

AMENDMENTS TO LB 449

Introduced by Government, Military and Veterans Affairs

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

3 Section 1. Section 32-208, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-208 The election commissioner in counties having a
6 population of more than one hundred thousand inhabitants shall be a
7 registered voter, a resident of such county for at least one year,
8 and of good moral character and integrity and capacity. No person
9 who is a candidate for any elective office or is a deputy, clerk,
10 or employee of any person who is a candidate for any elective
11 office shall be eligible for the office of election commissioner.
12 The election commissioner shall not hold any other elective office
13 and shall not be eligible to any elective office or to become a
14 candidate for an elective office during his or her term of office
15 or within six months after leaving office. An election commissioner
16 may be appointed to an elective office during his or her term of
17 office as election commissioner, and acceptance of such appointment
18 shall be deemed to be his or her resignation from the office of
19 election commissioner.

20 Sec. 2. Section 32-305, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 32-305 (1) Any registered voter may apply to the election
23 commissioner or county clerk to be appointed as a deputy registrar

1 for the purpose of registering voters. The application form shall
2 be prescribed by the election commissioner, county clerk, or
3 Secretary of State. The election commissioner or county clerk shall
4 make training available for deputy registrars in the county he
5 or she serves. The deputy registrar shall notify the election
6 commissioner or county clerk of the location and time of proposed
7 voter registration and the names and party affiliations of the
8 deputy registrars, ~~at least seventy-two hours prior to required~~
9 ~~publication deadlines.~~ The election commissioner or county clerk,
10 at his or her discretion, may approve or disapprove the deputy
11 registrar's plans for voter registration and shall notify the
12 deputy registrar of such decision.

13 (2) Any person appointed as a deputy registrar shall
14 attend a training session conducted by an election commissioner
15 or county clerk. A person who attends and successfully completes
16 a training session after January 1, 1995, shall be qualified as
17 a deputy registrar for any county in the state and shall receive
18 a certificate verifying successful completion of the training and
19 indicating his or her qualification as a deputy registrar to
20 conduct registration in any county in the state.

21 (3) Before entering upon his or her duties, the deputy
22 registrar shall take and subscribe to the following oath:

23 You do solemnly swear that you will support the
24 Constitution of the United States and the Constitution of Nebraska
25 and will faithfully and impartially perform the duties of the
26 office of deputy registrar according to law and to the best of your
27 ability.

1 (4) ~~Deputy registrars trained after January 1, 1995,~~
2 ~~shall not be required to attend another training session In order~~
3 ~~to remain qualified to conduct voter registration as a deputy~~
4 ~~registrar in any county in this state, a deputy registrar shall~~
5 ~~complete a training session at least once every three years unless~~
6 the Secretary of State determines that substantial changes have
7 occurred in the voter registration process requiring additional
8 training. The training session may vary in length but shall not
9 exceed four hours. The Secretary of State shall inspect and review
10 all training programs, procedures, and practices to assure that
11 they relate to the position of a deputy registrar and his or her
12 duties.

13 (5) Any deputy registrar who violates any registration
14 procedure, rule, regulation, or guideline may have his or her
15 status as a deputy registrar revoked by the election commissioner,
16 county clerk, or Secretary of State.

17 Sec. 3. Section 32-312, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-312 The registration application prescribed by the
20 Secretary of State pursuant to section 32-311.01 shall provide
21 the instructional statements and request the information from the
22 applicant as provided in this section.

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

26 AGE—"Are you at least eighteen years of age or will you
27 be eighteen years of age on or before the first Tuesday following

1 the first Monday of November of this year?" with boxes to check to
2 indicate whether or not the applicant will be eighteen years of age
3 or older on election day.

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

6 NAME—the name of the applicant giving the first and last
7 name in full, the middle name in full or the middle initial, and
8 the maiden name of the applicant, if applicable.

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

20 POSTAL ADDRESS—the address at which the applicant
21 receives mail if different from the residence address.

22 ADDRESS OF LAST REGISTRATION—the name and number of the
23 street, avenue, or other location of the dwelling from which the
24 applicant last registered.

25 TELEPHONE NUMBERS—the telephone number of the applicant
26 at work and at home. At the request of the applicant, a designation
27 shall be made that the telephone number is an unlisted number,

1 and such designation shall preclude the listing of the applicant's
2 telephone number on any list of voter registrations.

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

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

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

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

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

26 REGISTRATION TAKEN BY—show the signature of the
27 authorized official or staff member accepting the application

1 pursuant to section 32-309 or 32-310 or at least one of the deputy
2 registrars taking the application pursuant to section 32-306, if
3 applicable.

