

\*Indicates written testimony submitted prior to the public hearing in accordance with the Legislature's guidelines on ADA testimony.

**SANDERS:** Good afternoon and welcome to the Government, Military (and) Veterans Affairs Committee. I am Senator Rita Sanders from Bellevue, representing the 45th Legislative District, and I serve as chair of this committee. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. Please note that due to the number of testifiers, we will follow the standard guidelines of the annotated hearing. This is to ensure that everyone who wants to testify will have the opportunity to do so. Those bills that, that are using the annotated guidelines are listed on the agenda; otherwise, we will proceed as usual for any other bills on the agenda. If you are planning to testify today, please fill out one of the green testifier sheets for each of the bills that you are testifying on; these are on the table in the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. After you have testified, you will need to exit the room or move to the back of the room if there is an open seating. If you do not wish to testify but you'd like to indicate your position on a bill, there are also yellow sign-in sheets on the back table; these sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure that we have an accurate record. Individuals who will be testifying will be granted three minutes to present their testimony. We will begin the hearing today with the first bill being heard in standard process, with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer, if they wish to give one. The first bill on the agenda will use this procedure, then we will take a five-minute break, reset for the room for the annotated bill. Annotated hearing procedures will be followed by large-- will be followed for large attended public hearings. This can only be described by the chair-- decided by the chair beginning of the hearing for unexpected large crowds. Otherwise, prior notice will be on the printed hearing schedule. Individuals, individuals who will be testifying will be granted three minutes to present their testimony. One hour of proponent testimony, followed by one hour of opponent, followed by some time provided for neutral testimony, then recycling back through one hour, and one hour neutral testimony.

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Seating in the hearing room will be divided with proponent testimony on one side, with opponent testimony on the other side, and seats in the back reserved for neutral testimony. Sergeant of Arms will serve as our usher to indicate the next testifier. Overflow attendance to be seated in the overflow room and managed by the Sergeant of Arms. If there are testifiers waiting in the overflow room, we will take a break after an hour and allow those in the room to move forward, and those in the overflow room to fill in the rows in back seats. If the hearing runs long, we will take a 30-minute dinner break at 5:00. When all testifiers are done, we will then call the introducing senators to-- senators to come up for their closing remarks, if they wish to give one. Again, if you are planning to testify today, please fill out the green testifier sheet and print clearly. Also, committee members may come up and go during the hearing. This has nothing to do with the importance of the bills being heard; it is just part of the process, as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. If you do not have enough copies, the page will make sufficient copies for you. Please silence or turn off your cell phones, and you may see committee members using their electronic devices to access more information. Verbal outbursts or applause are not permitted in the hearing room; such behavior may cause for you to be asked to be-- to leave the hearing. Finally, committee procedures for all committees state that written positions on bills to be included in the record must be submitted by 8:00 a.m. the day of this hearing. The only acceptable method of submission is via legislative website at [nebraskalegislature.gov](http://nebraskalegislature.gov). Written position letters will be included in the official hearing record, but only those testify in person before this committee will be included on the committee statement. I will now have the committee members with us today introduce themselves, starting on my far right.

**HUNT:** Hi everyone. I'm Megan Hunt and I represent District 8 in the northern part of midtown Omaha.

**GUERECA:** Good afternoon. Dunixi Guereca. I represent LD 7, downtown and south Omaha.

**J. CAVANAUGH:** John Cavanaugh, District 9, midtown Omaha.

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**ANDERSEN:** Good afternoon. I'm Bob Andersen, representing District 49: northwest Sarpy County and Omaha.

**LONOWSKI:** Hello. Dan Lonowski, District 33, which is Kearney County, Adams County, and rural Phelps County.

**WORDEKEMPER:** Dave Wordekemper, District 15: Dodge County, western Douglas County.

**McKEON:** Dan McKeon, District 41. Central Nebraska, eight counties.

**SANDERS:** Senator Bob Andersen is the vice chair of the committee. Also assisting the committee today: to my right, legal counsel Dick Clark, and to my far left, committee clerk Julie Condon. We have two pages for the committee today. Pages, if you could please stand and introduce yourselves.

**LOGAN WALSH:** I'm Logan. I'm a junior econ and finance major at UNL.

**ARNAV RISHI:** Hi, I'm Arnav. I'm a junior political science [INAUDIBLE].

**SANDERS:** Thank you. And with that, we will begin today's hearing on LB586. Welcome, Senator Spivey.

**SPIVEY:** Thank you, Chair Sanders, and members of the Government, Military and Veterans Affairs Committee. I am Ashlei Spivey, A-s-h-l-e-i S-p-i-v-e-y, representing District 13 in northeast and northwest Omaha. LB1-- excuse me. LB586 creates processes to facilitate voting for eligible voters who are restricted at specific facilities and otherwise unable to vote at an in-person voting location on election day. This ensures the opportunity for individuals to remain civically engaged and cast their vote. In Nebraska, there are more than 20,000 people require care or support at one of our skilled nursing or assisted living, assisted living facilities. The average hospital admission rate is 93 per 1,000, and there are admissions for at least 30,000 different people per year in county jails. So, at any given moment, there are-- these unplanned situations present barriers for eligible voters to access their ballots, especially if these situations occur close to an election day. Individuals in nursing home, hospitals, jails, and rehabilitation centers have very little to no ability to access their ballot when urgent, unplanned situations arise. This should not preclude them from

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staying civically engaged. Nebraska statute 32-943 identifies two ways for individuals who are unable to make an in-person to cast their ballot at a voting location: the first is by requesting a vote by mail or absentee ballot; the second way is that they would receive their ballot via an agent. And so, these are not always viable options in emergent circumstances. For someone who finds themselves in one of the mentioned facilities after the deadline to request a mail-in ballot, they are unable to cast a ballot in that election. Also, if the person in one of these facilities wasn't able to guarantee a volunteer agent or their agent was, was unable to request a return-- a ballot before the polls close on election day, that ballot would not be counted. Current Nebraska statute 32-944 states that county election commissioners may train registered voters to act on behalf of the election commissioner or county clerk in administering a ballot to people who reside in nursing home or hospitals. LB586 would revise the statute to expand this opportunity to include other restricted facilities, including rehabilitation centers, detention centers, and county jails, to allow eligible voters in these circumstances to still be able to access their ballots. I will say that this is codifying what a lot of our larger counties are already doing. So, you'll hear some testimony from folks from Douglas County and Lancaster County, where they are actually having an expanded support for restricted facilities, and so this is really a codification of that to ensure that all counties can do that, versus creating new policy. We have seen successes across the country for people accessing ballots by the way of using trained, registered voters to supervise the casting of votes at these types of facilities. And, as I mentioned, we are seeing success, especially in Lancaster County and Douglas County, in how they can ensure eligible voters that are restricted are able to cast their ballot. In 2024, Rhode Island passed General Law 17-20-14 to allow their state board of elections to appoint bipartisan pairs of supervisors to act in this capacity, to assist individuals in care facilities to access their voting ballots, and then return the ballots to the election offices to be counted. We also saw the passage within the Colorado Senate Bill 24-072, which required county clerks to work with the county sheriffs or their designees to facilitate voting for all confined eligible voters. So, this proposed legislation will ensure that Nebraskans who are eligible to vote still have access to their ballot, regardless if they find themselves in circumstances that prevent them from being able to physically access an in-person polling location. This will codify what counties are already doing and bring

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others up to best practices. LB586 is a common-sense approach to ensuring voting access for individuals who find themselves in circumstances that would otherwise prevent them from being able to have their vote counted. It tells their-- tells our voters and our neighbors and Nebraskans that this vote is not a convenience, but is a fundamental right, no matter where they are on any given election day. Some things that I want to bring up from some concerns with some of the folks that will be testifying is around the civil penalty, and so I am working with Lancaster County specifically around what a cap would be for that, because there could be implications into their insurance that would raise their premiums. And so, I am looking at amendment language for that piece, for that, that penalty if folks are not complying. And I also wanted to uplift from some of the, the comments that you may read online around, like, why can't folks, like, navigate the regular ballot process. And what this bill does is, is saying that sometimes you cannot plan when you will go into the hospital or an assisted living facility or into detention, and so you are still an eligible voter, you still have the right to vote, and so because of the deadlines associated with that, this allows for a plan to happen within those facilities, and then a registered agent who can help facilitate your vote. So, the same process would still happen; they're still using the vote-by-mail process, but it's because of the specific circumstance they're make sure that there is a plan in place. It does not change our voter ID requirements; voter ID still needs to happen. So, say you're in detention, you don't have your ID, you cast your vote. You can do what is called a cure, or take that information after. There's a certain period of time so that your ballot is still counted and aligns to our current legislation around voter ID. And it does not put in jeopardy the safety of our voting system. Secretary Evans [SIC] has talked about just how safe our elections are. They have on their website a whole fact and myth page around the 2020, 2020 elections, as well as the 2024, around what they do to ensure the safety of our elections. And so, this process does not go outside of that; it does not jeopardize the safety to ensure that there is any sort of fraud that's happening. Again, it just ensures that if you are an eligible voter inside of one of these restricted facilities, that there is a plan in place for you to be able to still cast your vote. And so, I'm excited to be able to bring this bill to ensure people can stay civically engaged, and I would be happy to answer any questions that the committee may have.

