

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 316

Introduced by Murante, 49.

Read first time January 12, 2017

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to the Election Act; to amend sections 32-118,
2 32-204, 32-221, 32-223, 32-230, 32-231, 32-232, 32-236, 32-301,
3 32-320, 32-328, 32-608, 32-805, 32-806, 32-807, 32-810, 32-814,
4 32-815, 32-816, 32-821, 32-901, 32-903, 32-910, 32-914, 32-916,
5 32-1001, 32-1010, 32-1012, 32-1013, 32-1032, 32-1041, 32-1521,
6 32-1522, and 84-510, Reissue Revised Statutes of Nebraska, and
7 sections 45-621 and 49-14,140, Revised Statutes Cumulative
8 Supplement, 2016; to redefine signature; to change the name and
9 purpose of the Election Administration Fund; to prohibit use of and
10 eliminate references to electronic voting systems; to authorize use
11 of electronic poll books, ballot-on-demand technology, and precinct-
12 based optical scanners; to harmonize provisions; and to repeal the
13 original sections.
14 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-118, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-118 Signature shall mean the name of a person written with his or
4 her own hand or the mark of a person unable to write his or her name if
5 the person's name is written by some other person and the mark is made
6 near the name by the person unable to write his or her name. The name and
7 mark may be written in ink or affixed electronically.

8 Sec. 2. Section 32-204, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 32-204 The Election Technology Administration Fund is hereby
11 created. The fund shall consist of federal funds, state funds, gifts, and
12 grants appropriated for the administration of elections. The primary
13 purpose of the fund is to ensure the longevity of the state's election
14 technology. The Secretary of State shall make periodic requests for
15 appropriations for the fund in order to ensure the ability to purchase
16 new technology on a statewide basis as necessary. The Secretary of State
17 shall use the fund for voting systems, provisional voting, computerized
18 statewide voter registration lists, voter registration, training or
19 informational materials related to elections, and any other costs related
20 to elections. Any money in the fund available for investment shall be
21 invested by the state investment officer pursuant to the Nebraska Capital
22 Expansion Act and the Nebraska State Funds Investment Act.

23 Sec. 3. Section 32-221, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 32-221 (1) The election commissioner shall appoint precinct and
26 district inspectors, judges of election, and clerks of election to assist
27 the election commissioner in conducting elections on election day. In
28 counties with a population of less than four hundred thousand inhabitants
29 as determined by the most recent federal decennial census, judges and
30 clerks of election and inspectors shall be appointed at least thirty days
31 prior to the statewide primary election, shall hold office for terms of

1 two years or until their successors are appointed and qualified for the
2 next statewide primary election, and shall serve at all elections in the
3 county during their terms of office. In counties with a population of
4 four hundred thousand or more inhabitants as determined by the most
5 recent federal decennial census, judges and clerks of election shall be
6 appointed at least thirty days prior to the first election for which
7 appointments are necessary and shall serve for at least four elections.

8 (2) Judges and clerks of election may be selected at random from a
9 cross section of the population of the county. All qualified citizens
10 shall have the opportunity to be considered for service. All qualified
11 citizens shall fulfill their obligation to serve as judges or clerks of
12 election as prescribed by the election commissioner. No citizen shall be
13 excluded from service as a result of discrimination based upon race,
14 color, religion, sex, national origin, or economic status. No citizen
15 shall be excluded from service unless excused by reason of ill health or
16 other good and sufficient reason.

17 (3) All persons appointed shall be of good repute and character, be
18 able to read and write the English language, and except as otherwise
19 provided in subsection (4) ~~(5)~~ of section 32-223, be registered voters in
20 the county. No candidate at an election shall be appointed as a judge or
21 clerk of election or inspector for such election other than a candidate
22 for delegate to a county, state, or national political party convention.

23 (4) If a vacancy occurs in the office of judge or clerk of election
24 or inspector, the election commissioner shall fill such vacancy in
25 accordance with section 32-223. If any judge or clerk of election or
26 inspector fails to appear at the hour appointed for the opening of the
27 polls, the remaining officers shall notify the election commissioner,
28 select a registered voter to serve in place of the absent officer if so
29 directed by the election commissioner, and proceed to conduct the
30 election. If the election commissioner finds that a judge or clerk of
31 election or inspector does not possess all the qualifications prescribed

1 in this section or if any judge or clerk of election or inspector is
2 guilty of neglecting the duties of the office or of any official
3 misconduct, the election commissioner shall remove the person and fill
4 the vacancy.

5 Sec. 4. Section 32-223, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-223 (1) Except as otherwise provided in the Election Act, the For
8 each precinct except as provided in subsection (2) of this section, the
9 election commissioner shall appoint a precinct inspector and a receiving
10 board to consist of at least two judges and two clerks of election for
11 each precinct. The election commissioner may appoint district inspectors
12 to aid the election commissioner in the performance of his or her duties
13 and supervise a group of precincts on election day.

14 ~~(2) In precincts in which electronic voting systems are used, the~~
15 ~~receiving board shall have at least three members.~~

16 (2) ~~(3)~~ The election commissioner may allow persons serving on a
17 receiving board as judges and clerks of election and precinct inspectors
18 to serve for part of the time the polls are open and appoint other judges
19 and clerks of election and precinct inspectors to serve on the same
20 receiving board for the remainder of the time the polls are open.

21 (3) ~~(4)~~ On each receiving board at any one time, one judge and one
22 clerk of election shall be registered voters of the political party
23 casting the highest number of votes in the county for Governor or for
24 President of the United States in the immediately preceding general
25 election, and one judge and one clerk of election shall be registered
26 voters of the political party casting the next highest number of votes in
27 the county for Governor or for President of the United States in the
28 immediately preceding general election, except that one judge or clerk of
29 election may be a registered voter who is not affiliated with either of
30 such parties. If a third judge is appointed, such judge shall be a
31 registered voter of the political party casting the highest number of

1 votes in the county for Governor or for President of the United States in
2 the immediately preceding general election. All precinct and district
3 inspectors shall be divided between all political parties as nearly as
4 practicable in proportion to the number of votes cast in such county at
5 the immediately preceding general election for Governor or for President
6 of the United States by the parties, respectively.