4 PARTY AFFILIATION—show the party affiliation of the
5 applicant as Democrat, Republican, or Other or show
6 no party affiliation as Nonpartisan. (Note: If you wish to vote in
7 both partisan and nonpartisan primary elections for state and local
8 offices, you must indicate a political party affiliation on the
9 registration application. If you register without a political party
10 affiliation (nonpartisan), you will receive only the nonpartisan
11 ballots for state and local offices at primary elections. If you
12 register without a political party affiliation, you may vote in
13 partisan primary elections for congressional offices.)

14 OTHER—information the Secretary of State determines will
15 assist in the proper and accurate registration of the voter.

16 Immediately following the spaces for inserting
17 information as provided in this section, the following statement
18 shall be printed:

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

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

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

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

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

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

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

9 Sec. 4. Section 32-606, Revised Statutes Cumulative
10 Supplement, 2010, is amended to read:

11 32-606 (1) Any candidate may place his or her name on
12 the primary election ballot by filing a candidate filing form
13 prescribed by the Secretary of State as provided in section 32-607.
14 If a candidate for an elective office is an incumbent, the ~~deadline~~
15 filing period for filing the candidate filing form shall be between
16 December 1 and February 15 prior to the date of the primary
17 election. No incumbent who resigns from elective office prior to
18 the expiration of his or her term shall file for any office after
19 February 15 of that election year. All other candidates shall file
20 for office ~~by~~ between December 1 and March 1 prior to the date of
21 the primary election. A candidate filing form may be transmitted
22 by facsimile for the offices listed in subdivision (1) of section
23 32-607 if (a) the transmission is received in the office of the
24 filing officer by the filing deadline and (b) the original filing
25 form is mailed to the filing officer with a legible postmark
26 bearing a date on or prior to the filing deadline and is in the
27 office of the filing officer no later than seven days after the

1 filing deadline.

2 (2) Any candidate for a township office in a county
3 under township organization, the board of trustees of a village,
4 the board of directors of a reclamation district, the county weed
5 district board, the board of directors of a public power district
6 receiving annual gross revenue of less than forty million dollars,
7 the school board of a Class II school district, or the board of an
8 educational service unit may place his or her name on the general
9 election ballot by filing a candidate filing form prescribed by the
10 Secretary of State as provided in section 32-607. If a candidate
11 for an elective office is an incumbent, the ~~deadline~~ filing period
12 for filing the candidate filing form shall be between December
13 1 and July 15 prior to the date of the general election. No
14 incumbent who resigns from elective office prior to the expiration
15 of his or her term shall file for any office after July 15 of
16 that election year. All other candidates shall file for office ~~by~~
17 between December 1 and August 1 prior to the date of the general
18 election. A candidate filing form may be transmitted by facsimile
19 for the offices listed in subdivision (1) of section 32-607 if (a)
20 the transmission is received in the office of the filing officer
21 by the filing deadline and (b) the original filing form is mailed
22 to the filing officer with a legible postmark bearing a date on or
23 prior to the filing deadline and is in the office of the filing
24 officer no later than seven days after the filing deadline.

25 (3) Any city having a home rule charter may provide for
26 filing deadlines for any person desiring to be a candidate for the
27 office of council member or mayor.

1 Sec. 5. Section 32-615, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-615 Any candidate engaged in or pursuing a write-in
4 campaign shall file a notarized affidavit of his or her intent
5 together with the receipt for any filing fee with the filing
6 officer as provided in section 32-608 no earlier than December 1
7 and no later than ten days prior to the election. A candidate
8 who has been defeated as a candidate in the primary election or
9 defeated as a write-in candidate in the primary election shall not
10 be eligible as a write-in candidate for the same office in the
11 general election unless a vacancy on the ballot exists pursuant to
12 section 32-625. A candidate who files a notarized affidavit shall
13 be entitled to all write-in votes for the candidate even if only
14 the last name of the candidate has been written if such last name
15 is reasonably close to the proper spelling.

16 Sec. 6. Section 32-811, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 32-811 (1) If the names of candidates properly filed
19 for nomination at the primary election for directors of natural
20 resources districts, directors of public power districts, directors
21 of reclamation districts, members of the boards of governors of
22 community college areas, members of the boards of Class III or
23 Class V school districts which nominate candidates at a primary
24 election, and officers of cities of the first or second class
25 and cities having a city manager plan of government do not
26 exceed two candidates for each position to be filled, any such
27 candidates shall be declared nominated and their names shall not

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

7 (2) Candidates shall not appear on the ballot in the
8 primary election for the board of directors in public power
9 districts receiving annual gross revenue of less than forty million
10 dollars, for county weed district boards, and for the board of
11 trustees in villages.