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**SANDERS:** Thank you, Senator Spivey. Let's check with the committee if there are any questions for you at this time. Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you, Senator Spivey. I was looking at your fiscal note, and it-- looking at all the additional-- [INAUDIBLE] be a lot of running around and [INAUDIBLE] getting people to vote and everything else. How is that that the fiscal note is zero?

**SPIVEY:** Because there is not a lot of additional administration that needs to happen, because county commissioners are already helping to put together packages of plans for certain types of restricted facilities. So, this is not, like, a new process in place; it's not adding new staff. They are already doing this. It expands the number of facilities that count in those restricted facilities, and so they would still send out the package and strategy that they already have around that and include them in there. And those registered agents are already staff that are inside of those facilities, so it doesn't create any other implications around employment or, or cost in that way.

**ANDERSEN:** So, there's no bill at the state level. Have you looked at the local county and city level?

**SPIVEY:** Yeah, absolutely. So, as I mentioned, there will be some county commissioners here that will testify that they're already doing these things, so this is codifying little-p policy inside of our statute to ensure that we are all looking at how we engage eligible voters that are inside of restricted facilities.

**ANDERSEN:** OK. How do you intend to be able to avoid duplication? If somebody vote-- is in a facility, they vote, but they get a ballot, like, at their house or whatever, is there a way to track that?

**SPIVEY:** So, yeah, absolutely. So, as I mentioned, Secretary Evans [SIC], they do a really great job around our security for ballots in that process, and so ballots can't be counted twice. They have their internal systems. All of, all of our ballots are handwritten, they keep them for 22 months, so there's the, the record-- they, they do some auditing of that. So, they have an internal process that ensures that if you cast your vote inside of a facility and then you also requested a vote by mail and it's at home and you get out in time, like, that those are not duplicated. And so, I have lots of trust

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within our Secretary of State in the parameters that they have to ensure that there's no duplication.

**ANDERSEN:** OK. Do you know what the current voting process is at the nursing home, rehab centers, hospitals, all the places you brought here, including the detention centers, the jails-- do you know how they do it now?

**SPIVEY:** Yeah, so there's actually-- I don't want to speak for some of the testifiers, but Lancaster specifically is here, and they can talk to-- as well as Douglas can speak to what they are doing and how they partner with the local jails and county around their specific process. If that's OK if they answer that.

**ANDERSEN:** No, that's fine. I'll ask them. Last question I have for you is I noticed in your synopsis it has a term I'm not familiar with. It says a, an "emergent situation." What does, what does that mean?

**SPIVEY:** So, like-- so, say you are elderly and you fall and it's the day before election day, and you were planning to go vote in person. That emergent situation is requiring you to now be at the hospital, and you have to stay for four days. And so, that is the, the types of situations we are saying that are creating the restriction that you cannot plan for. And so, that would cause you not to be able to go in-person like you planned; you didn't meet the deadline for the mail-in ballot, and so they would facilitate for you to vote while you are restricted in the hospital.

**ANDERSEN:** Thank you.

**SPIVEY:** Yeah. I appreciate the questions. Thank you, Senator Andersen.

**SANDERS:** Thank you. Any-- Senator Lonowski.

**LONOWSKI:** Thank you, Chairwoman Sanders. Thank you for bringing this bill. So, I talked to a, a gal yesterday afternoon, and she assured me in, in my district that our assisted living facility and our nursing home are taking extra steps to ensure that everyone has that right to vote. So, are we, are we trying to catch assisted living facilities that aren't doing their job? Or, as far as you know, is everyone doing their job?

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**SPIVEY:** Yeah, that's a great question. So, this is not-- and in-- this bill is not saying, like, "Aha! You all are not making sure that eligible voters can vote." This is saying that some institutions are being proactive to ensure that eligible voters are able to still cast their vote, and some might not have the capacity or resources to understand, like, you can work with your county commissioners. And so, this is really about codifying the little-p policy that some of the facilities are already doing into statute to ensure that we're doing it across our state. And so, there are facilities that are already doing it; in the bill, it says that you just have to have a plan, you work with your county election commissioner. So, it doesn't change what they're doing, it doesn't mandate any of that; it just says that we're going to ensure that they're out-- at all of those facilities.

**LONOWSKI:** OK. Thank you.

**SPIVEY:** Thank you, Senator, for the question.

**SANDERS:** Thank you. Any other questions for Senator Spivey? See none. You'll be here for closing?

**SPIVEY:** Absolutely, Chair.

**SANDERS:** Thank you.

**SPIVEY:** Thank you.

**SANDERS:** We'll now begin with proponents on LB586. None? Are you proponent for LB586?

**DYLAN SEVERINO:** Yes.

**SANDERS:** Please come forward. Good afternoon. Welcome.

**DYLAN SEVERINO:** Afternoon, Chair Sanders, and the Government, Military and Veterans Affairs Committee. My name is Dylan Severino, D-y-l-a-n S-e-v-e-r-i-n-o. I'm policy counsel at the ACLU of Nebraska, and I'm here in support of LB586. LB586 is a necessary bill for assisting certain eligible voters to overcome barriers to the ballot box. It simply requires election commissioners or county clerks to make efforts to coordinate with each facility to facilitate voting for all restricted individuals who are eligible voters, and make an election plan for each facility. The facilities covered by LB586 are assisted

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living homes and nursing homes where residents might have trouble voting, rehabilitation centers and hospitals where patients might have trouble voting, and jails and detention centers where inmates might have trouble voting and might not even realize that they did not lose their right to vote when they became an inmate. At all of these facilities, the election might not be the first thing on eligible voters' minds or the minds of the staff, for that matter, and that-- and that's OK. But it would be ideal if they received some information on how to vote from their facility if they choose to. LB586 is simply a reminder of the election, a reminder of the voter's eligibility, and information about how to vote at their facility. Simply put, our democracy works best when all voices are heard. We support LB586 because it removes barriers to voting for vulnerable Nebraskans, which makes our democracy stronger. Thank you. I'd be happy to take any questions.

**SANDERS:** Thank you for your testimony. Check to see if there are any questions. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair, and thanks for being here, Mr. Severino. So, you said "eligible voter" quite a few times there, and I was looking through the comments; there seem to be a couple of comments that are concerned about this vote expanding ability for felons to vote while they're incarcerated. Does it do that?

**DYLAN SEVERINO:** No, this doesn't change any of, like, the underlying eligibility. This is for people who'd be in jails who've committed a misdemeanor, in which case you don't lose your eligibility to vote in Nebraska.

**J. CAVANAUGH:** So what, what is an eligible voter then?

**DYLAN SEVERINO:** It would be 18-plus; haven't been decided you're non compos mentis or kind of out of your mind by a judge; you haven't been convicted of a felony; and they're a, a, a, a citizen of the United States. And I think that would be all of them.

**J. CAVANAUGH:** Do you have to be registered?

**DYLAN SEVERINO:** And you'd have to register.

**J. CAVANAUGH:** OK. All right. Thanks.

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**DYLAN SEVERINO:** Yes.

