

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 30, 2005 LB 401

out, "A person who is the age of an elector." I understand, I think, the whole intent of the amendment. And obviously, it's a good purpose. And I want to understand just two things. One: Is it conceivable that other states are doing the same sort of thing? And is there any uniformity across the states in how this is being done? I assume, perhaps, not, since this is an individual state thing. In which case, would it make any sense to have a provision in there that prohibits you from doing this if you've registered in another state pursuant to their provision? Or is that taken care of someplace else? And also, an adjunct question, is there a penalty that goes along with double registration? Those would be my questions.

SENATOR SCHIMEK: I think that's a very good question, Senator Beutler. And I can't honestly tell you that I know the answer to all the parts of your question. It is my belief and assumption that other states have these same kinds of provisions. But we didn't do any research on it when we adopted this particular provision. I believe that the person who registered to vote here would still be subject to Class IV felony offenses if they were registered in another state and voted in another state. I think they would still be subject to those kind of penalties, because you have to swear to certain things when you register to vote. So I think that would take care of registering in another state.

SENATOR BEUTLER: Perhaps it would kick in, but it would have to be explicitly prohibited by our state. And I assume maybe it is otherwise in statute, but it is not in this particular provision. So anyway, that was one of my questions. The other question had to do with page 2 and the provision authorizing the Secretary of State to adopt and promulgate rules and regulations to establish polling places other than polling places established as otherwise provided in this section, which means, I take it, polling places that are established by the local county...

SENATOR SCHIMEK: Yes.

SENATOR BEUTLER: ...election commissioner or county clerk, right?