7 (4) ~~(5)~~ The election commissioner may appoint a person who is at
8 least sixteen years old but is not eligible to register to vote as a
9 clerk of election. Such clerk of election shall meet the requirements of
10 subsection (3) of section 32-221, except that such clerk shall not be
11 required to be a registered voter. No more than one clerk of election
12 appointed under this subsection shall serve at any precinct. A clerk of
13 election appointed under this subsection shall be considered a registered
14 voter who is not affiliated with a political party for purposes of this
15 section.

16 Sec. 5. Section 32-230, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-230 (1) As provided in subsection (4) ~~(5)~~ of this section, the
19 precinct committeeman and committeewoman of each political party shall
20 appoint a receiving board consisting of three judges of election and two
21 clerks of election ~~except as provided in subsection (3) of this section.~~
22 The chairperson of the county central committee of each political party
23 shall send the names of the appointments to the county clerk no later
24 than February 1 prior to the primary election.

25 (2) If no names are submitted by the chairperson, the county clerk
26 shall appoint judges or clerks of election from the appropriate political
27 party. Judges and clerks of election may be selected at random from a
28 cross section of the population of the county. All qualified citizens
29 shall have the opportunity to be considered for service. All qualified
30 citizens shall fulfill their obligation to serve as judges or clerks of
31 election as prescribed by the county clerk. No citizen shall be excluded

1 from service as a result of discrimination based upon race, color,
2 religion, sex, national origin, or economic status. No citizen shall be
3 excluded from service unless excused by reason of ill health or other
4 good and sufficient reason.

5 ~~(3) In precincts in which electronic voting systems are used, the~~
6 ~~receiving board shall have at least three members.~~

7 (3) (4) The county clerk may allow persons serving on a receiving
8 board to serve for part of the time the polls are open and appoint other
9 persons to serve on the same receiving board for the remainder of the
10 time the polls are open.

11 (4) (5) In each precinct at any one time, one judge and one clerk of
12 election shall be appointed from the political party casting the highest
13 number of votes in the county for Governor or for President of the United
14 States in the immediately preceding general election, one judge and one
15 clerk shall be appointed from the political party casting the next
16 highest number of votes in the county for Governor or for President of
17 the United States in the immediately preceding general election, and one
18 judge shall be appointed from the political party casting the third
19 highest number of votes in the county for Governor or for President of
20 the United States in the immediately preceding general election. If the
21 political party casting the third highest number of votes cast less than
22 ten percent of the total vote cast in the county at the immediately
23 preceding general election, the political party casting the highest
24 number of votes at the immediately preceding general election shall be
25 entitled to two judges and one clerk.

26 (5) (6) The county clerk may appoint registered voters to serve in
27 case of a vacancy among any of the judges or clerks of election or in
28 addition to the judges and clerks in any precinct when necessary to meet
29 any situation that requires additional judges and clerks. Such appointees
30 may include registered voters unaffiliated with any political party. Such
31 appointees shall serve at subsequent or special elections as determined

1 by the county clerk.

2 (6) ~~(7)~~ The county clerk may appoint a person who is at least
3 sixteen years old but is not eligible to register to vote as a clerk of
4 election. Such clerk of election shall meet the requirements of
5 subsection (1) of section 32-231, except that such clerk shall not be
6 required to be a registered voter. No more than one clerk of election
7 appointed under this subsection shall serve at any precinct. A clerk of
8 election appointed under this subsection shall be considered a registered
9 voter who is not affiliated with a political party for purposes of this
10 section.

11 Sec. 6. Section 32-231, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 32-231 (1) Each judge and clerk of election appointed pursuant to
14 section 32-230 shall (a) be of good repute and character and able to read
15 and write the English language, (b) reside in the precinct in which he or
16 she is to serve unless necessity demands that personnel be appointed from
17 another precinct, (c) be a registered voter except as otherwise provided
18 in subsection (6) ~~(7)~~ of section 32-230, and (d) serve for a term of two
19 years or until judges and clerks of election are appointed for the next
20 primary election. No candidate at an election shall be eligible to serve
21 as a judge or clerk of election at the same election other than a
22 candidate for a delegate to a county, state, or national political party
23 convention.

24 (2) The county clerk may appoint district inspectors to aid the
25 county clerk in the performance of his or her duties and supervise a
26 group of precincts on election day. A district inspector shall meet the
27 requirements for judges and clerks of election as provided in subsection
28 (1) of this section, shall oversee the procedures of a group of polling
29 places, and shall act as the personal agent and deputy of the county
30 clerk. The district inspector shall ensure that the Election Act is
31 uniformly enforced at the polling places assigned to him or her and

1 perform tasks assigned by the county clerk. The district inspector may
2 perform all of the duties required of a judge or clerk of election.

3 Sec. 7. Section 32-232, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-232 (1) Any clerk of election may perform the duties of a judge
6 of election, and any judge of election may perform the duties of a clerk
7 of election. The county clerk may excuse two clerks of election from
8 serving at any election, and the judges of election shall perform such
9 duties without additional compensation.

10 (2) The county clerk shall designate one of the members of the
11 receiving board as a messenger. The messenger shall receive from the
12 county clerk the ballots or ballot printing materials and other equipment
13 necessary for holding the election in the precinct for which he or she is
14 a judge or clerk and shall deliver them to the polling place in his or
15 her precinct at least one hour before the time provided by section 32-908
16 for opening the polls. The messenger shall return the ballots, unused
17 ballot printing materials if any, and other equipment to the county clerk
18 as soon as possible after the votes are counted.

19 Sec. 8. Section 32-236, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-236 Each judge and clerk of election appointed pursuant to
22 subsection (4) ~~(5)~~ of section 32-230 and each district inspector
23 appointed pursuant to subsection (2) of section 32-231 shall serve at all
24 elections, except city and village elections, held in the county or
25 precinct during his or her two-year term unless excused. A violation of
26 this section by an appointee is a Class V misdemeanor. The county clerk
27 shall submit the names of appointees violating this section to the local
28 law enforcement agency for citation pursuant to sections 32-1549 and
29 32-1550.