**SANDERS:** Thank you. Any other questions for Mr. Sabriano [SIC]? See none. Thank you for your testimony.

**DYLAN SEVERINO:** Thank you.

**SANDERS:** Any other proponents on LB586? Good afternoon.

**GAVIN GEIS:** Good afternoon, Chair Sanders, members of the Government Committee. My name is Gavin Geis; that's spelled G-a-v-i-n G-e-i-s. I'm the executive director for Common Cause Nebraska. We are in support of LB586 for many of the reasons there in the introduction. This is a good bill for voting and a good bill for voters in Nebraska [INAUDIBLE]. I have been in my role for about 13 years now, and in that time have had the chance to hear a lot of people talk about what they do for our elections. I have heard election administrators talk about it; I've had the chance to hear those who administer our care facilities, those who advocate on behalf of our care facilities, and those working in prisons to bring voting rights to people that have not lost their voting rights in prison facilities. So, I've had the opportunity to hear about all these groups speak about the efforts they are making, right? Again, our elections administrators, time and time again, are showing up-- as we hear-- in these counties and in other counties to ensure every voter has the right-- has, has their right and can cast a ballot. I've heard from care facility administrators talking about what they're doing to ensure their residents can register and cast a ballot. Specifically on that topic, I had the opportunity this summer to take part in an effort to inform all the-- as many different care facilities as we could in Nebraska about the new voter ID laws and how they could help their residents carry those out. What I found in those calls was that these are people who are engaged and knowledgeable about voting rights, and they want to know how to help their residents vote. So, they are engaged; they care about these things. And I have heard from groups like RISE that are working in our prisons to ensure everybody who's eligible can cast their ballot on election day. These efforts are already taking place in Nebraska. They are happening at multiple levels. We are supportive of LB586 not because we don't think this is happening; just because we believe creating a statutory structure to ensure this is all being done together, and that those who maybe don't do this, or not brought up onto speed on what the resources are available to them at the

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county level to carry this stuff out, so that they can be brought up to speed and ensure that the voting rights of the people they're, they're are in their care are upheld. So, yep. For those reasons, we are very supportive of LB586. Thank you.

**SANDERS:** Thank you, Mr. Geis. I'll check to see if there are any questions from the committee for you. See none. Thank you for your testimony.

**GAVIN GEIS:** Thank you.

**SANDERS:** Any other proponents? Welcome.

**OLIVIA LARSON:** Good afternoon, Senator Sanders, and members of the committee. My name is Olivia Larson. I'm the policy and advocacy associate at RISE. I request this testimony be included--

**SANDERS:** Excuse me, Olivia. I need you to--

**OLIVIA LARSON:** Oh, I didn't spell my name.

**SANDERS:** --spell and say your first and last name, please.

**OLIVIA LARSON:** I didn't. Sorry about that. O-l-i-v-i-a L-a-r-s-o-n. Sorry. I'm the policy and advocacy associate at RISE. I request this testimony be included in the public hearing record, showing we are in support of LB586. RISE is the largest nonprofit in Nebraska focused solely on habilitative programing in prisons and reentry support. At RISE, transformation starts pre-release, and continues post-release. Our inside-out model bridges incarceration to the community, and considers all the critical steps in that journey. We prepare and train people for each phase through intensive character development, employment readiness, job creation, through entrepreneurship, family programming, and case management. We transform people in the community by building awareness and empathy that leads to support and community-- and opportunity. These connections heal families and lower recidivism. The mission of RISE is to break generational cycles of incarceration. My work includes expanding the opportunities for directly-impacted community members and their families to be civically engaged. Last year, we launched our first ever jail voting project to ensure civic needs of people are-- being detained on election day were met. RISE has direct relationships with staff in Lancaster, Douglas, Sarpy County, the largest counties-- county jails in Nebraska. RISE

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was able to facilitate 15 ballots cast in Douglas County through their volunteer agents; we also supported five mail voting ballots cast from Lancaster County Jail. With the work of eight volunteer agents, we helped people from all political affiliations make their votes count. Through this process, we identified several barriers to doing so. We know how hard the staff at the jails worked to make this process as smooth as possible. However, there were several discrepancies between protocol in Sarpy and Douglas County election commissions. The voting by agent process we followed in Douglas County was not used in Sarpy County. The staff at the election commission only recognized the voting by agent process for those who had previously requested a ballot by mail. As voters who are confined in jail did not know that they had the right or did not plan to be in jail on election day, there was no way for these eligible voters to cast their ballots. The passage of this bill would clarify the different practices between counties. This bill ensures those confined in nursing homes, rehabilitation centers, jails, and hospitals do not have to forsake their right to vote. We believe that unfortunate or unforeseen circumstances should not impede someone's ability to exert their voting rights. We look forward to continuing to expand and protect the rights of those who are in crisis, and remain eligible and motivated to vote. For these reasons, RISE supports LB586 and asks the committee to vote this bill out of committee to General File.

**SANDERS:** Thank you, Miss Larson, for your testimony. Checking with the committee, see if there are any questions for you. See none. Thank you very much. Any other proponents on LB586? Welcome.

**AMBER LOZOYA:** Thank you. Good afternoon, dear chair-- good afternoon, Chairperson Sanders and committee members. My name is Amber Lozoya, A-m-b-e-r L-o-z-o-y-a, and I am a community organizer with Nebraska Appleseed, which is a nonpartisan, nonprofit organization dedicated to justice and opportunity for all Nebraskans. Today, we are testifying in "subord"-- support of LB586. As you, as you have heard, LB586 will make it easier for people to vote while living in nursing homes, assisted living facilities, while temporarily in jail, if otherwise eligible. And other similar establishments. At its best, our democracy is one that encourages people to vote and makes voting accessible. Through our statewide voter registration efforts, we have seen firsthand and heard firsthand how proposals such as LB586 would strengthen our democracy. Our state's democracy is strongest when our electoral processes are designed to facilitate the participation of

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all eligible voters and ensure their voices are heard on election day. Although I work for Nebraska Appleseed, I have also spent some time volunteering in correctional facilities both in Nebraska and Texas. Our democracy represents everyone, and is for everyone. LB586 ensures that their voices are heard and not lost. Additionally, older Nebraskans are some of the state's most reliable voters; helping people vote while living in nursing homes and rehabilitation facilities ensures that our state can continue that proud pattern, and even expand upon it. If we want people to experience the good life, then we have to make sure we support them to get there. Thank you for your time, and please advance LB586.

**SANDERS:** Thank you for your testimony, Ms. "Lozoria" [SIC]-- Zoa?

**AMBER LOZOYA:** Lozoya.

**SANDERS:** Lozoya. Thank you very much. Any questions from the committee? See none. Thank you for your testimony. Any other proponents on LB586?

**\*JENNIE CALENTINE:** Good afternoon Esteemed Senators and those in the room, I strongly support LB586 as a disabled person whose work history includes the title of correctional officer. Providing assistance for eligible citizens to vote allows for that citizen to choose candidates for each race, to participate in a civic event, and can empower those who may see the political system as unapproachable or indifferent to their needs. Even in a jail, those who are waiting for judgment, or incarcerated for only a misdemeanor offense should be reminded of their right to vote in advance so they can read the newspaper and prepare their thoughts. Please advance this thoughtfully written bill out of Committee, and vote it into law in this session of the Legislature.

**SANDERS:** Any opponents on LB586? Any opponents on LB586? Welcome.

**DANNA SEEVERS:** Good afternoon, Senator, members of the committee. My name is Danna Seevers, D-a-n-n-a S-e-e-v-e-r-s. I am opposed to this bill. LB586 is a deeply flawed and unnecessary amendment to the Nebraska's Election Act. This bill imposes burdensome mandates on election officials and facility staff; it undermines election integrity; and misallocates resources under the guise of expanding voting access. It must be opposed. First, the bills' scope is absurdly

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broad. By defining facilities as jails, detention centers, assisted living facilities, nursing homes, rehabilitation centers and hospitals, and restricted individuals as anyone unable to travel to vote, it creates an unwieldy category that encompasses vastly different populations with distinct needs. Jails house individuals who have often forfeited certain rights through criminal behavior, while nursing homes and hospitals serve vulnerable, law-abiding citizens. Lumping them together under one mandate ignores these critical distinctions, and risks diluting the focus on legitimate voter access. The requirement for election commissioners and county clerks to coordinate with sheriffs and facility directors to "facilitate"-- facilitate voting is a logistical nightmare. These officials are already stretched thin managing elections for the general populace. Forcing them to craft detailed election plans for every facility covering voter registration, ballot delivery, and deficiency corrections adds a layer of bureaucracy that invites errors and inefficiencies. The bill's insistence on training facility staff and deploying two registered voters from different parties to handle ballots further complicates the process, increasing costs and the potential for human error without clear evidence that current voting accommodations are inadequate. Moreover, LB586 threatens election integrity. Extending voting processes into jails and detention centers where oversight is inherently limited opens the door to coercion, fraud, and manipulation. The bill's vague civil penalties for noncompliance by sheriffs and faculty-- facility staff-- determined arbitrarily by district courts, by the way-- fails to address accountability while punishing counties financially for systemic failures beyond their control. This punitive approach does nothing to ensure fair elections, and instead shifts the burden onto taxpayers. The bill's proponents may argue it protects voting rights, but existing mechanisms like mail-in ballots already accommodate those unable to vote in person. Like mail-in-- Nebraska's election system has functioned effectively without this overreach, and LB586 offers no data providing "widesped"-- widespread disenfranchisement of restricted individuals. Instead, it prioritizes a niche issue over the broader electorate's needs, diverting resources from improving voter access for all Nebraskans. It's an ill-conceived overreach that sacrifices practicality for political posturing. It must be rejected outright to preserve Nebras-- Nebraska's electoral integrity and protect taxpayers from its inevitable fallout. The state deserves better than this reckless legislation. Thank you.

