

AMENDMENTS TO LB948

Introduced by Government, Military and Veterans Affairs.

1 1. Insert the following new sections:

2 Sec. 6. Section 32-202, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 32-202 In addition to any other duties prescribed by law, the
5 Secretary of State shall:

6 (1) Supervise the conduct of primary and general elections in this
7 state;

8 (2) Provide training for election commissioners, county clerks, and
9 other election officials in providing for registration of voters and the
10 conduct of elections;

11 (3) Enforce the Election Act;

12 (4) With the assistance and advice of the Attorney General, make
13 uniform interpretations of the act;

14 (5) Provide periodic training for the agencies and their agents and
15 contractors in carrying out their duties under sections 32-308 to 32-310;

16 (6) Develop and print forms for use as required by sections 32-308,
17 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;

18 (7) Contract with the Department of Administrative Services for
19 storage and distribution of the forms;

20 (8) Require reporting to ensure compliance with sections 32-308 to
21 32-310;

22 (9) Prepare and transmit reports as required by the National Voter
23 Registration Act of 1993, 42 U.S.C. 1973gg et seq.;

24 (10) Develop and print a manual describing the requirements of the
25 initiative and referendum process and distribute the manual to election
26 commissioners and county clerks for distribution to the public upon
27 request;

1 (11) Develop and print pamphlets described in section 32-1405.01;
2 and

3 ~~(12) Adopt and promulgate rules and regulations for elections~~
4 ~~conducted under sections 32-952 to 32-959; and~~

5 (12) ~~(13)~~ Establish a free access system, such as a toll-free
6 telephone number or an Internet web site, that any voter who casts a
7 provisional ballot may access to discover whether the vote of that voter
8 was counted and, if the vote was not counted, the reason that the vote
9 was not counted. The Secretary of State shall establish and maintain
10 reasonable procedures necessary to protect the security, confidentiality,
11 and integrity of personal information collected, stored, or otherwise
12 used by the free access system. Access to information about an individual
13 provisional ballot shall be restricted to the individual who cast the
14 ballot.

15 Sec. 7. Section 32-203, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 32-203 In addition to any other powers prescribed by law, the
18 Secretary of State may:

19 (1) Inspect, with or without the filing of a complaint by any
20 person, and review the practices and procedures of election
21 commissioners, county clerks, their employees, and other election
22 officials in the conduct of primary and general elections and the
23 registration of qualified electors;

24 (2) Employ such personnel as necessary to efficiently carry out his
25 or her powers and duties as prescribed in the Election Act;

26 (3) Adopt and promulgate rules and regulations in regard to the
27 registration of voters and the conduct of elections, including, but not
28 limited to, elections under sections 32-952 to 32-959; and

29 (4) Enforce the act by injunctive action brought by the Attorney
30 General in the district court for the county in which any violation of
31 the act occurs.

1 Sec. 13. Section 46-753, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 46-753 (1) The Water Resources Trust Fund is created. The State
4 Treasurer shall credit to the fund such money as is specifically
5 appropriated thereto by the Legislature, transfers authorized by the
6 Legislature, and such funds, fees, donations, gifts, or bequests received
7 by the Department of Natural Resources from any federal, state, public,
8 or private source for expenditure for the purposes described in the
9 Nebraska Ground Water Management and Protection Act. Money in the fund
10 shall not be subject to any fiscal-year limitation or lapse provision of
11 unexpended balance at the end of any fiscal year or biennium. Any money
12 in the fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act.

15 (2) The fund shall be administered by the department. The department
16 ~~may shall~~ adopt and promulgate rules and regulations regarding the
17 allocation and expenditure of money from the fund.

18 (3) Money in the fund may be expended by the department for costs
19 incurred by the department, by natural resources districts, or by other
20 political subdivisions in (a) determining whether river basins,
21 subbasins, or reaches are fully appropriated in accordance with section
22 46-713, (b) developing or implementing integrated management plans for
23 such fully appropriated river basins, subbasins, or reaches or for river
24 basins, subbasins, or reaches designated as overappropriated in
25 accordance with section 46-713, (c) developing or implementing integrated
26 management plans in river basins, subbasins, or reaches which have not
27 yet become either fully appropriated or overappropriated, or (d)
28 attaining state compliance with an interstate water compact or decree or
29 other formal state contract or agreement.