30 Sec. 9. Section 32-301, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-301 (1) The Secretary of State shall implement, in a uniform and
2 nondiscriminatory manner, a single, uniform, official, centralized,
3 interactive computerized statewide voter registration list defined,
4 maintained, and administered at the office of the Secretary of State that
5 contains the name and registration information of every legally
6 registered voter in the state and assigns a unique identifier to each
7 legally registered voter in the state. The computerized list shall serve
8 as the single system for storing and managing the official list of
9 registered voters throughout the state and shall comprise the voter
10 registration register. The computerized list shall be coordinated with
11 other agency data bases within the state and shall be available for
12 electronic access by election commissioners and county clerks. The
13 computerized list shall serve as the official voter registration list for
14 the conduct of all elections under the Election Act. The Secretary of
15 State shall provide such support as may be required so that election
16 commissioners and county clerks are able to electronically enter voter
17 registration information obtained by such officials on an expedited basis
18 at the time the information is received. The Secretary of State shall
19 provide adequate technological security measures to prevent unauthorized
20 access to the computerized list. No General Funds shall be appropriated
21 for purposes of this list, and funds available in the Election Technology
22 ~~Administration~~ Fund may be used for such purposes.

23 (2) The election commissioner or county clerk shall provide for the
24 registration of the electors of the county. Upon receipt of a voter
25 registration application in his or her office from an eligible elector,
26 the election commissioner or county clerk shall enter the information
27 from the application in the voter registration register and may create an
28 electronic image, photograph, microphotograph, or reproduction in an
29 electronic digital format to be used as the voter registration record.
30 The election commissioner or county clerk shall provide a precinct list
31 of registered voters for each precinct for the use of judges and clerks

1 of election in their respective precincts on election day. An
2 electronically prepared list of registered voters in a form prescribed by
3 the Secretary of State shall meet the requirements for a precinct list of
4 registered voters.

5 Sec. 10. Section 32-320, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-320 The only mail-in forms which may be used to register to vote
8 shall be the official registration application prescribed by the
9 Secretary of State or the national mail voter registration application
10 prescribed by the federal Election Assistance Commission. The Secretary
11 of State shall provide such official registration applications to all
12 recruitment offices of the United States Armed Forces in the State of
13 Nebraska. The counties and state agencies listed in section 32-310 shall
14 purchase such official registration applications from the Secretary of
15 State. The Secretary of State shall remit proceeds from the sale of such
16 applications to the State Treasurer for credit to the Election Technology
17 ~~Administration~~ Fund.

18 Sec. 11. Section 32-328, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 32-328 (1) The election commissioner or county clerk shall, upon the
21 personal application of any registered voter or whenever informed of any
22 error and after due investigation, correct any error in the voter
23 registration register. For such purpose, the election commissioner or
24 county clerk may summon witnesses and compel their attendance to appear
25 at the office of the election commissioner or county clerk to give
26 testimony pertaining to residence, qualifications, or any other facts
27 required to be entered in the voter registration register. Such testimony
28 shall be transcribed and become a part of his or her records.

29 (2) If the name of any registered voter of any precinct does not
30 appear on the precinct list of registered voters through an error and the
31 election commissioner or county clerk informs the precinct inspector or

1 judge of election that credible evidence exists that substantiates that
2 an error has been made, the precinct inspector or judge of election shall
3 enter the correction in the precinct list of registered voters, initial
4 the correction or otherwise appropriately denote his or her identity
5 based on the medium of the list, and authorize the receiving board to
6 issue the proper ballots to the voter as directed by the election
7 commissioner or county clerk and receive his or her vote. The election
8 commissioner or county clerk shall designate whether the voter is
9 entitled to a regular ballot or a provisional ballot as provided in
10 section 32-915. The election commissioner or county clerk shall implement
11 the policy regarding designation of ballots uniformly throughout the
12 county. All corrections shall be entered on the voter registration
13 register as soon as possible after the election.

14 Sec. 12. Section 32-608, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-608 (1) Except as provided in subsection (4) or (5) of this
17 section, a filing fee shall be paid by or on behalf of each candidate
18 prior to filing for office. For candidates who file in the office of the
19 Secretary of State as provided in subdivision (1) of section 32-607, the
20 filing fee shall be paid to the Secretary of State who shall remit the
21 fee to the State Treasurer for credit to the Election Technology
22 ~~Administration~~ Fund. For candidates for any city or village office, the
23 filing fee shall be paid to the city or village treasurer of the city or
24 village in which the candidate resides. For candidates who file in the
25 office of the election commissioner or county clerk, the filing fee shall
26 be paid to the election commissioner or county clerk in the county in
27 which the office is sought. The election commissioner or county clerk
28 shall remit the fee to the county treasurer. The fee shall be placed in
29 the general fund of the county, city, or village. No candidate filing
30 forms shall be filed until the proper payment or the proper receipt
31 showing the payment of such filing fee is presented to the filing

1 officer. On the day of the filing deadline, the city or village
2 treasurer's office shall remain open to receive filing fees until the
3 hour of the filing deadline.

4 (2) Except as provided in subsection (4) or (5) of this section, the
5 filing fees shall be as follows:

6 (a) For the office of United States Senator, state officers,
7 including members of the Legislature, Representatives in Congress, county
8 officers, and city or village officers, except the mayor or council
9 members of cities having a home rule charter, a sum equal to one percent
10 of the annual salary as of November 30 of the year preceding the election
11 for the office for which he or she files as a candidate;

12 (b) For directors of public power and irrigation districts in
13 districts receiving annual gross revenue of forty million dollars or
14 more, twenty-five dollars, and in districts receiving annual gross
15 revenue of less than forty million dollars, ten dollars;

16 (c) For directors of reclamation districts, ten dollars; and

17 (d) For Regents of the University of Nebraska, members of the State
18 Board of Education, and directors of metropolitan utilities districts,
19 twenty-five dollars.

20 (3) All declared write-in candidates shall pay the filing fees that
21 are required for the office at the time that they present the write-in
22 affidavit to the filing officer. Any undeclared write-in candidate who is
23 nominated or elected by write-in votes shall pay the filing fee required
24 for the office within ten days after the canvass of votes by the county
25 canvassing board and shall file the receipt with the person issuing the
26 certificate of nomination or the certificate of election prior to the
27 certificate being issued.

28 (4) No filing fee shall be required for any candidate filing for an
29 office in which a per diem is paid rather than a salary or for which
30 there is a salary of less than five hundred dollars per year. No filing
31 fee shall be required for any candidate for membership on a school board,

1 on the board of an educational service unit, on the board of governors of
2 a community college area, on the board of directors of a natural
3 resources district, or on the board of trustees of a sanitary and
4 improvement district.

