

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 56

Introduced by Larson, 40.

Read first time January 10, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to county officers; to amend section 32-815,
2 Reissue Revised Statutes of Nebraska, and section 32-811,
3 Revised Statutes Cumulative Supplement, 2012; to provide
4 for automatic nomination of certain county officers; to
5 harmonize provisions; and to repeal the original
6 sections.

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

1 Section 1. Section 32-811, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 32-811 (1) If the names of candidates properly filed for
4 nomination at the primary election for directors of natural resources
5 districts, directors of public power districts, members of airport
6 authority boards elected pursuant to sections 32-547 to 32-549,
7 members of the boards of governors of community college areas, county
8 officers elected pursuant to sections 32-517 to 32-529, members of
9 the boards of Class III or Class V school districts which nominate
10 candidates at a primary election, and officers of cities of the first
11 or second class and cities having a city manager plan of government
12 do not exceed two candidates for each position to be filled, any such
13 candidates shall be declared nominated and their names shall not
14 appear on any primary election ballots. The official abstract of
15 votes kept by the county or state shall show the names of such
16 candidates with the statement Nominated Without Opposition. The
17 election commissioner or county clerk shall place the names of such
18 automatically nominated candidates on the general election ballot as
19 provided in section 32-814 or 32-815.

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

23 (3) If the number of candidates for delegates to a county
24 or national political party convention are the same in number or less
25 than the number of candidates to be elected, the names shall not

1 appear on the primary election ballot and those so filed shall
2 receive a certificate of election.

3 Sec. 2. Section 32-815, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-815 (1) The names of candidates for each partisan
6 elective office shall be arranged on the ballot of the general
7 election so that the political party polling the highest number of
8 votes at the last general election for Governor will have the name of
9 its nominee immediately beneath the name of the office for which the
10 candidate was nominated, the political party polling the second
11 highest number of votes will have the second place, the political
12 party having the third highest number of votes will have the third
13 place, and continuing with the political parties in descending order
14 of number of votes, leaving those candidates whose names appear upon
15 the ballot by petition to appear beneath all other candidates placed
16 there by nomination. For each office for which there are more
17 candidates than vacancies and there are two or more nominees of the
18 same political party, the election commissioner or county clerk shall
19 rotate the names of such candidates on the official ballot. In
20 printing the ballots for the various election districts, the
21 positions of the names shall be changed in each office division for
22 each election district. In making the change of position, the printer
23 shall take the line of type at the head of each division and place it
24 at the bottom of that division, shoving up the column so that the
25 name that was second shall be first after the change.

1 (2) The name of the person receiving the highest number
2 of votes at a primary election as the candidate of a political party
3 for an office shall be placed on the official ballot except as
4 otherwise provided in the Election Act. ~~No~~ Except as provided in
5 section 32-811 for automatically nominated candidates, no person
6 shall be certified as a candidate of any political party for such
7 office by the Secretary of State, election commissioner, or county
8 clerk unless the person receives a number of votes at least equal to
9 five percent of the total ballots cast at the primary election by
10 registered voters affiliated with that political party in the
11 district which the office serves and meets the requirements for the
12 office.

13 Sec. 3. Original section 32-815, Reissue Revised Statutes
14 of Nebraska, and section 32-811, Revised Statutes Cumulative
15 Supplement, 2012, are repealed.