

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 44

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 and
2 32-1026, Reissue Revised Statutes of Nebraska, and section
3 32-914, Revised Statutes Cumulative Supplement, 2006; to
4 change provisions relating to the precinct list of
5 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 of
4 registered voters of the precinct and a sign-in register at the
5 polling place on election day. The list of registered voters shall be
6 used for guidance on election day and may be in the form of a
7 computerized, typed, or handwritten list or precinct registration
8 cards. Registered voters of the precinct shall place and record their
9 signature in the sign-in register before receiving any ballot. The
10 list of registered voters and the sign-in register may be combined
11 into one document at the discretion of the election commissioner or
12 county clerk. If a combined document is used, a clerk of election
13 shall list the names of the registered voters in a separate book in
14 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 precinct
18 sign-in register to the election commissioner or county clerk. The
19 election commissioner or county clerk shall file and preserve the list
20 and register. No ~~clerk of election~~ member of a receiving board who
21 has custody or charge of the precinct list of registered voters and
22 the precinct sign-in register shall permit the list or register to
23 leave his or her possession from the time of receipt until he or she
24 delivers them to another member of the receiving board or to the
25 precinct inspector or judge of election for delivery to the election
26 commissioner or county clerk.

27 Sec. 2. Section 32-914 Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 32-914. (1) Official ballots shall be used at all elections.
3 No person shall receive a ballot or be entitled to vote unless and
4 until he or she is registered as a voter except as provided in section
5 32-914.01, 32-914.02, 32-915, 32-915.01, or 32-936.

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

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

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

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

25 (d) ~~The clerk has instructed~~ As instructed by the clerk
26 of election, the registered voter ~~to~~ has personally ~~write~~
27 written his or her name (i) in the precinct sign-in register on

1 the appropriate line which follows the last signature of any previous
2 voter or (ii) in the combined document containing the precinct list
3 of registered voters and the sign-in register; an

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

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

10 32-1026. (1) Upon completion of the counting of votes, the
11 counting board shall place all voted ballots in the ballots-cast
12 container. Rejected ballots shall be placed in the envelope designated
13 Rejected Ballots, and the envelope shall be sealed and placed in the
14 ballots-cast container with the voted ballots. The ballots-cast
15 container shall then be sealed.

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

26 (3) The counting board shall prepare another summary of
27 votes cast from the official summary showing the total number of votes

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

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