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**SANDERS:** Thank you, Miss Seevers, for your testimony. Check to see if there are any questions from the committee. See none. Thank you very much. Any other opponents on LB586? Welcome.

**CONNIE REINKE:** Welcome. Thank you. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e. Thank you for this time to speak. In, in a resolution that was passed by the Republican Party-- the state Republican party in Nebraska-- it was a resolution on a matter of election security and a call for hand-counting paper ballots for elections at the county level and precinct level, and for all election commissioners and clerks to provide a cast vote record upon request, according to have a law. One of the provisions said a majority of voters in our state do not trust election results from the mandatory use of unsecured electronic voting machines and software run by private companies. And so, the things that are being discussed is all of these processes are, are keeping our elections safe, and instead of broaden-- broadening things, we need to go to those areas and correct those. Many computer software experts have provided evidence documenting election fraud-- Dr. Douglas Frank, how elections are stole-- stolen; the Mesa County report by Jeff O'Donnell; Clinton Curtis, how elections have been stolen, and so forth. And I just wanted to mention, about ten days ago, President Trump addressed the nation's governors and asked them to go to one-day voting. He urged them to return to hand-counted paper ballots for safety and national security, to protect the Constitution, and have massive savings. Also to have "we the people" do our elections at a cost of 8% of what the machines do. He also said mail-in, absentee equals massive fraud, and all of these things he was asking our governor to put in place to secure our elections. We are one of the only countries to currently employ machine-tabulated elections. Paper-- so paper ballots, hand-counted, voter ID, proof of citizenship, and one-day voting. Please do everything possible to work with Governor Pillen to get this in place as the directives of President Trump. Thank you.

**SANDERS:** Thank you Ms. Remke [SIC]. Going to check to see if there are any questions for you from the committee. You're good. Thank you very much for your testimony.

**CONNIE REINKE:** Thank you.

**SANDERS:** Are there any other opponents on LB586? Any neutral testimony on LB586? Welcome.

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**TODD WILTGEN:** Good afternoon, Chairwoman Sanders, members of the Military-- or, I'm sorry, Government, Military and Veterans Affairs Committee. My name is Todd Wiltgen, T-o-d-d W-i-l-t-g-e-n, and I'm the Lancaster County Election Commissioner. I'm here to testify in the neutral capacity on LB586 at the invitation of Senator Spivey. I'm also representing the Lancaster County Board of Commissioners. The Lancaster County Board of-- I'm sorry, the Lancaster County Election Commission already provides opportunities for individual voters residing in nursing homes, hospitals, county facilities the opportunity to vote. Prior to each election, our early vote coordinator contacts each facility in the county to provide the necessary registration forms and early vote applications. She also provides instructions to the facility staff outlining the requirements. These forms are processed as we would process any other form to ensure that it meets the requirements in the Nebraska Election Act. On election day, should a registered voter need to cast a ballot at one of these facilities, a courier will hand-deliver the voter's ballot. Our early vote coordinator would then coordinate the retrieval of the ballot by a team of two election officials of differing parties. This would include any early ballot that a resident may not have returned. This program was designed to ensure every eligible voter be given the opportunity to vote, if they are unable to make it to the-- their polling place on election day. As I noted, I am also speaking in the neutral capacity on behalf of the Lancaster County Board of Commissioners. In their review of a-- this legislation, they identified that the open-ended nature of the civil penalty, allowing a judgment of any amount against the county, which could have devastating impacts on the county insurance premiums. The board discussed these concerns with Senator Spivey, and we thank her for consideration of an amendment capping these penalties to avoid increased insurance costs for the county and its taxpayers. I would be more than happy to answer any questions you may have.

**SANDERS:** Thank you for your testimony, Mr. Wiltgen. I will check with the committee. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair. Thanks for being here, Mr. Wils-- Wilgen [SIC]?

**TODD WILTGEN:** Yeah.

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**J. CAVANAUGH:** So, can you just elaborate a little bit on what's-- the protocol to make sure that somebody doesn't vote twice?

**TODD WILTGEN:** Right. So, in Nebraska, the Election Act requires all early vote ballot requests to be in writing. And so, when we receive those requests, those are entered into the statewide centralized voter registration system. And so, the system itself will not allow us to issue more than one ballot to one voter. Should there be a duplicate request, that duplicate would be rejected. Now, if there was a situation where that voter had submitted an affidavit saying that they had needed a replacement ballot, then we would issue a replacement ballot, but that would be only after we deleted the first request. And so, the system-- and then, once we issue ballots, once they're returned, they're checked in, and so on the back end, there's another system in place to make sure that we only receive one ballot from one voter. So, let's say there were-- happened to be two ballots-- and this is under any circumstance-- if there were two ballots out in-- out of our office issued to one voter-- let's say they did request a duplicate and we issued it, the first one that gets returned is the one that we accept; any subsequent ballots that we would receive would be rejected and would not be counted.

**J. CAVANAUGH:** OK. Thank you.

**SANDERS:** Any other questions for Mr. Wiltgen? Senator Wordekemper?

**WORDEKEMPER:** Thank you for being here. Just so I understand the process, if you have somebody in your facility, they would fill out a request to vote. And then, if they're not from your county, you would-- say they're from Dodge County, Washington County-- you would contact them to have a ballot transported to you so they could vote on their local issues in their county?

**TODD WILTGEN:** Well-- so in, in Lancaster County, I-- we just are worried about Lancaster County voters. And so, if we were to get a request from another county, from a voter from another county, we would forward that request to that county's election official, and then it would be their responsibility to coordinate early voting for that voter.

**WORDEKEMPER:** OK. So, your facility does not house inmates from another county.

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**TODD WILTGEN:** Yeah. Specifically here in Lancaster County, our, our correction facility only houses those who are detained here in Lancaster County. We, we don't have any inmates from other counties-- from other facilities.

**WORDEKEMPER:** OK. Thank you.

**SANDERS:** Any other questions for Mr. Wilten-- Wiltgen? Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you, Commissioner, for being here. There's a whole list of different facilities in the bill--

**TODD WILTGEN:** Right.

**ANDERSEN:** --including the listed-- assisted living facilities, nursing homes, rehab, hospital, city or county jails, detention centers. You, you don't go to all those now, right?

**TODD WILTGEN:** We do. We have 44 facilities that we've identified, and they range from a hospital to long-term care facilities. We also have a-- in Lancaster County, we have a, a crisis center that helps restore competency. That-- that's a facility that we also will utilize and, and provide them with the services. But we provide the services equally to all the facilities; we don't discriminate against any one facility. And we do that every-- for every election. Do that outreach.

**ANDERSEN:** OK. So, you, you already do it now, so obviously there's no additional cost.

**TODD WILTGEN:** Right. That's why on the fiscal note there-- there's no cost, because we already provide the service to the voters.

**ANDERSEN:** OK. What do you consider to be the appropriate civil penalty? I know you said you want an amendment with a limitation--

**TODD WILTGEN:** The-- I think the commissioners and the senator agreed to \$100.

**ANDERSEN:** OK. So, if you already do it now, then why do we have a bill to articulate what you already do?

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**TODD WILTGEN:** I would just go off what I've heard other testifiers, is that they, they wanted a uniform system in Nebraska. I think some counties don't have a plan in place. They may not have a facility in place. A lot of jails-- a lot of counties don't even have a jail or a nursing home. And so, I just think that what they're asking for is the uniform plan across Nebraska.

**ANDERSEN:** So, they could use Lancaster as a benchmark and say you're already doing it, you have a process in place; just replicate that across the other-- 92 other counties.

**TODD WILTGEN:** I guess I don't know the motivation for the sponsor of the legislation--

**ANDERSEN:** Yeah.

**TODD WILTGEN:** --so I probably would ask her.

**ANDERSEN:** Thank you.

**TODD WILTGEN:** Yep.

**SANDERS:** Any other questions for Mr. Wiltgen? See none. Thank you for your testimony. Any other testimony in the neutral for LB586? I see none. Senator "Spizy"-- Spivey, if you'd like to come forward and close on LB586. For the position comment hearing record: proponents, 72; opponents, 17; and zero in the neutral.