5 (5) No filing fee shall be required of any candidate completing an
6 affidavit requesting to file for elective office in forma pauperis. A
7 pauper shall mean a person whose income and other resources for
8 maintenance are found under assistance standards to be insufficient for
9 meeting the cost of his or her requirements and whose reserve of cash or
10 other available resources does not exceed the maximum available resources
11 that an eligible individual may own. Available resources shall include
12 every type of property or interest in property that an individual owns
13 and may convert into cash except:

14 (a) Real property used as a home;

15 (b) Household goods of a moderate value used in the home; and

16 (c) Assets to a maximum value of three thousand dollars used by a
17 recipient in a planned effort directed towards self-support.

18 (6) If any candidate dies prior to an election, the spouse of the
19 candidate may file a claim for refund of the filing fee with the proper
20 governing body prior to the date of the election. Upon approval of the
21 claim by the proper governing body, the filing fee shall be refunded.

22 Sec. 13. Section 32-805, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 32-805 The election commissioner or county clerk shall prepare the
25 necessary ballots for every election in which candidates for elective
26 office are certified to or filed with the election commissioner or county
27 clerk or whenever any question is to be submitted to a vote of the
28 registered voters of any locality and not to the state generally. The
29 ballots shall be printed in English and in any other language required
30 pursuant to the Voting Rights Act Language Assistance Amendments of 1992.
31 If a question is submitted to the registered voters of any city or

1 village alone, the city or village clerk shall provide the necessary
2 ballots. Sample ballots shall be prepared for each precinct and shall be
3 the same as the official ballots for the precinct. The official ballot
4 shall be headed with the words Official Ballot, and the sample ballot
5 shall be headed with the words Sample Ballot. All official and sample
6 ballots, or electronic versions for ballot-on-demand or other technology,
7 shall be in the possession of the election commissioner, county clerk, or
8 city or village clerk at least ten days before the election and subject
9 to inspection by the candidates or their agents. One set of sample
10 ballots shall be posted in the office of the election commissioner or
11 county clerk not later than ten days prior to the election. Two sample
12 ballots shall be posted at each polling place in each precinct on the
13 morning of election day by the judges and clerks of election at or near
14 the polling place. Additional sample ballots may be printed. No person,
15 other than an election commissioner, county clerk, or city or village
16 clerk or an individual authorized by such an official, shall print or
17 cause to be printed or distributed any ballot marked Official Ballot.

18 Sec. 14. Section 32-806, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 32-806 All official ballots printed ~~prepared~~ pursuant to the
21 Election Act shall be white in color, except that the election
22 commissioner, county clerk, or city or village clerk may designate a
23 distinctive color of ballot or ink for city, village, or school elections
24 or, when authorized by the Secretary of State, for elections of any other
25 political subdivision. If a distinctive color is designated, the color of
26 the ballot shall not be the same as the sample ballots as provided in
27 section 32-804. The style and size of type on official ballots shall be
28 as close as possible to the style used on the ballots furnished by the
29 Secretary of State.

30 Sec. 15. Section 32-807, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 32-807 The election commissioner, county clerk, or city or village
2 clerk shall print and deliver to each precinct or district in the county,
3 city, or village an approximate number of ballots, or ballot printing
4 material for ballot-on-demand or other technology, based upon what would
5 appear sufficient at the time the ballots are to be printed. Such totals
6 shall take into consideration increases in registration, early voting,
7 annexations, changes in boundaries, spoiled ballots, and any other factor
8 that may influence the total number of ballots needed. Additional ballots
9 shall be printed or ballot printing material provided to meet any
10 contingency in order to provide a sufficient number of ballots for each
11 precinct or district in the county, city, or village.

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

14 32-810 (1) The election commissioner or county clerk shall place the
15 names of all partisan candidates certified to him or her by the Secretary
16 of State and of those partisan candidates filing in his or her office on
17 a primary election ballot headed with the political party designation.
18 The names of each nonpartisan candidate certified by the Secretary of
19 State and of each nonpartisan candidate filing in the office of the
20 election commissioner or county clerk shall be placed on the primary
21 election ballot headed by the words Nonpartisan Ticket.

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

30 (3) The election commissioner or county clerk shall follow the order
31 of precincts or wards as set out in the official abstract book on file in

1 his or her office in preparing the official ballots. At the primary
2 election, on the first set of ballots for the first precinct or ward
3 shall be the names of candidates filing by date and hour as certified by
4 the Secretary of State and for local candidates the names of candidates
5 shall be listed in the order of filing by date and hour with the election
6 commissioner or county clerk. When there are more candidates than
7 vacancies for the same office, the names of all partisan and nonpartisan
8 candidates at a primary election shall be rotated precinct by precinct in
9 each office division in the order in which the precincts are set out in
10 the official abstract book. In making the changes of position, the
11 preparer ~~printer~~ shall take the line of type at the head of each office
12 division and place it at the bottom of that division, shoving up the
13 column so that the name that was second shall be first after the change.

14 Sec. 17. Section 32-814, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-814 (1) The election commissioner or county clerk shall place the
17 names of all nonpartisan candidates upon the same official general
18 election ballot as the partisan candidates. The names placed on the
19 official and sample general election ballots shall be the names of
20 candidates nominated in the primary election, the names of petition
21 candidates if any, the names of automatically nominated candidates as
22 provided in section 32-811, and the names of candidates filing as
23 provided in subsection (2) of section 32-606. The names of the candidates
24 shall be placed under the proper titles.

25 (2) The election commissioner or county clerk shall place on the
26 official general election ballot in each office division no more than
27 twice as many names as there are places to be filled at the general
28 election unless more than one candidate has successfully petitioned on
29 the ballot to fill a vacancy after the primary election. The names of the
30 nonpartisan candidates who received the highest number of votes for the
31 office for which they were candidates in the primary election shall be

1 placed on the official ballot. If more than one person was a candidate
2 for the same position in the primary election, the election commissioner
3 or county clerk shall place on the official ballot the names of the two
4 persons who received the highest number of votes in the primary election
5 for the position for which they were candidates.

6 (3) When the name of a person is written in and voted for as a
7 candidate for an office for which he or she did not file in the primary
8 election, such person shall not be entitled to a certificate of
9 nomination at the primary election and shall not have his or her name
10 placed on the general election ballot unless he or she (a) receives at
11 least five percent of the total vote cast for Governor or for President
12 of the United States at the immediately preceding general election in the
13 political subdivision from which nominees for such position are to be
14 chosen, (b) is one of the candidates receiving the number of votes
15 qualifying him or her for nomination, and (c) meets the requirements for
16 the office.

