

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1067

FINAL READING

Introduced by Aguilar, 35.

Read first time January 22, 2008

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-1203
2 and 70-610, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to allocating election costs
4 to political subdivisions; and to repeal the original
5 sections.

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

1 Section 1. Section 32-1203, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-1203 (1) Each city, village, school district, public
4 power district, sanitary and improvement district, metropolitan
5 utilities district, fire district, natural resources district,
6 community college area, educational service unit, hospital
7 district, reclamation district, and library board shall pay for
8 the costs of nominating and electing its officers as provided in
9 subsection (2), (3), or (4) of this section. If a special issue
10 is placed on the ballot at the time of the statewide primary
11 or general election by any political subdivision, the political
12 subdivision shall pay for the costs of the election as provided
13 in subsection (2), (3), or (4) of this section. The districts
14 listed in this subsection shall furnish to the Secretary of State
15 and election commissioner or county clerk any maps and additional
16 information which the election commissioner or county clerk may
17 require in the proper performance of their duties in the conduct of
18 elections and certification of results.

19 (2) The charge for each primary and general election
20 shall be determined by (a) ascertaining the total cost of all
21 chargeable costs as described in section 32-1202, (b) dividing
22 the total cost by the number of precincts participating in the
23 election to fix the cost per precinct, (c) prorating the cost
24 per precinct by the inked ballot inch in each precinct for each
25 political subdivision, and (d) totaling the cost for each precinct

1 for each political subdivision, except that the minimum charge for
2 each primary and general election for each political subdivision
3 shall be fifty dollars.

4 (3) In lieu of the charge determined pursuant to
5 subsection (2) of this section, the election commissioner or
6 county clerk may charge public power districts the fee for election
7 costs set by section 70-610.

8 (4) In lieu of the charge determined pursuant to
9 subsection (2) of this section, the election commissioner or
10 county clerk may bill school districts directly for the costs of an
11 election held under section 10-703.01.

12 Sec. 2. Section 70-610, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 70-610 (1) After the selection of the original board of
15 directors of a district as provided for in sections 70-604 and
16 70-609, successors shall be nominated and elected as provided in
17 section 32-512. Elections shall be conducted as provided in the
18 Election Act.

19 (2) A candidate for director shall be a registered voter
20 residing within the chartered territory or subdivision as defined
21 in the charter of the district or a retail customer duly certified
22 in accordance with subsection (3) of section 70-604.03.

23 (3) Each public power district shall pay for the election
24 expenses of nominating and electing its directors as provided in
25 this section. Except as otherwise provided in this section, the

1 district shall pay to each county in which the name of one or more
2 candidates appears upon the ballot as follows: Counties having a
3 population of less than three thousand inhabitants, ~~seventy-five~~
4 one hundred dollars; counties having a population of at least three
5 thousand but less than nine thousand inhabitants, one hundred fifty
6 dollars; counties having a population of at least nine thousand
7 but less than fourteen thousand inhabitants, two hundred dollars;
8 counties having a population of at least fourteen thousand but
9 less than twenty thousand inhabitants, two hundred fifty dollars;
10 counties having a population of at least twenty thousand but less
11 than sixty thousand inhabitants, three hundred dollars; counties
12 having a population of at least sixty thousand but less than one
13 hundred thousand inhabitants, fifteen hundred dollars; counties
14 having a population of at least one hundred thousand but less
15 than two hundred thousand inhabitants, three thousand dollars; and
16 counties having a population of two hundred thousand inhabitants or
17 more, fifty-five hundred dollars. The population of a county for
18 purposes of this section shall be the population as determined by
19 the most recent federal decennial census.

20 When the name of one or more candidates of a district
21 appears on ballots in less than one-half of the precincts in a
22 county, the cost to the district shall be reduced fifty percent.
23 ~~When the name of one or more candidates of a district appears on~~
24 ~~ballots in less than one-tenth of the precincts in a county, there~~
25 ~~shall be no cost to the district.~~ Election expenses shall be due

1 and payable by each public power district within thirty days after
2 receipt of a statement from the county.

3 (4) In lieu of the payment of election expenses pursuant
4 to subsection (3) of this section, a district shall pay for the
5 election expenses of nominating and electing its board of directors
6 pursuant to subsection (2) of section 32-1203 upon request of a
7 county. The election expenses shall be due and payable by the
8 district within thirty days after receipt from the county of an
9 itemized statement of election expenses owed by the district.
10 This subsection shall not be construed to authorize reimbursement
11 for expenses not directly attributable to nominating and electing
12 members of the board of directors.

13 Sec. 3. Original sections 32-1203 and 70-610, Reissue
14 Revised Statutes of Nebraska, are repealed.