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

17 Sec. 7. Section 32-903, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 32-903 (1) The election commissioner or county clerk
20 shall create precincts composed of compact and contiguous territory
21 within the boundary lines of legislative districts. The precincts
22 shall contain not less than seventy-five nor more than one thousand
23 seven hundred fifty registered voters based on the number of
24 voters voting at the last statewide general election, except that
25 a precinct may contain less than seventy-five registered voters if
26 in the judgment of the election commissioner or county clerk it
27 is necessary to avoid creating an undue hardship on the registered

1 voters in the precinct. The election commissioner or county clerk
2 shall create precincts based on the number of votes cast at the
3 immediately preceding presidential election or the current list
4 of registered voters for the precinct. The election commissioner
5 or county clerk shall revise and rearrange the precincts and
6 increase or decrease them at such times as may be necessary to
7 make the precincts contain as nearly as practicable not less
8 than seventy-five nor more than one thousand seven hundred fifty
9 registered voters voting at the last statewide general election.
10 The election commissioner or county clerk shall, when necessary
11 and possible, readjust precinct boundaries to coincide with the
12 boundaries of cities, villages, and school districts which are
13 divided into districts or wards for election purposes. The election
14 commissioner or county clerk shall not make any precinct changes
15 in precinct boundaries or divide precincts into two or more parts
16 between the statewide primary and general elections unless he or
17 she has been authorized to do so by the Secretary of State. If
18 changes are authorized, the election commissioner or county clerk
19 shall notify each state and local candidate affected by the change.

20 (2) The election commissioner or county clerk may alter
21 and divide the existing precincts, except that when any city of
22 the first class by ordinance divides any ward of such city into
23 two or more voting districts or polling places, the election
24 commissioner or county clerk shall establish precincts or polling
25 places in conformity with such ordinance. No such alteration or
26 division shall take place between the statewide primary and general
27 elections except as provided in subsection (1) of this section.

1 (3) All precincts and polling places may be consolidated
2 for the use of electronic voting systems into fewer and larger
3 precincts as deemed necessary and advisable by the election
4 commissioner or county clerk. Such precincts, consolidated for
5 electronic voting systems only, may have as many registered
6 voters therein as deemed advisable in the interest of economy
7 and efficiency. At least one electronic voting device shall be
8 provided for every five hundred registered voters voting in the
9 consolidated precinct or polling place at the immediately preceding
10 general election.

11 Sec. 8. Section 32-947, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 32-947 (1) Upon receipt of an application or other
14 request for a ballot to vote early, the election commissioner or
15 county clerk shall determine whether the applicant is a registered
16 voter and is entitled to vote as requested. If the election
17 commissioner or county clerk determines that the applicant is a
18 registered voter entitled to vote early and the application was
19 received at or before 4 p.m. on the Wednesday preceding the
20 election, the election commissioner or county clerk shall deliver
21 a ballot to the applicant in person or by mail, postage paid.
22 The election commissioner or county clerk or any employee of the
23 election commissioner or county clerk shall write or cause to be
24 affixed his or her customary signature or initials on the ballot.

25 (2) An unsealed identification envelope shall be
26 delivered with the ballot, and upon the back of the envelope shall
27 be printed a form substantially as follows:

1 VOTER'S OATH

2 I, the undersigned voter, declare that the enclosed
3 ballot or ballots contained no voting marks of any kind when
4 I received them, and I caused the ballot or ballots to be
5 marked, enclosed in the identification envelope, and sealed in such
6 envelope.

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

9 (a) I, _____, am a registered voter in
10 _____ County;

11 (b) I reside in the State of Nebraska at the address
12 ~~printed below~~, _____;

13 (c) I have voted the enclosed ballot and am returning it
14 in compliance with Nebraska law; and

15 (d) I have not voted and will not vote in this election
16 except by this ballot.

17 ANY PERSON WHO SIGNS THIS FORM KNOWING THAT ANY OF THE
18 INFORMATION IN THE FORM IS FALSE SHALL BE GUILTY OF ELECTION
19 FALSIFICATION, A CLASS IV FELONY UNDER SECTION 32-1502 OF THE
20 STATUTES OF NEBRASKA. THE PENALTY FOR ELECTION FALSIFICATION IS
21 IMPRISONMENT FOR UP TO FIVE YEARS OR A FINE NOT TO EXCEED TEN
22 THOUSAND DOLLARS, OR BOTH.