17 (4) If there are more candidates than vacancies for the same office,
18 the election commissioner or county clerk shall rotate the names of the
19 nonpartisan candidates on the official general election ballot. The
20 election commissioner or county clerk shall follow the order of precincts
21 or wards as set out in the official abstract book on file in his or her
22 office in preparing the official ballots. The first set of ballots for
23 the first precinct or ward shall be the names of candidates filing by
24 date and hour or of those candidates filing petitions, and for local
25 candidates the names of candidates shall be listed in the order of filing
26 by date and hour with the election commissioner or county clerk or of
27 those candidates filing petitions. Thereafter the names shall be rotated
28 precinct by precinct in each office division in the order in which the
29 precincts are set out in the official abstract book. In making the change
30 of position, the preparer ~~printer~~ shall take the line of type at the head
31 of each division and place it at the bottom of that division, shoving up

1 the column so that the name that was second shall be first after the
2 change.

3 Sec. 18. Section 32-815, Reissue Revised Statutes of Nebraska, is
4 amended to read:

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

25 (2) The name of the person receiving the highest number of votes at
26 a primary election as the candidate of a political party for an office
27 shall be placed on the official ballot except as otherwise provided in
28 the Election Act. Except as provided in section 32-811 for automatically
29 nominated candidates, no person shall be certified as a candidate of any
30 political party for such office by the Secretary of State, election
31 commissioner, or county clerk unless the person receives a number of

1 votes at least equal to five percent of the total ballots cast at the
2 primary election by registered voters affiliated with that political
3 party in the district which the office serves and meets the requirements
4 for the office.

5 Sec. 19. Section 32-816, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-816 (1) A blank space shall be provided at the end of each office
8 division on the ballot for registered voters to fill in the name of any
9 person for whom they wish to vote and whose name is not printed upon the
10 ballot, except that at the primary election there shall be no write-in
11 space for delegates to the county political party convention or delegates
12 to the national political party convention. A square or oval shall be
13 printed opposite each write-in space similar to the square or oval placed
14 opposite other candidates and issues on the ballot. The square or oval
15 shall be marked to vote for a write-in candidate whose name appears in
16 the write-in space provided.

17 (2) The Secretary of State shall approve write-in space for optical-
18 scan ballots and any other voting system authorized for use under the
19 Election Act ~~electronic voting systems~~. Adequate provision shall be made
20 for write-in votes sufficient to allow one write-in space for each office
21 to be elected at any election except offices for which write-in votes are
22 specifically prohibited. The write-in ballot shall clearly identify the
23 office for which such write-in vote is cast. The write-in space shall be
24 a part of the official ballot, may be on the envelope or a separate piece
25 of paper from the printed portion of the ballot, and shall allow the
26 voter adequate space to fill in the name of the candidate for whom he or
27 she desires to cast his or her ballot.

28 Sec. 20. Section 32-821, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 32-821 Before the opening of the polls the election commissioner,
31 county clerk, or city or village clerk shall cause to be delivered to the

1 judges of election at each polling place the proper ballot supplies
2 ~~number of ballots~~ as provided for in section 32-807. If ballots are
3 delivered ~~The ballots~~ for each precinct, they shall be enclosed in a
4 sealed packet marked with the proper designation of the precinct, and at
5 the opening of the polls, the package of ballots shall be publicly broken
6 by one of the judges of election. If for any cause the official ballots
7 prepared by the election commissioner, county clerk, or city or village
8 clerk are not ready for distribution at any polling place or if the
9 supply of ballots or ballot printing materials is exhausted before the
10 polls are closed, printed, copied, or written ballots which are as nearly
11 as possible in the form of official ballots may be used.

12 Sec. 21. Section 32-901, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 32-901 (1) To vote for a candidate or on a ballot question using a
15 paper ballot that is to be manually counted, the registered voter shall
16 make a cross or other clear, discernable mark in the square opposite the
17 name of every candidate, including write-in candidates, for whom he or
18 she desires to vote and, in the case of a ballot question, opposite the
19 answer he or she wishes to give. Making a cross or other clear,
20 discernable mark in the square constitutes a valid vote.

21 (2) To vote for a candidate or on a ballot question using a ballot
22 that is to be counted by optical scanner, the registered voter shall fill
23 in the oval or other space provided opposite the name of every candidate,
24 including write-in candidates, for whom he or she desires to vote and, in
25 the case of a ballot question, opposite the answer he or she wishes to
26 give. A mark in the oval or provided space that is discernable by the
27 scanner constitutes a valid vote.

28 (3) To vote for a candidate or on a ballot question using a an
29 electronic voting system with an electronic aspect authorized for use
30 under the Election Act, the registered voter shall follow the
31 instructions for using the ~~electronic~~ voting system to cause a mark to be

1 recorded opposite the candidate or ballot question response for which the
2 voter wishes to vote. Causing such mark to be recorded does not
3 constitute ~~constitutes~~ a valid vote. A paper ballot printed to reflect
4 the voter's choices constitutes a valid vote.

5 Sec. 22. Section 32-903, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-903 (1) The election commissioner or county clerk shall create
8 precincts composed of compact and contiguous territory within the
9 boundary lines of legislative districts. The precincts shall contain not
10 less than seventy-five nor more than one thousand seven hundred fifty
11 registered voters based on the number of voters voting at the last
12 statewide general election, except that a precinct may contain less than
13 seventy-five registered voters if in the judgment of the election
14 commissioner or county clerk it is necessary to avoid creating an undue
15 hardship on the registered voters in the precinct. The election
16 commissioner or county clerk shall create precincts based on the number
17 of votes cast at the immediately preceding presidential election or the
18 current list of registered voters for the precinct. The election
19 commissioner or county clerk shall revise and rearrange the precincts and
20 increase or decrease them at such times as may be necessary to make the
21 precincts contain as nearly as practicable not less than seventy-five nor
22 more than one thousand seven hundred fifty registered voters voting at
23 the last statewide general election. The election commissioner or county
24 clerk shall, when necessary and possible, readjust precinct boundaries to
25 coincide with the boundaries of cities, villages, and school districts
26 which are divided into districts or wards for election purposes. The
27 election commissioner or county clerk shall not make any precinct changes
28 in precinct boundaries or divide precincts into two or more parts between
29 the statewide primary and general elections unless he or she has been
30 authorized to do so by the Secretary of State. If changes are authorized,
31 the election commissioner or county clerk shall notify each state and

1 local candidate affected by the change.