**SPIVEY:** Thank you, Chair Sanders, and thank you again, members of the Government Committee. I appreciate you all listening today around this bill, LB586. As you heard through the testimony, I think it's really important to create space in Nebraska so that all eligible voters can vote. A couple of points of clarity from the testimony. I think someone asked about the felony charges, and so based on the, the legislation that was passed in the body, the lawsuit and everything else, people that have a felony can vote; they have to be either done with their sentence or they have to be off of papers. And so, they are eligible voters after that point in time, and so I just wanted to give that point of clarity around who is an eligible voter and some of the questions around felonies. For the eligible voters that we're talking about here, this does not extend to prisons, which are different than jails and detention. And so, jails and detention are where you are seeing the misdemeanors happen, where you do not lose your voting

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rights for that period of time and then get them back after you're off papers or completed your sentence. You may be pending a misdemeanor or you may have been charged, but you are still an eligible voter with that. And so, I just wanted to provide that point of clarification. As you heard from Lancaster County-- and I think, Senator Andersen, you are right in that there is a model out there that works really well and that people can look to around how do you ensure eligible voters are able to have a plan in place at those facilities and being able to cast their vote? As I mentioned, I am very confident in our Secretary of State and what they do around elections. Bob Evans [SIC] has been more than communicative around the processes that he puts in place for election security. This bill does not jeopardize that; it does not change any of those processes. What it does is say that every county across our state, it codifies that little-p policy happening. They can look to other counties like Lancaster for a plan, and it creates continuity across Nebraska. And so, again, as I mentioned, this is a, a common-sense bill to ensure that eligible voters are able to cast their vote as they are in these restricted facilities where they may not be able to meet the timeline that was allowed for a vote by mail. And so, I urge your consideration of LB586 and moving this out of committee, and I'll be happy to answer any additional questions that you may have.

**SANDERS:** Thank you, Senator Spivey. Are there any questions from the committee? Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you, Senator Spivey, for being here. Kind of sensitive to the fiscal note just because we're in the red, right? So, we don't have extra money. Sounds like Lancaster County has a great process in place. By the other counties, do you know, do they have a process in place that already exists?

**SPIVEY:** So, we have 93 counties-- so, I-- not all counties do. Usually, the larger counties will have a plan in place that you just see because they have some of the facilities. And as the testifier mentioned, some facilities may not have a nursing home, or they may not have a detention center, so this is not applicable to them in that way; they would just have to have those facilities. And so, there would be the opportunity with working with the Election Commission to say, like, here is the toolkit, the process for you all to be able to implement, and it doesn't dictate what that looks like so that people can make it relevant to their geography. I would also say-- and we

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even talked about this on the floor, and I spend every day on Appropriations so I'm thinking about the budget every day-- but this is about choices and what we prioritize, right? Like, resources are always finite. That's not going to change. And so, when we think about what are the resources and priorities that we want to invest in as a body, and what does policy looks like that, that we pass, I think investment in ensuring that eligible voters are able to be civically engaged and being able to participate in democracy is something that we want to prioritize, especially because there are not unintended consequences with this legislation which we need to think through in that way. And so I do appreciate those questions, but just wanted to uplift that as well.

**ANDERSEN:** Just to follow on-- you mentioned the finite resources, and I agree with you. There's opportunity costs for everything. You only spend the dollars once. How do we figure out if there's going to be a-- this is going to be an unfunded mandate that we pass on to the cities and counties? We, we, we get accused of that, and rightfully so--

**SPIVEY:** Yeah, absolutely.

**ANDERSEN:** --in many ways. So, how do we determine before we go forward with this what's going to be the cost and how are we going to offset that? Any ideas?

**SPIVEY:** Absolutely. I can commit to reaching out and having my staff reach out to some different counties across the state at different sizes to get their insight, and I can absolutely send that information back to this committee as you are execing to make those decisions. And so, I would be happy to do some of that kind of qualitative research and bring that back.

**ANDERSEN:** Thank you.

**SPIVEY:** Yeah. Thank you for the question, Senator Andersen.

**SANDERS:** Thank you. Any other questions for Senator Spivey? See none. Thank you for bringing LB586 to the committee, and this closes the hearing on LB586.

**SPIVEY:** Thank you, Chair Sanders.

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**SANDERS:** Thank you. Give us just a couple minutes to reset the room.

**HOLDCROFT:** OK.

**SANDERS:** OK. Ready?

**HOLDCROFT:** Ready.

**SANDERS:** OK.

**HOLDCROFT:** Good afternoon, Chairwoman Sanders, and members of the Government, Military and Veterans Affairs Committee. For the record, my name is Senator Rick Holdcroft, spelled R-i-c-k H-o-l-d-c-r-o-f-t. I represent Legislative District 36, which includes west and south Sarpy County. Today, I am introducing LB541. This bill is meant to bolster the confidence of Nebraskans in the security of our elections. I want to begin this hearing as I did in the interim study hearing for LR357 conducted by this committee regarding elections last September. I want to say that I am confident in our Secretary of State and in the integrity of our elections in Nebraska. My goal in introducing this bill is not to rehash past elections or to criticize any state officer or agency; it is simply to give peace of mind to the electorate in our state regarding the security of our elections. Three events have occurred in the past five years which have significantly modified the way our election officials do business. First, COVID; second, the advancement of electron-- election software and tabulating machines; and third, voter ID. Initiative 432 from 2022 simply asked voters, "Shall the Nebraska Constitution be amended to require that, before casting a ballot in any election, a qualified voter shall present a valid photographic identification in a manner specified by the Legislature?" Over 432,000 people, or 65% of voters, voted for this measure; just over 228,000 people voted against the measure. LB541 seeks to more closely honor the intent of the voters who approved Initiative 432 by ensuring that valid photo IDs are associated with each registered voter. It also secures Nebraska elections by reverting to the previously observed form of absentee voting, in which the voter attests to being unable to vote in person or on a given election day. Additionally, it adds security features to official ballots, expands the number of ballots that are hand-counted, see-- sets parameters for the approval of voting-- vote tabulating machines, and enhances the security of ballot drop-boxes. One of the objectives-- objections-- one of the objections presented to enhanced election protection

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measures that, that was raised in the interim hearing, hearing was if none of these things have ever happened, why are we creating new regulations? My argument to this is what-- why-- is that we wear seatbelts, we take vitamin C, and we check our furnaces in the fall not because something has happened, but as preventive measures. Our current voter rolls are maintained by an application called PowerProfile, created and named by ES&S, the same folks who manufacture and program our tabulating machines. This is a nationally-recognized software package used by many states to share information about voter registration across state lines. It is maintained by the Secretary of State. It was quite refreshing to hear from a representative from ES&S during the interim hearing. They are not at all the big bad wolves, as they have been portrayed in some circles. This gentleman was completely open to having his machines opened and examined, and he was also more than happy to collaborate with the company that developed the ballots that you were presented. The number of mail-in ballots have exploded in some counties, largely due to the relaxation during COVID of who can vote by mail-in ballot. Election officials obviously lose control of ballots from the time they are mailed until they are returned, a period of time when they are most vulnerable to election fraud. Voting by mail is a privilege, not a right. I think we should take a hard look at reducing the list of individuals who vote by mail. A post-election audit is the process by which a hand-count of ballots is conducted and the numbers compared to the machine output. By current statute, a 3% audit is required of pre-selected races. The Secretary of State actually conducts 10% currently. LB541 proposes a minimum of a 25% hand-count after the unofficial, unofficial election results are released on election night. The same ballots from-- the same-- the sample ballots from Arizona that were handed to you are quite impressive. There is a "covit"-- covert watermark only visible by using ultraviolet light. We are estimating that this will only add around \$0.05 to the cost of each ballot. AM413 is a simple page-and-line amendment that cleans up and clarifies some language in the bill. Chairwoman Sanders and members of the Government, Military and Veterans Affairs Committee, thank you for your consideration of LB541, and I would be happy to take any questions you might have.

**SANDERS:** Thank you, Senator Holdcroft. We'll check with the committee, see if there are any questions. Senator Cavanaugh.

**HOLDCROFT:** Of course.

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**J. CAVANAUGH:** Thank you, Chair. Thanks for being here, Senator Holdcroft. I have a lot of questions, but I can save some for later. But my one question is, the bill allows the counties under 10,000 to continue to do vote by mail entirely, right?

