32-815, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18           32-815 (1) The names of candidates for each partisan  
19 elective office shall be arranged on the ballot of the general  
20 election so that the political party polling the highest number of  
21 votes at the last general election for Governor will have the name  
22 of its nominee immediately beneath the name of the office for which  
23 the candidate was nominated, the political party polling the second  
24 highest number of votes will have the second place, the political  
25 party having the third highest number of votes will have the third  
26 place, and continuing with the political parties in descending  
27 order of number of votes, leaving those candidates whose names

1 appear upon the ballot by petition to appear beneath all other  
2 candidates placed there by nomination. For each office for which  
3 there are more candidates than vacancies and there are two or more  
4 nominees of the same political party, the election commissioner  
5 or county clerk shall rotate the names of such candidates on the  
6 official ballot. In printing the ballots for the various election  
7 districts, the positions of the names shall be changed in each  
8 office division for each election district. In making the change of  
9 position, the printer shall take the line of type at the head of  
10 each division and place it at the bottom of that division, shoving  
11 up the column so that the name that was second shall be first after  
12 the change.

13           (2) The name of the person receiving the highest number  
14 of votes at a primary election as the candidate of a political  
15 party for an office shall be placed on the official ballot except  
16 as otherwise provided in the Election Act. ~~No~~ Except as provided  
17 in section 32-811 for automatically nominated candidates, no person  
18 shall be certified as a candidate of any political party for such  
19 office by the Secretary of State, election commissioner, or county  
20 clerk unless the person receives a number of votes at least equal  
21 to five percent of the total ballots cast at the primary election  
22 by registered voters affiliated with that political party in the  
23 district which the office serves and meets the requirements for the  
24 office.

25           Sec. 4. Original section 32-815, Reissue Revised Statutes  
26 of Nebraska, and sections 32-615 and 32-811, Revised Statutes  
27 Cumulative Supplement, 2012, are repealed.