2 (2) The election commissioner or county clerk may alter and divide
3 the existing precincts, except that when any city of the first class by
4 ordinance divides any ward of such city into two or more voting districts
5 or polling places, the election commissioner or county clerk shall
6 establish precincts or polling places in conformity with such ordinance.
7 No such alteration or division shall take place between the statewide
8 primary and general elections except as provided in subsection (1) of
9 this section.

10 ~~(3) All precincts and polling places may be consolidated for the use~~
11 ~~of electronic voting systems into fewer and larger precincts as deemed~~
12 ~~necessary and advisable by the election commissioner or county clerk.~~
13 ~~Such precincts, consolidated for electronic voting systems only, may have~~
14 ~~as many registered voters therein as deemed advisable in the interest of~~
15 ~~economy and efficiency. At least one electronic voting device shall be~~
16 ~~provided for every five hundred registered voters voting in the~~
17 ~~consolidated precinct or polling place at the immediately preceding~~
18 ~~general election.~~

19 Sec. 23. Section 32-910, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 32-910 Any judge or clerk of election, precinct or district
22 inspector, sheriff, or other peace officer shall clear the passageways
23 and prevent obstruction of the doors or entries and provide free ingress
24 to and egress from the polling place or building and shall arrest any
25 person obstructing such passageways. Other than a registered voter
26 engaged in receiving, preparing, or marking a ballot or depositing a
27 ballot in a ballot box or a precinct-based optical scanner at the polling
28 place, an election commissioner, a county clerk, a precinct inspector, a
29 district inspector, a judge of election, a clerk of election, or a member
30 of a counting board, no person shall be permitted to be within eight feet
31 of the ballot boxes or within eight feet of any ballots being counted by

1 a counting board.

2 Sec. 24. Section 32-914, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-914 (1) Official ballots shall be used at all elections. No
5 person shall receive a ballot or be entitled to vote unless and until he
6 or she is registered as a voter except as provided in section 32-914.01,
7 32-914.02, 32-915, 32-915.01, or 32-936.

8 (2) Except as otherwise specifically provided, no ballot shall be
9 handed to any voter at any election until:

10 (a) He or she announces his or her name and address to the clerk of
11 election;

12 (b) The clerk has found that he or she is a registered voter at the
13 address as shown by the precinct list of registered voters unless
14 otherwise entitled to vote in the precinct under section 32-328,
15 32-914.01, 32-914.02, 32-915, or 32-915.01;

16 (c) The voter has presented a photographic identification which is
17 current and valid at the time of the election, or a copy of a utility
18 bill, bank statement, paycheck, government check, or other government
19 document which is current at the time of the election and which shows the
20 same name and residence address of the voter that is on the precinct list
21 of registered voters, if the voter registered by mail after January 1,
22 2003, and has not previously voted in an election for a federal office
23 within the county and a notation appears on the precinct list of
24 registered voters that the voter has not previously presented
25 identification to the election commissioner or county clerk;

26 (d) As instructed by the clerk of election, the registered voter has
27 personally placed his or her signature ~~written his or her name~~ (i) in the
28 precinct sign-in register on the appropriate line which follows the last
29 signature of any previous voter, ~~or~~ (ii) in the combined document
30 containing the precinct list of registered voters and the sign-in
31 register, or (iii) in an electronic poll book; and

1 (e) If necessary to preserve the voting order, the ~~The~~ clerk has
2 listed on the precinct list of registered voters the corresponding line
3 number and name of the registered voter or has listed the name of the
4 voter in a separate book as provided in section 32-913.

5 Sec. 25. Section 32-916, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 32-916 (1) Two judges of election or a precinct inspector and a
8 judge of election shall affix their initials to the official ballots. The
9 judge of election shall deliver a ballot to each registered voter after
10 complying with section 32-914.

11 (2) After voting the ballot, the registered voter shall, as directed
12 by the judge of election, fold his or her ballot or place the ballot in
13 the ballot envelope or sleeve so as to conceal the voting marks and to
14 expose the initials affixed on the ballot. The registered voter shall,
15 without delay and without exposing the voting marks upon the ballot,
16 deliver the ballot to the judge of election before leaving the enclosure
17 in which the voting booths are placed.

18 (3) The judge of election shall, without exposing the voting marks
19 on the ballot, approve the exposed initials upon the ballot and deposit
20 the ballot in the ballot box or the precinct-based optical scanner in the
21 presence of the registered voter. No judge of election shall deposit any
22 ballot in a ballot box unless the ballot has been identified as having
23 the appropriate initials. Any ballot not properly identified shall be
24 rejected in the presence of the voter, the judge of election shall make a
25 notation on the ballot Rejected, not properly identified, and another
26 ballot shall be issued to the voter and the voter shall then be permitted
27 to cast his or her ballot. If the ballot is in order, the judge shall
28 deposit the ballot in the ballot box or the precinct-based optical
29 scanner in the presence of the voter and the voter shall promptly leave
30 the polling place. If a precinct uses a precinct-based optical scanner
31 and a ballot is identified by the scanner as containing an overvote or an

1 undervote, the voter shall be notified of the consequence of an overvote
2 and the right to vote in the case of an undervote, whichever is
3 applicable. The judges of election shall maintain the secrecy of the
4 rejected ballots and shall cause the rejected ballots to be made up in a
5 sealed packet. The judges of election shall endorse the packet with the
6 words Rejected Ballots and the designation of the precinct. The judges of
7 election shall sign the endorsement label and shall return the packet to
8 the election commissioner or county clerk with a statement by the judges
9 of election showing the number of ballots rejected.

10 (4) Upon receiving a provisional ballot as provided in section
11 32-915, the judge of election shall give the voter written information
12 that states that the voter may determine if his or her vote was counted
13 and, if not, the reason that the vote was not counted by accessing the
14 system created pursuant to section 32-202 and the judge of election shall
15 ensure that the appropriate information is on the outside of the envelope
16 in which the ballot is enclosed or attached to the envelope, attach the
17 statement required by section 32-915 if not contained on the envelope,
18 and place the entire envelope into the ballot box. Upon receiving a
19 provisional ballot as provided in section 32-915.01, the judge of
20 election shall comply with the requirements for a provisional ballot
21 under this subsection, except that a provisional ballot cast pursuant to
22 section 32-915.01 shall be kept separate from the other ballots cast at
23 the election.