23 I also understand that failure to ~~complete the~~
24 ~~information~~sign below will invalidate my ballot.

25 Signature

26 Printed Name

27 Residence Address

1 The primary election ballot, if any, within this envelope
2 is a primary election ballot of the party.

3 Ballots contained in this envelope are for the
4 (primary, general, or special) election to be held on the day
5 of 20.. .

6 (3) If the ballot and identification envelope will be
7 returned by mail or by someone other than the voter, the election
8 commissioner or county clerk shall include with the ballot an
9 identification envelope upon the face of which shall be printed the
10 official title and post office address of the election commissioner
11 or county clerk.

12 (4) The election commissioner or county clerk shall also
13 enclose with the ballot materials:

14 (a) A registration application, if the election
15 commissioner or county clerk has determined that the applicant
16 is not a registered voter pursuant to section 32-945, with
17 instructions that failure to return the completed and signed
18 application indicating the residence address as it appears on the
19 voter's request for a ballot to the election commissioner or county
20 clerk by the close of the polls on election day will result in the
21 ballot not being counted;

22 (b) A registration application and the oath pursuant to
23 section 32-946, if the voter is without a residence address, with
24 instructions that the residence address of the voter shall be
25 deemed that of the office of the election commissioner or county
26 clerk of the county of the voter's prior residence and that failure
27 to return the completed and signed application and oath to the

1 election commissioner or county clerk by the close of the polls on
2 election day will result in the ballot not being counted; or

3 (c) Written instructions directing the voter to submit a
4 copy of an identification document pursuant to section 32-318.01 if
5 the voter is required to present identification under such section
6 and advising the voter that failure to submit identification to the
7 election commissioner or county clerk by the close of the polls on
8 election day will result in the ballot not being counted.

9 (5) The election commissioner or county clerk may enclose
10 with the ballot materials a separate return envelope for the
11 voter's use in returning his or her identification envelope
12 containing the voted ballot, registration application, and other
13 materials that may be required.

14 Sec. 9. Section 32-948, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 32-948 (1) Upon receipt of an application or request for
17 a ballot to vote early, the election commissioner or county clerk
18 shall enter in the record of early voters the applicant's name,
19 residence address, precinct, and subdivision of the precinct, if
20 any, the mailing address to which the ballots are to be sent if
21 different from the residence address, and the date on which the
22 application was received. The election commissioner or county clerk
23 shall also record other information in the record of early voters
24 as may be necessary to aid in the processing or verification of
25 ballots, including such information as the date ballots and related
26 materials were sent to the voter or picked up in person, the date
27 on which the ballots were voted in person or returned or received

1 by mail, or information as to the reason why a ballot could not be
2 issued or sent.

3 (2) ~~Applications~~ The record of early voters and
4 applications for such ballots shall be open to public inspection
5 prior to the election. ~~The record of early voters and all~~
6 ~~applications for such ballots shall be open to public inspection~~
7 ~~upon completion of the election.~~ The election commissioner or
8 county clerk shall make an entry in the voter's registration record
9 indicating that the voter has voted early in the election.

10 Sec. 10. Section 32-1203, Reissue Revised Statutes of
11 Nebraska, is amended to read:

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

1 (2) The charge for each primary and general election
2 shall be determined by (a) ascertaining the total cost of all
3 chargeable costs as described in section 32-1202, (b) dividing
4 the total cost by the number of precincts participating in the
5 election to fix the cost per precinct, (c) prorating the cost
6 per precinct by the inked ballot inch in each precinct for each
7 political subdivision, and (d) totaling the cost for each precinct
8 for each political subdivision, except that the minimum charge for
9 each primary and general election for each political subdivision
10 shall be fifty dollars.

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

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

19 Sec. 11. Section 32-1303, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 32-1303 (1) A petition demanding that the question of
22 removing an elected official or member of a governing body listed
23 in section 32-1302 be submitted to the registered voters shall be
24 signed by registered voters equal in number to at least thirty-five
25 percent of the total vote cast for that office in the last general
26 election, except that (a) for an office for which more than one
27 candidate is chosen, the petition shall be signed by registered

1 voters equal in number to at least thirty-five percent of the
2 number of votes cast for the person receiving the most votes for
3 such office in the last general election, (b) for a member of a
4 board of a Class I school district, the petition shall be signed
5 by registered voters of the school district equal in number to at
6 least twenty-five percent of the total number of registered voters
7 residing in the district on the date that the recall petitions
8 are first checked out from the filing clerk by the principal
9 circulator, and (c) for a member of a governing body of a village,
10 the petition shall be signed by registered voters equal in number
11 to at least forty-five percent of the total vote cast for the
12 person receiving the most votes for that office in the last general
13 election. The signatures shall be affixed to petition papers and
14 shall be considered part of the petition.