**HOLDCROFT:** Correct. Yes.

**J. CAVANAUGH:** Not every county that is eligible under 10,000 has begun, or has, has opted for that at this point?

**HOLDCROFT:** That's correct. They, they have the option. Either way.

**J. CAVANAUGH:** Would they continue to have the option if they--

**HOLDCROFT:** Yes.

**J. CAVANAUGH:** --so chose to change it? OK.

**HOLDCROFT:** Yes.

**J. CAVANAUGH:** Thank you.

**SANDERS:** Any other questions for Senator Holdcroft? See none. Will you state for closing?

**HOLDCROFT:** I will be here for closing.

**SANDERS:** Thank you, Senator Holdcroft. Are there any-- well, we have an invited testifiers list for-- so, for proponents Melissa Sauder. Good afternoon. Welcome.

**MELISSA SAUDER:** Good afternoon. Thank you, Chairwoman Sanders. Good afternoon, Chair Sanders, and Government Committee. My name is Melissa Sauder, M-e-l-i-s-s-a S-a-u-d-e-r. I'm here today in support of Senator Holdcroft's efforts in LB541 to make positive changes in our elections. I have spent years as a citizen trying to determine if the outcomes of Nebraska's elections are honest and fair and believable. The more I look, the more I lose hope. Trust really is the only result that our current elections demand. To believe the results, we must trust a private corporation with private interests and a poor reputation; trust election commissioners and their employees, whose job determ-- depends on the outcome of the elections they run; trust that state officials who deny transparency in all parts of their

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elections, other than their final results and their voter rolls; trust that everyone is honest and trustworthy, that no bad actor ever fills out an absentee ballot illegally for another when no one's watching; trust that an NGO will submit registration applications for strangers of opposing parties, and not misuse the information that they've obtained; trust that all ballots-- every last one of them dumped into the drop, drop-boxes and into the mail-- are legitimate, even though there is no legitimate chain of custody, and on and on. Trust. Trust should never be something easily given. Our forefathers knew this all too well. In 1772, John Adams declared, "There is danger from all men. The only maxim of a free government ought to be to trust no man living, with power to endanger the public liberty." Yet this is what we've been told over and over to do when it comes to our elections. In my own experiences, and with access only to voter rolls and the official results from the Secretary of State's office and working with Nebraskans, this is what I have experienced, is on the first handout. And I've included extra handouts to verify the things that I'm talking about. First is about ES&S. They were discovered in Antrim, Michigan in 2020 with a Telit chip-- and there's a picture of that-- on their DS200. In 2020, they were caught by the EAC misrepresenting-- and most of us would call that lying-- that they didn't have modems in their devices, and there's letters back and forth between them for that. In 2018, they denied that they had ever installed remote access software on any of their systems, but then they had to admit it, and they've been doing it since the early 2000s. We've had trouble with the Secretary of State's office denying public records requests, citing different statutes about what they're allowed to give us strictly from what the Legislature has allowed or disallowed them to give us. They've threatened county officials with fines, legal action, and removal from office if they dare hand-count any ballots in their elections. Clerks have covered their windows to deny people access from looking in and watching while they're tabulating ballots. In Lancaster County, an individual was told that we're not the signature police, and moved off of her position and not allowed to return to it. The next page are some more of my experiences, if you would like to hear more about what I've seen.

**SANDERS:** Thank you for your testimony on LB541. Are there any questions for Ms. Sauder? Senator Lonowski [SIC].

**McKEON:** Can you give me a few more examples, please?

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**MELISSA SAUDER:** Mm-hmm. So, from my own experience is on the back of that next page. We've looked at the voter rolls, which is one of the, the very few things that we're allowed access to. And we looked at Hamilton County, and had a meeting there and talked with the clerk from that county, and asked her about how many people are you adding and removing every month, and it was about 10 to 12. Well, we did a name-to-name comparison of the voter rolls to see who has been added and removed since January of 2021, and we found that there's actually been 1,178 people removed and 1,141 people added. So, going from-- should be 100 or 120 a year; times three, that should be about 300. They're not, they're not doing a name-to-name comparison of the voter rolls to see who's being added and removed. The clerk's not doing it. How's it happening? Well, you heard our voter rolls are centralized into one database, so the county no longer has control, but the county is legally responsible for the accuracy of those rolls. The power has been removed from the county, and all centralized in Lincoln, so now we have no authority to run our elections in, in the way that we see fit for the people, and that's where the hand counting is so critical. I've had counties-- the clerk and all three commissioners have wanted to move to hand counting of ballots, were ready to do it until their county attorney said, "No, don't do it. You'll get in trouble." My clerk wants to do it. He's new to the position. We want to bring back our authority, we want to count our ballots on our own, and there's no reason we shouldn't; they belong to the people, they belong to the counties. I, I walked around and knocked on doors in my county to ask questions after an election; I found two people voting from a closed business, they live in the county next door. I brought that to my clerk at the time; she continued to allow it to happen. They were still voting. Another friend showed up on election day to vote; she was told that she'd already voted. So, the ballot that showed up for her before was likely the one that was counted because it was their first, not the one that actually has a legitimate chain of custody because she was there and voted that ballot herself. There's, there's been lots. I had a dozen people say that they received ballots that they never requested. The response from the Secretary of State's office was those were ballot request forms. The ballot request forms in my county are a postcard; the ballot is this big. I went back and confirmed with those people who said "That was absolutely a ballot and I never requested it. I never have. I always vote in person." So, there are, there are issues. When I was the official count watcher in the '22 primary, I was barricaded 25 feet away from the counting. All

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I could see were the ballots being pulled out of the envelope, and the tabulator was turned so I couldn't see the front of it. I couldn't-- I couldn't see anything. I was denied access. County clerks have been discouraged from meeting with us. They-- they've been told, nope, just send them to us, we'll talk to them, we'll take care of it. We've-- I've had a clerk manipulate the county agenda to keep us off the agenda so we didn't have time to actually address the issues with the commissioners. I've, I've worked very hard to bring experts that actually know what they're doing in cybersecurity, and they were disallowed to come because the, they didn't fit the narrative of what ES&S wants. Clay Parikh-- he's a certified ethical hacker-- he worked for VSTL that was certified to test ES&S' systems, and-- in, in your handouts there, the very last one is an excerpt from him. The question was, how long would it take you to hack an ES&S system? His response: I think my best time was two-and-a-half minutes. On average, though, it usually takes five to ten minutes. It really didn't make a difference on the vendor. The-- and so, then the next question was, would you record that information that you were able to hack in? Yes. And again, this was part of the EAC certification process? Yes, it was.

**SANDERS:** Thank you very much. Any other questions for Ms. Sauder?

**LONOWSKI:** I got one.

**SANDERS:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Sanders. Thank you for your testimony. This is, I don't know, alarming, to say the least.

**MELISSA SAUDER:** Very.

**LONOWSKI:** How long have we used ES-- ES&S?

**MELISSA SAUDER:** I believe we started in close to 2004. It's been, it's been a while,--

**LONOWSKI:** OK.

**MELISSA SAUDER:** --but we purchased all new machines in 2020, and that was when they were caught lying about what was in their DS200s. Some of the other information that you have in your packet here talks about

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where ES&S obtains the components for all their systems. And it's not just the tabulators; it's the full system.

**LONOWSKI:** Yeah, and I, and I, I don't want to, like, point out one company. Would you say that as AI advances in our technology, technology becomes more sophisticated, that it's going to be harder to detect--

**MELISSA SAUDER:** Absolutely.

**LONOWSKI:** --such discrepancies?

**MELISSA SAUDER:** Absolutely.

**LONOWSKI:** OK.

**MELISSA SAUDER:** And how, how are "we the people" supposed to be able to do that? There-- if there are elections, we should be able to verify them, to be able to trust them. To trust that each of you was legitimately elected, we have to be able to know that those ballots came from real people;--

**LONOWSKI:** Exactly.

**MELISSA SAUDER:** --we have to know that, that the count is accurate. And there's no-- it is impossible to know that without a shadow of a doubt right now.

**LONOWSKI:** And, and I'm looking at Hamilton County, it's neighboring my district. Do you know of other counties that might have had the same numbers?

**MELISSA SAUDER:** All of them.

**LONOWSKI:** Wow. OK.

**MELISSA SAUDER:** That was just an example. The, the average across the state is the same.

**LONOWSKI:** OK.

**MELISSA SAUDER:** And it's not, and it's not removal of inactive voters or dead people. Most of them, if you look at the numbers, most of them are active voters. 6 to 1, active voters.