24 Sec. 26. Section 32-1001, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 32-1001 After the polls have closed, the precinct list of registered
27 voters and the precinct sign-in register shall be signed by all members
28 of the receiving board, the names of the registered voters shall be
29 counted, and the number shall be recorded where designated on the list
30 and the register unless technology automatically records this
31 information. If a line is missed or a name is voided, the receiving board

1 shall subtract such omissions or voids from the total before recording
2 the total on the list and the register. The receiving board shall certify
3 to all matters pertaining to casting of ballots and shall turn over the
4 ballots, ballot boxes, list of registered voters, and sign-in register to
5 the election commissioner or county clerk.

6 Sec. 27. Section 32-1010, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 32-1010 Ballots shall be counted ~~or compiled~~ at a centralized
9 location or at polling places as provided in sections 32-1012 to 32-1018.
10 If counting takes place at a centralized location, ~~The~~ receiving
11 board shall deliver the ballot box and other election materials to the
12 centralized location as directed by the election commissioner or county
13 clerk.

14 Sec. 28. Section 32-1012, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-1012 (1) In counties using ~~electronic voting systems~~ or optical
17 scanners to count the ballots at a centralized location, the election
18 commissioner or county clerk may arrange to have partial returns
19 delivered, properly locked or sealed, to the centralized location or
20 locations at any time desired after the opening of the polls if at least
21 twenty-five ballots have been cast since any prior delivery of ballots.
22 The election commissioner or county clerk shall designate the location or
23 locations for counting the ballots and may designate a location or
24 locations in any county. Upon completion of the count, the ballots shall
25 be conveyed under supervision of the election commissioner or county
26 clerk to the office of such official. If for any reason it becomes
27 impracticable to count all or a part of the ballots with optical
28 scanners, the election commissioner or county clerk may direct that the
29 ballots be counted manually following as closely as possible the
30 provisions governing the manual counting of ballots.

31 (2) In counties using optical scanners to count the ballots at

1 polling places, the election commissioner or county clerk may arrange to
2 have partial returns delivered, properly locked, sealed, or digitally
3 secured, to the election office at any time desired after the opening of
4 the polls if at least twenty-five ballots have been cast since any prior
5 delivery of partial returns. The election commissioner or county clerk
6 shall designate polling places as locations for counting the ballots.
7 Upon completion of the count, the ballots shall be conveyed under
8 supervision of the election commissioner or county clerk to the office of
9 such official. If for any reason it becomes impracticable to count all or
10 a part of the ballots with optical scanners, the election commissioner or
11 county clerk may direct that the ballots be counted manually following as
12 closely as possible the provisions governing the manual counting of
13 ballots.

14 Sec. 29. Section 32-1013, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 32-1013 (1) In each counting centralized location, watchers may be
17 appointed to be present and observe the counting of ballots. Each
18 political party shall be entitled to one watcher at each location
19 appointed and supplied with credentials by the county central committee
20 of such political party. The district court having jurisdiction over any
21 such county may appoint additional watchers for any location.

22 (2) The watchers and the members of the counting board shall take
23 the following oath administered by the election commissioner or county
24 clerk or an election official designated by the election commissioner or
25 county clerk: I do solemnly swear that I will not in any manner make
26 known to anyone other than duly authorized election officials the results
27 of the votes as they are being counted until the polls have officially
28 closed and the summary of votes cast is delivered to the election
29 commissioner or county clerk.

30 (3) Except for polling places using precinct-based optical scanners,
31 all ~~All~~ other persons shall be excluded from the place where the counting

1 is being conducted except for observers authorized by the election
2 commissioner or county clerk. No such observer shall be connected with
3 any candidate, political party, or measure on the ballot.

4 Sec. 30. Section 32-1032, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 32-1032 Upon the completion of the canvass by the county canvassing
7 board, all books shall again be sealed, and the election commissioner or
8 county clerk shall keep all election materials, including the ballots-
9 cast containers from each precinct, the sealed envelopes containing or
10 electronic storage of the precinct list of registered voters, the
11 precinct sign-in register, the official summary or summaries of votes
12 cast, and the container for early voting materials, for not less than
13 twenty-two months when statewide primary, general, or special elections
14 involve federal offices, candidates, and issues and not less than fifty
15 days for local elections not held in conjunction with a statewide
16 primary, general, or special election. The election commissioner or
17 county clerk shall keep on file one copy of each ballot face used in each
18 precinct of the official partisan, nonpartisan, constitutional amendment,
19 and initiative and referendum ballots, as used for voting, and all
20 election notices used at each primary and general election for twenty-two
21 months. The precinct sign-in register, the record of early voters, and
22 the official summary of votes cast shall be subject to the inspection of
23 any person who may wish to examine the same after the primary, general,
24 or special election. The election commissioner or county clerk shall not
25 allow any other election materials to be inspected, including ballots and
26 provisional ballot envelopes, except when an election is contested or the
27 materials become necessary to be used in evidence in the courts. The
28 election commissioner or county clerk shall direct the destruction of
29 such materials after such time, except that the election commissioner or
30 county clerk may retain materials for the purposes of establishing voter
31 histories.

1 Sec. 31. Section 32-1041, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 32-1041 (1) The election commissioner or county clerk may use
4 optical-scan ballots or voting systems approved by the Secretary of State
5 to allow registered voters to cast their votes at any election. The
6 election commissioner or county clerk may use vote counting devices and
7 voting systems approved by the Secretary of State for tabulating the
8 votes cast at any election. Vote counting devices shall include
9 electronic counting devices such as optical scanners.

10 (2) No electronic voting system shall be used under the Election
11 Act.

12 (3) Any new voting or counting system shall be approved by the
13 Secretary of State prior to use by an election commissioner or county
14 clerk.

15 (4) The Notwithstanding any other provision of the Election Act, the
16 Secretary of State may adopt and promulgate rules and regulations to
17 establish different procedures and locations for voting and counting
18 votes pursuant to the use of any new voting or counting system. The
19 procedures shall be designed to preserve the safety and confidentiality
20 of each vote cast and the secrecy and security of the counting process,
21 to establish security provisions for the prevention of fraud, and to
22 ensure that the election is conducted in a fair manner. The procedures
23 may include electronic poll books, ballot-on-demand technology, and
24 precinct-based optical scanners.