30 (4) Except for funds paid to a political subdivision for forgoing or
31 reducing its own water use or for implementing projects or programs

1 intended to aid the state in complying with an interstate water compact
2 or decree or other formal state contract or agreement, a political
3 subdivision that receives funds from the fund shall provide, or cause to
4 be provided, matching funds in an amount at least equal to twenty percent
5 of the amount received from the fund by that natural resources district
6 or political subdivision. The department shall monitor programs and
7 activities funded by the fund to ensure that the required match is being
8 provided.

9 Sec. 18. Section 60-482, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-482 The director ~~may shall~~ adopt and promulgate such rules and
12 regulations as may be necessary to carry out the Motor Vehicle Operator's
13 License Act.

14 Sec. 20. Section 60-4,118, Revised Statutes Supplement, 2017, is
15 amended to read:

16 60-4,118 (1) No operator's license shall be granted to any applicant
17 until such applicant satisfies the examiner that he or she possesses
18 sufficient powers of eyesight to enable him or her to obtain a Class 0
19 license and to operate a motor vehicle on the highways of this state with
20 a reasonable degree of safety. The Department of Motor Vehicles ~~may shall~~
21 adopt and promulgate rules and regulations:

22 (a) Requiring a minimum acuity level of vision. Such level may be
23 obtained through the use of standard eyeglasses, contact lenses, or
24 bioptic or telescopic lenses which are specially constructed vision
25 correction devices which include a lens system attached to or used in
26 conjunction with a carrier lens; and

27 (b) Requiring a minimum field of vision. Such field of vision may be
28 obtained through standard eyeglasses, contact lenses, or the carrier lens
29 of the bioptic or telescopic lenses.

30 (2) If a vision aid is used by the applicant to meet the vision
31 requirements of this section, the operator's license of the applicant

1 shall be restricted to the use of such vision aid when operating the
2 motor vehicle. If the applicant fails to meet the vision requirements,
3 the examiner shall require the applicant to present an optometrist's or
4 ophthalmologist's statement certifying the vision reading obtained when
5 testing the applicant within ninety days of the applicant's license
6 examination. If the vision reading meets the vision requirements
7 prescribed by the department, the vision requirements of this section
8 shall have been met. If the vision reading demonstrates that the
9 applicant is required to use bioptic or telescopic lenses to operate a
10 motor vehicle, the statement from the optometrist or ophthalmologist
11 shall also indicate when the applicant needs to be reexamined for
12 purposes of meeting the vision requirements for an operator's license as
13 prescribed by the department. If such time period is two years or more
14 after the date of the application, the license shall be valid for two
15 years. If such time period is less than two years, the license shall be
16 valid for such time period.

17 (3) If the applicant for an operator's license discloses that he or
18 she has any other physical impairment which may affect the safety of
19 operation by such applicant of a motor vehicle, the examiner shall
20 require the applicant to show cause why such license should be granted
21 and, through such personal examination and demonstration as may be
22 prescribed by the director, to show the necessary ability to safely
23 operate a motor vehicle on the highways. If the examiner is then
24 satisfied that such applicant has the ability to safely operate a motor
25 vehicle, an operator's license may be issued to the applicant subject, at
26 the discretion of the director, to a limitation to operate only such
27 motor vehicles at such time, for such purpose, and within such area as
28 the license shall designate.

29 (4)(a) The director may, when requested by a law enforcement
30 officer, when the director has reason to believe that a person may be
31 physically or mentally incompetent to operate a motor vehicle, or when a

1 person's driving record appears to the department to justify an
2 examination, give notice to the person to appear before an examiner or a
3 designee of the director for examination concerning the person's ability
4 to operate a motor vehicle safely. Any such request by a law enforcement
5 officer shall be accompanied by written justification for such request
6 and shall be approved by a supervisory law enforcement officer, police
7 chief, or county sheriff.

8 (b) A refusal to appear before an examiner or a designee of the
9 director for an examination after notice to do so shall be unlawful and
10 shall result in the immediate cancellation of the person's operator's
11 license by the director.

12 (c) If the person cannot qualify at the examination by an examiner,
13 his or her operator's license shall be immediately surrendered to the
14 examiner and forwarded to the director who shall cancel the person's
15 operator's license.

16 (d) If the director determines that the person lacks the physical or
17 mental ability to operate a motor vehicle, the director shall notify the
18 person in writing of the decision. Upon receipt of the notice, the person
19 shall immediately surrender his or her operator's license to the director
20 who shall cancel the person's operator's license.

21 (e) Refusal to surrender an operator's license on demand shall be
22 unlawful, and any person failing to surrender his or her operator's
23 license as required by this subsection shall be guilty of a Class III
24 misdemeanor.

25 2. Renumber the remaining sections and correct the repealer
26 accordingly.