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**LONOWSKI:** Thank you very much.

**MELISSA SAUDER:** Mm-hmm.

**SANDERS:** Any other questions? See none. Thank you for your testimony, Ms. Sauder.

**MELISSA SAUDER:** Thank you.

**SANDERS:** Thank you. Are there any other invited testimonies? I don't think so for proponents. Any proponents? Welcome back.

**CONNIE REINKE:** Thank you. You'll be receiving a handout that shows the flow of ballots through our system. I would love to have our--

**SANDERS:** Excuse me, before we get--

**CONNIE REINKE:** --election commissioners or, or deputy Bena take a look at this and, and let me know if this is--

**SANDERS:** Excuse me. Before we get any further, for the record, I have to have you say and spell your first and last name, please.

**CONNIE REINKE:** OK. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e.

**SANDERS:** Thank you.

**CONNIE REINKE:** One of our concerns is as mail-in ballots come in, they're scanned and it says Connie Reinke, your ballot is in. How does that get to a website that says Connie Reinke voted? It's through-- what, what you might see is, is a document that happened in Dallas, Texas. They purchased AT&T handheld barcode scanners with FirstNet service, and this has been proven that those hand scanners, when they first scan the ballot, is connected cellularly. Can people tell, then, or hack in and see how many Democrats, how many Republicans have voted all the way through the early voting period? That would give cheaters a long period of time to know how many ballots they need-- would need to cheat. Also, two weeks prior to election, that's the date when those ballots begin being count-- not counted. They be, bec-- begin being verified. That's when the signatures are verified, it's verified that the-- that this is an eligible voter. So, they start doing that process, and that, that again is the-- scanned, and then it comes up on the screen at that time. All of these processes, you know, that the

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election commissioners and Deputy Bena tell us the way it's supposed to work, but you have to think like a criminal in order to look at some of these ways that the cheaters are cheating. Of great concern is the, the cloud-based voter registration database. That's our whole database of all the voters. That's in the cloud, and it's managed by ES&S. So, when we say our elections aren't online, how are all these extra ballots and fake ballots sent out to individuals that maybe didn't request ballots? That's a, a major concern. On the sheet that I gave you, these are all election experts about the voter registration database, about the EMS, which is the election management system; that's inside the desktop computer at the election office. I also have-- there was a individual that testified about the E-- AES 256 encryption key that's in our systems. He said it's very, very secure, but it has the passwords in plain text that allows hackers to get in and be able to get into that password.

**SANDERS:** Connie, your time is up.

**CONNIE REINKE:** OK.

**SANDERS:** Let me see if there are any questions for you from the committee. Senator Lonowski.

**LONOWSKI:** Thank you, Chair Sanders. Thank you for this testimony. Can you explain this sheet to me a little, a little better?

**CONNIE REINKE:** Sure, sure. This is from the 2020 election. The average amount of people that would vote is similar to Utah, there. It says clean, clean voter rolls. Reasonable turnout. In 2020, we actually had where, where that line points up to about 87% of the 18-plus population, and 65% for Nebraska in, in turnout, which was very high. You can actually see Douglas County and Sarpy County and Washington County and Lancaster County are almost off the graph in "most fraudulent." When you're looking at statistical things, it's like you have a group of kindergartners and they're all four foot tall, and then you see a seven-foot kindergartner and you go, wait a minute, this is way out of line. So, what that's saying is that there's more people-- many-- so much more that it, it, it stands out like a, a sore thumb. And these are all the, the states in the 2020 election, so you can see there's, there's so many that are in that fraudulent area. Does that make sense?

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**LONOWSKI:** It does.

**CONNIE REINKE:** OK.

**LONOWSKI:** Thank you. Would you say-- and this is mostly-- the fraud is happening within the machines, right? Within the computers? Not necessarily, like, individuals out there?

**CONNIE REINKE:** Right. This is a massive--

**LONOWSKI:** Exactly.

**CONNIE REINKE:** --cheat. And it couldn't happen-- just random people, you know, cheating. This had to be planned. And what we-- from everything I've learned-- like, like Melissa, I've been working on this for three years-- it seems that they're getting into the voter registration database, sending out extra mail-in ballots, and then those NGOs and different individuals are sending those back in as mail-in ballots, and they look like-- they look like real ballots, and they are real ballots because they were sent out from us--

**LONOWSKI:** OK.

**CONNIE REINKE:** --and are returned that way, so it's very hard to catch.

**LONOWSKI:** Thank you very much.

**CONNIE REINKE:** Yes.

**SANDERS:** Any other questions for Ms. Reinke? See none. Thank you for your testimony. We do have all the copies of your written information. Thank you very much.

**CONNIE REINKE:** Thank you.

**SANDERS:** Any other proponents on LB541? Good afternoon. Welcome.

**JEANNE REIGLE:** Good afternoon, Chairperson Sanders and committee. My name is Jeanne, J-e-a-n-n-e; Reigle, R-e-i-g-l-e, testifying on behalf of the Nebraska Republican Party in support of LB541. The state party applauds Senator Holdcraft's [SIC] mission to heighten election to integrity with this bill. The idea of vote by mail or absentee voting

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first arose during the Civil War, when Union and Confederate soldiers were allowed to cast ballots from their battlefields-- units and have them counted back home. States began passing absentee ballot laws for civilians in the late 1800s. The first laws were intended to accommodate voters who were away from home or seriously ill on election day. This system worked well for decades, with the percentage of absentee ballot requests being relatively low, and few accusations of voter fraud. In the 1980s, California became the first state to request vote by mail for ballots for any reason. Currently, 36 states plus D.C. do not require an excuse to vote by mail. In a 2020 opinion piece in the Minnesota Post [SIC], Gentry Lange argued that all-mail voting systems will make elections less accurate and require for longer time frames to tabulate. This is not an issue at the polls, as a poll worker establishes voter's party before the voter receives a ballot. Election integrity is also a challenge in all-mail voting or any-excuse voting systems, as the ballot is cast outside the public eye, and thus opportunities for coercion and voter impersonation are greater, as the required ID verification is not observed. In 2018, North Carolina's 9th congressional district defrauded voters by collecting unfilled ballots and then filling them in to favor a candidate's campaign. I would also argue that convenience-first voting systems-- such as in any-excuse mail-in-- decrease civic engagement. Voters are encouraged to cast their ballots before all the information from a campaign is revealed. On a personal note, limited absentee voting in my small town really encourages civic and community engagement. We walk out of our polling location proudly wearing our "I Voted" sticker. We wear them proudly and remind others to exercise the foundation of our democracy: the right to vote. Thank you.

**SANDERS:** Thank you, Ms. Reigle, for your testimony. Are there any questions from the committee? See none. Thank you very much for your testimony.

**JEANNE REIGLE:** Thank you.

**SANDERS:** Are there any other proponents? Welcome.

**PENG XIAO:** I'm requesting to get the distribution down, and then I'll just start the time.

**SANDERS:** You can go ahead and start. Did you need to make some more copies of the--

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**ARNAV RISHI:** [INAUDIBLE]

**SANDERS:** OK. I think you can go ahead and start.

**PENG XIAO:** OK. Thank you, Senators. My name is Peng Xiao, P-e-n-g X-i-a-o. I constitutional-- I can conditionally support LB541 because of many compromises. This is the 2022 Millard board-- Millard School Board of Education election. We can see in figure one, several minutes before the count ending on WOWT, the last candidate tell-- Terry Dale's votes were suddenly changed from more than 7,000 into zero. Figure two, in the final results on ballotpedia.org, his votes just came to more than 6,500s, and other candidates' votes were reduced a lot. This is another very obvious resetting votes, election fraud by voting machine. Therefore, we have to remove the machine from the entire election system, since voter registration to ballot counting. We have to have uncompromised laws for election integrity, such as one day election day, very restrict early ballots, no machine, hand-counting, and also citizenship verification in both registration and voting place. We have to return America back to the Constitution which defines the government belongs to "we the people." Without the election integrity, then the government has been taken away from "we the people," but turns to the tyranny. Then, which is-- what, what's the difference between America and the Communist Party governing China, the country I originally came from? The Constitution also defines one nation under God, our laws shall come back to the law of nature and the nature's God. Today I'm not begging but demanding, commanding you like Moses "let my people go." "We the people's" votes go. Make a Nebraska election integrity again. Hebrews 10:21-- 10:31: "It is a fearful thing to fall into the hands of the living God." Psalm 2: "Why do the nations rage, and the people plot the vain thing? The kings of the earth set themselves, and the rulers take counsel together, against the Lord and against His Anointed, saying, 'let us break their bonds in pieces and cast away their cords from us. He who sits in the heavens shall laugh; the Lord shall hold them in derision. [...] Now therefore, be wise, O kings; be instructed, you judges of the earth. Serve the Lord with fear, and rejoice with trembling. Kiss the Son, lest he be angry, and you will perish in the way, when his wrath is kindled but a little. Blessed are all those who put their trust in him." Thank you.