15 (2) Petition circulators shall conform to the
16 requirements of sections 32-629 and 32-630.

17 (3) The petition papers shall be procured from the filing
18 clerk. Prior to the issuance of such petition papers, an affidavit
19 shall be signed and filed with the filing clerk by at least one
20 registered voter. Such voter or voters shall be deemed to be the
21 principal circulator or circulators of the recall petition. The
22 affidavit shall state the name and office of the official sought to
23 be removed, shall include in typewritten form in concise language
24 of sixty words or less the reason or reasons for which recall
25 is sought, and shall request that the filing clerk issue initial
26 petition papers to the principal circulator for circulation. The
27 filing clerk shall notify the official sought to be removed by

1 any method specified in section 25-505.01 or, if notification
2 cannot be made with reasonable diligence by any of the methods
3 specified in section 25-505.01, by leaving a copy of the affidavit
4 at the official's usual place of residence and mailing a copy
5 by first-class mail to the official's last-known address. If the
6 official chooses, he or she may submit a defense statement in
7 typewritten form in concise language of sixty words or less for
8 inclusion on the petition. Any such defense statement shall be
9 submitted to the filing clerk within twenty days after the official
10 receives the copy of the affidavit. The principal circulator or
11 circulators shall gather the petition pages within twenty days
12 after the receipt of the official's defense statement. The filing
13 clerk shall notify the principal circulator or circulators that the
14 necessary signatures must be gathered within thirty days from the
15 date of issuing the petitions.

16 (4) The filing clerk, upon issuing the initial petition
17 papers or any subsequent petition papers, shall enter in a record,
18 to be kept in his or her office, the name of the principal
19 circulator or circulators to whom the papers were issued, the date
20 of issuance, and the number of papers issued. The filing clerk
21 shall certify on the papers the name of the principal circulator
22 or circulators to whom the papers were issued and the date they
23 were issued. No petition paper shall be accepted as part of the
24 petition unless it bears such certificate. The principal circulator
25 or circulators who check out petitions from the filing clerk may
26 distribute such petitions to persons who may act as circulators of
27 such petitions.

1 (5) Petition signers shall conform to the requirements
2 of sections 32-629 and 32-630. Each signer of a recall petition
3 shall be a registered voter and qualified by his or her place of
4 residence to vote for the office in question.

5 Sec. 12. Section 32-1306, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 32-1306 (1) If the recall petition is found to be
8 sufficient, the filing clerk shall notify the official whose
9 removal is sought and the governing body of the affected political
10 subdivision that sufficient signatures have been gathered.
11 Notification of the official sought to be removed may be by any
12 method specified in section 25-505.01 or, if notification cannot be
13 made with reasonable diligence by any of the methods specified in
14 section 25-505.01, by leaving such notice at the official's usual
15 place of residence and mailing a copy by first-class mail to the
16 official's last-known address.

17 (2) The governing body of the political subdivision shall
18 order an election to be held not less than thirty nor more
19 than ~~forty-five~~ seventy-five days after the notification of the
20 official whose removal is sought under subsection (1) of this
21 section, except that if any other election is to be held in that
22 political subdivision within ninety days after such notification,
23 the governing body of the political subdivision shall provide
24 for the holding of the recall election on the same day. All
25 resignations shall be tendered as provided in section 32-562. If
26 the official whose removal is sought resigns before the recall
27 election is held, the governing body may cancel the recall election

1 if the governing body notifies the election commissioner or county
2 clerk of the cancellation at least sixteen days prior to the
3 election, otherwise the recall election shall be held as scheduled.

4 (3) If the governing body of the political subdivision
5 fails or refuses to order a recall election within the time
6 required, the election may be ordered by the district court having
7 jurisdiction over a county in which the elected official serves. If
8 a filing clerk is subject to a recall election, the Secretary of
9 State shall conduct the recall election.

10 Sec. 13. Original sections 32-208, 32-305, 32-312,
11 32-615, 32-811, 32-903, 32-947, 32-948, 32-1203, 32-1303, and
12 32-1306, Reissue Revised Statutes of Nebraska, and section 32-606,
13 Revised Statutes Cumulative Supplement, 2010, are repealed.