

Nebraska but the voter's registration records show the address as H.C. 81, Box 42, Ewing, Nebraska, the signature or address would apparently be presumed invalid. There was also a court case in 1968, Morris v. Marsh. The court stated with respect to petition signatures challenged on the basis of incomplete circulator names, if presumptions are to be indulged in and the presumption ought to be that acts performed in the circulation of petitions are legal rather than fraudulent, the court stated that, in light of the specific constitutional provisions, preserving the rights of initiative, presumptions must be in favor of legality rather than illegality. So in the opinion of the Attorney General, this section of 337 is unconstitutional because it presumes invalidity of the signature. If there is any difference whatsoever, it has to be exactly as you signed your registration. I know many times I put my name down as Kathleen but I go by Kate, so sometimes if I'm signing a document, I'll put Kathleen down, but maybe that day I put Kathleen down and then I sign a petition signature as Kate, that could be invalid. I have talked to the Secretary of State about this. These petitions now with all these changes that LB 337 requires will go to the Secretary of State's Office. I was more comfortable leaving it with the clerk of the counties because I believe that those people, especially in the smaller counties, have more of an opportunity to know whether "Cap" Dierks is Senator Dierks or Merton Dierks and they know those changes that people can make in their signature and then would still say that that signature was valid. But sending these signatures now onto the Secretary of State's Office who certainly can't know, they have to be in more of a general acceptable range and that's given...and he has said that he will have some type of a range that he will set up and get together with the clerks on but that's in his opinion. But from the language of the bill itself, it doesn't give the opportunity for some kind of a range to be accepted, it says that this must be the same signature and information that you signed your registration and there is no range there or leeway given there. So it's...if you are going to adopt this change and not adopt the Bromm amendment, you are saying that these have to be exactly the same but court cases have said that they don't have to be exactly the same. So that's why you would be adopting an unconstitutional provision if you did not change it with the Bromm amendment. So I'm hoping that people will take the time to read page 1720 in the Journal, in the Attorney General's Opinion on this section, Section 6, and realize that the Bromm amendment...