

LEGISLATIVE BILL 44

Approved by the Governor February 9, 2007

Introduced by Gay, 14

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32-1026 (1) Upon completion of the counting of votes, the counting board shall place all voted ballots in the ballots-cast container. Rejected

ballots shall be placed in the envelope designated Rejected Ballots, and the envelope shall be sealed and placed in the ballots-cast container with the voted ballots. The ballots-cast container shall then be sealed.

(2) The Except as otherwise provided in this subsection, the precinct list of registered voters and the official summary of votes cast number one shall be sealed in an envelope designated for such purpose. The precinct sign-in register and the official summary of votes cast number two shall be sealed in an envelope designated for such purpose and shall be subject to inspection by any registered voter who may wish to examine them after the election. If a combined document is used as provided in section 32-913, the combined document shall be sealed in the envelope with the official summary of votes cast number two.

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

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