25 Sec. 32. Section 32-1521, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 32-1521 Any person who prints or causes to be printed or distributed
28 any ballot marked Official Ballot, other than an election commissioner,
29 county clerk, or city or village clerk or an individual authorized by
30 such an official, shall be guilty of a Class III misdemeanor.

31 Sec. 33. Section 32-1522, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 32-1522 (1) A judge or clerk of election, a printer, or any other
3 person entrusted with the custody or delivery of ballots, blanks, ballot
4 printing materials, list of voters book and official summary of votes
5 cast, card of instructions, or other required papers or electronically
6 stored election information who knowingly and willfully (a) unlawfully
7 opens or permits to be opened any sealed packages containing ballots or
8 allows access to electronically stored election information, (b) gives or
9 delivers to any person not lawfully entitled thereto an official ballot,
10 or (c) unlawfully misplaces or carries away, negligently loses, permits
11 to be taken away from him or her, fails to deliver, alters, or destroys
12 any such package of ballots or any ballot, blank, list of voters book and
13 official summary of votes cast, card of instructions, or other required
14 paper or electronically stored election information shall be guilty of a
15 Class III felony.

16 (2) Any printer employed to print the official ballots or any person
17 engaged in printing the same who knowingly and willfully (a) prints or
18 causes or permits to be printed any official ballots printed otherwise
19 than the copy for the same furnished by the election commissioner or
20 county clerk, (b) prints any false or fraudulent ballots, (c)
21 appropriates any of such ballots to himself or herself or gives,
22 delivers, or knowingly permits any of such ballots to be taken by any
23 person other than the election commissioner or county clerk, or (d) seals
24 up or causes or permits to be sealed up or delivers to the election
25 commissioner or county clerk a less number of ballots than the number
26 endorsed thereon shall be guilty of a Class I misdemeanor.

27 (3) Any person who knowingly has in his or her possession any
28 official ballot illegally obtained or attempts to vote any ballot other
29 than the official ballot lawfully obtained shall be guilty of a Class I
30 misdemeanor.

31 Sec. 34. Section 45-621, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 45-621 ~~(1)~~All fees collected under the Collection Agency Act shall
3 be remitted to the State Treasurer for credit to a special fund to be
4 known as the Nebraska Collection Agency Fund. The board may use the fund
5 as may be necessary for the proper administration and enforcement of the
6 act. The fund shall be paid out only on proper vouchers approved by the
7 board and upon warrants issued by the Director of Administrative Services
8 and countersigned by the State Treasurer as provided by law. All fees and
9 expenses of the Attorney General in representing the board pursuant to
10 the act shall be paid out of such fund. Transfers from the fund to the
11 Election Technology Administration Fund or the General Fund may be made
12 at the direction of the Legislature. Any money in the Nebraska Collection
13 Agency Fund available for investment shall be invested by the state
14 investment officer pursuant to the Nebraska Capital Expansion Act and the
15 Nebraska State Funds Investment Act.

16 ~~(2) On or before July 5, 2013, the State Treasurer shall transfer~~
17 ~~one hundred thousand dollars from the Nebraska Collection Agency Fund to~~
18 ~~the Election Administration Fund.~~

19 Sec. 35. Section 49-14,140, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 49-14,140 The Nebraska Accountability and Disclosure Commission Cash
22 Fund is hereby created. The fund shall consist of funds received by the
23 commission pursuant to sections 49-1449.01, 49-1470, 49-1480.01, 49-1482,
24 49-14,123, and 49-14,123.01 and subdivision (4) of section 49-14,126. The
25 fund shall be used by the commission in administering the Nebraska
26 Political Accountability and Disclosure Act. Any money in the Nebraska
27 Accountability and Disclosure Commission Cash Fund available for
28 investment shall be invested by the state investment officer pursuant to
29 the Nebraska Capital Expansion Act and the Nebraska State Funds
30 Investment Act.

31 On April 25, 2013, the State Treasurer shall transfer \$630,870 from

1 the Campaign Finance Limitation Cash Fund to the Nebraska Accountability
2 and Disclosure Commission Cash Fund to be used for development,
3 implementation, and maintenance of an electronic filing system for
4 campaign statements and other reports under the Nebraska Political
5 Accountability and Disclosure Act and for making such statements and
6 reports available to the public on the web site of the commission.—The
7 ~~State Treasurer shall transfer the balance of the Campaign Finance~~
8 ~~Limitation Cash Fund to the Election Administration Fund on or before~~
9 ~~July 5, 2013, or as soon thereafter as administratively possible.~~

10 Sec. 36. Section 84-510, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 84-510 (1) The Corporation Cash Fund is created. Transfers from the
13 fund to the Election Technology ~~Administration~~ Fund, the Records
14 Management Micrographics Services Revolving Fund, the Secretary of State
15 Administration Cash Fund, or the General Fund may be made at the
16 direction of the Legislature. Any money in the Corporation Cash Fund
17 available for investment shall be invested by the state investment
18 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 (2) On or before July 5, 2013, the State Treasurer shall transfer
21 one hundred seventy thousand four hundred dollars from the Corporation
22 Cash Fund to the Secretary of State Administration Cash Fund.

23 (3) On or before July 5, 2014, the State Treasurer shall transfer
24 sixty-five thousand eight hundred dollars from the Corporation Cash Fund
25 to the Secretary of State Administration Cash Fund.

26 (4) On or before July 5, 2013, the State Treasurer shall transfer
27 thirty-nine thousand four hundred dollars from the Corporation Cash Fund
28 to the Records Management Micrographics Services Revolving Fund.

29 (5) On or before July 5, 2014, the State Treasurer shall transfer
30 twenty-one thousand nine hundred dollars from the Corporation Cash Fund
31 to the Records Management Micrographics Services Revolving Fund.

1 Sec. 37. Original sections 32-118, 32-204, 32-221, 32-223, 32-230,
2 32-231, 32-232, 32-236, 32-301, 32-320, 32-328, 32-608, 32-805, 32-806,
3 32-807, 32-810, 32-814, 32-815, 32-816, 32-821, 32-901, 32-903, 32-910,
4 32-914, 32-916, 32-1001, 32-1010, 32-1012, 32-1013, 32-1032, 32-1041,
5 32-1521, 32-1522, and 84-510, Reissue Revised Statutes of Nebraska, and
6 sections 45-621 and 49-14,140, Revised Statutes Cumulative Supplement,
7 2016, are repealed.