

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 44

FINAL READING

Introduced by Gay, 14

Read first time January 4, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-913
2 and 32-1026, Reissue Revised Statutes of Nebraska, and
3 section 32-914, Revised Statutes Cumulative Supplement,
4 2006; to change provisions relating to the precinct list
5 of registered voters and sign-in register; to harmonize
6 provisions; and to repeal the original sections.

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

1 Section 1. Section 32-913, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-913 (1) The clerks of election shall have a list
4 of registered voters of the precinct and a sign-in register at
5 the polling place on election day. The list of registered voters
6 shall be used for guidance on election day and may be in the
7 form of a computerized, typed, or handwritten list or precinct
8 registration cards. Registered voters of the precinct shall place
9 and record their signature in the sign-in register before receiving
10 any ballot. The list of registered voters and the sign-in register
11 may be combined into one document at the discretion of the election
12 commissioner or county clerk. If a combined document is used, a
13 clerk of election may list the names of the registered voters in a
14 separate book in the order in which they voted.

15 (2) Within twenty-four hours after the polls close in the
16 precinct, the precinct inspector or one of the judges of election
17 shall deliver the precinct list of registered voters and the
18 precinct sign-in register to the election commissioner or county
19 clerk. The election commissioner or county clerk shall file and
20 preserve the list and register. No ~~clerk of election~~ member of a
21 receiving board who has custody or charge of the precinct list of
22 registered voters and the precinct sign-in register shall permit
23 the list or register to leave his or her possession from the time
24 of receipt until he or she delivers them to another member of the
25 receiving board or to the precinct inspector or judge of election

1 for delivery to the election commissioner or county clerk.

2 Sec. 2. Section 32-914, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 32-914 (1) Official ballots shall be used at all
5 elections. No person shall receive a ballot or be entitled to
6 vote unless and until he or she is registered as a voter except
7 as provided in section 32-914.01, 32-914.02, 32-915, 32-915.01, or
8 32-936.

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

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

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

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

1 voters that the voter has not previously presented identification
 2 to the election commissioner or county clerk;

3 (d) ~~The clerk has instructed~~ As instructed by the clerk
 4 of election, the registered voter ~~to~~ has personally write written
 5 his or her name (i) in the precinct sign-in register on the
 6 appropriate line which follows the last signature of any previous
 7 voter or (ii) in the combined document containing the precinct list
 8 of registered voters and the sign-in register; and

9 (e) The clerk has listed on the precinct list of
 10 registered voters the corresponding line number and name of the
 11 registered voter or has listed the name of the voter in a separate
 12 book as provided in section 32-913.

13 Sec. 3. Section 32-1026, Reissue Revised Statutes of
 14 Nebraska, is amended to read:

15 32-1026 (1) Upon completion of the counting of votes, the
 16 counting board shall place all voted ballots in the ballots-cast
 17 container. Rejected ballots shall be placed in the envelope
 18 designated Rejected Ballots, and the envelope shall be sealed
 19 and placed in the ballots-cast container with the voted ballots.
 20 The ballots-cast container shall then be sealed.

21 (2) ~~The~~ Except as otherwise provided in this subsection,
 22 the precinct list of registered voters and the official summary of
 23 votes cast number one shall be sealed in an envelope designated
 24 for such purpose. The precinct sign-in register and the official
 25 summary of votes cast number two shall be sealed in an envelope

1 designated for such purpose and shall be subject to inspection
2 by any registered voter who may wish to examine them after the
3 election. If a combined document is used as provided in section
4 32-913, the combined document shall be sealed in the envelope with
5 the official summary of votes cast number two.

6 (3) The counting board shall prepare another summary of
7 votes cast from the official summary showing the total number of
8 votes cast for each candidate and the office for which he or she
9 was a candidate and the total number of votes cast for and against
10 each measure submitted at the election. The summary of votes cast
11 shall be signed and attested to by the members of the counting
12 board and sealed in a separate envelope designated for such purpose
13 to be returned to the election commissioner or county clerk with
14 other election materials. The election commissioner or county clerk
15 shall open such envelope and release unofficial returns from the
16 summary.

17 Sec. 4. Original sections 32-913 and 32-1026, Reissue
18 Revised Statutes of Nebraska, and section 32-914, Revised Statutes
19 Cumulative Supplement, 2006, are repealed.