**SANDERS:** Thank you for your testimony. Could you do me a favor and say your last name and spell it again?

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**PENG XIAO:** Oh, last name Xiao, X-i-a-o.

**SANDERS:** OK.

**PENG XIAO:** Thank you.

**SANDERS:** And it's pronounced "Zhau" [PHONETIC]?

**PENG XIAO:** Xiao, yeah.

**SANDERS:** Thank you very much for your testimony. Are there any questions for Mr. Xiao? I see none. Thank you very much for your testimony.

**PENG XIAO:** Thank you.

**SANDERS:** Any other proponents? Did you have more to give the clerk?

**GUS PONSTINGL:** This is just my copy.

**SANDERS:** OK. Welcome.

**GUS PONSTINGL:** Thank you for having me. My name is Gus Ponstingl, G-u-s P-o-n-s-t-i-n-g-l. Just a citizen of Nebraska, and I've been observing the elections both on the ground at ballot drop-boxes and other locations, and analyzing election data. My point today is that there are two major styles of cheating in the election. There's the Democrat style and the Republican style. I'm a registered Republican, so I, I feel like that's the bigger problem in our election system is Republican cheating. I'm going to explain how that occurs. In my hand out, on the first sheet, you'll see pictures I took-- or video of-- there's a screenshot, it's a video of four different individuals that we would call very suspicious mule-like behavior. Mule-like behavior is usually indicated by people that sit at the drop-box with this-- with a camera, taking a picture of their ballot, usually not their face in it, but they will take a picture and then they will text it, and they're usually there for about two to three minutes. Normal drop-box behavior is usually about 20 seconds from the car and back to the car after doing the complete drop. I also reported those incidents to Todd Wiltgen, and I'll give it-- go back to that in a second. But how Republicans cheat is really different. It's usually done through vote manipulation. That broader category has a lot of plausible deniability, in that the candidates themselves may not be actively

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involved in that, but there seems to be a system based on the establishment; people that are appointed to elections that are automatically allowed to win. And the way to see that specifically is you look at the results for Lancaster County only, you pluck those out for national races, and you'll see very distinct, odd patterns. One of those, significantly, is that Flood had more votes than Trump in that county, but Kamala Harris had more votes than Trump as well. Flood's votes were equal to Kamala Harris's. That kind of irregularity just screams there's something being manipulated with the vote machines themselves. The only way I think to get around that one is through hand-counting at the precinct level, where it's public. That way, it can be verified later at the end of the line when the machines are done doing their thing. Then finally, how does this happen? Who helps the cheaters? That would be Todd Wiltgen. I went down with five complaints, handed it to Todd Wiltgen; I publicly recorded it, he knew I was recording it; I said, "Todd, I need you to enforce the law." Todd specifically says, "I am not law enforcement," meaning I am not going to enforce Ala-- Nebraska's election laws. And so, when you ask him, please tell me how this results, can you tell me what your investigation process is? He doesn't have one. He will not state what that is. That, by Nebraska law alone, says he should be removed from office. So a sig-- my, my problem is that we want to trust the election system and there's a vested interest in both sides getting as many votes as possible, regardless of whether you say it's fair or unfair, accurate or not accurate. The only way to do that is to make the system completely accountable. And I got the red light.

**SANDERS:** If you could just finish your thought.

**GUS PONSTINGL:** Yeah. We just need to make this system a verifiable and transparent, meaning every single step should be visible the whole way. I think that's the only way to be fair and honest. And I don't mean to throw anybody under the bus; I don't know what specific candidates got what votes in what counties or what precincts. I'm just saying those are the general patterns that are easy to detect if you're paying attention.

**SANDERS:** Thank you very much for your testimony. Say your last name again.

**GUS PONSTINGL:** Ponstingl, P-o-n-s-t-i-n-g-l.

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**SANDERS:** Thank you very much, Mr. Ponsinger [SIC]. Are there any questions from the committee? See none. Thank you for your testimony.

**GUS PONSTINGL:** Thank you.

**SANDERS:** Any other proponents on LB541? Good afternoon. Welcome.

**GEORGE OLMER:** Good afternoon, Senators. My name is George Olmer, O-l-m-e-r. I testify in support of LB541, but I think we need to go-- as a lot has been said today-- further in what we're doing than even LB541. And a lot of that's been spoken to. What I've handed out is four sheets; the first one is where I think a lot of the difficulties started arising, and that is in, in the year 2020, on that election. That-- with the COVID going on, we had a lot of confusion; we had people assuming and taking on assumption of power in, in how elections would be conducted. That needs to be corrected, in my estimation. The first sheet talks to the-- first of all, the U.S. Constitution giving powers to the legislature of the states. It, it-- really in your hands is a tremendous amount of what needs to be done around elections. A lot of it's in the statutes. As we go down through things, statutes are being jerry-- jerry-rigged, you would say, in that election, what happened particularly in 2020. And, and that's where the Legislature is going to come in, is reassuming that power and that, that advantage. Paper ballots are spoken to in our constitution [SIC]. It's there already. It-- it's not that they-- we maybe can use it; it's that we can. It's available to be used. The back pages, again, the paper ballots are spoken to in our constitution [SIC]. And finally, the Secretary of State's powers are the last item in there. That has been where a lot of the power has accrued: it's in the Secretary of State. The only reason I bring up the next sheet is that irregularities that we find with people much smarter than, than me when it comes to mathematics and so forth, they're able to take the votings that are going on out here, and you can determine elections, as you see in the straight line, on the top-- on the top one. After the initial things that happen generally in the election, it will then smooth out for that election. You'll know where that election is going. That is not the case if you turn to the second page. That did not happen in 2020. It was all over the board. It was like it was adjusting votes and where they were at. It-- like they were aiming for something, even out the voting that was going on. The, the next one is-- it's some items by Dr. David Clements-- Professor Clements. This man gave up his-- basically sacrificed his professorship in New Mexico

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State, was a leading professor down there. He, he had to give away his-- they-- because they fired him because he questioned these very things. And there are items that he touches on that next page. Especially, I would say part four and part five that would be of interest.

**ANDERSEN:** Mr. Olmer?

**GEORGE OLMER:** And finally--

**ANDERSEN:** Your time expired, but please finish your thought.

**GEORGE OLMER:** I'm sorry?

**ANDERSEN:** Your time's expired, but please finish your thoughts.

**GEORGE OLMER:** I'm sorry, I'm sorry. Five--

**ANDERSEN:** Go ahead and-- no, you can finish your thoughts.

**GEORGE OLMER:** Five-page-- and the last page is a resolution in, in Florida. It really touches on basically all the points of what we see in elections going on. And, and I think it was just well-written. So, [INAUDIBLE]

**ANDERSEN:** Thank you. Let me see if there's any questions. Any questions? Yes, Senator Lonowski.

**LONOWSKI:** Thank you, Vice Chair. And thank you for your testimony. Can you just really briefly tell me what Florida is doing to try and recover from this issue?

**GEORGE OLMER:** What Florida is?

**LONOWSKI:** What are they doing?

**GEORGE OLMER:** I-- I'm not [INAUDIBLE].

**LONOWSKI:** Oh, OK. OK. All right. Thank you.

**ANDERSEN:** Any other questions? Mr. Olmer, thank you very much for your testimony.

**GEORGE OLMER:** Thank you.

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**ANDERSEN:** Anybody else testifying in-- as a proponent? Welcome back to the committee.

**DANNA SEEVERS:** Thank you. Lots, lots of new faces. Except legal counsel, I remember him. My name is Danna Seevers, spelled D-a-n-n-a S-e-e-v-e-r-s. Good afternoon to the committee. I rise today in support of LB541, because it's time for Nebraska to stand up for integrity at the ballot box, and this committee should act to honor the will of the people who overwhelmingly elected Donald Trump in 2024 and carry out his agenda of secure, transparent elections to victory. During his recent cabinet meeting, President Trump laid out a clear vision for America's elections: ironclad security, zero tolerance for cheating, and a system where every legal vote counts; nothing less. He demanded watermarks on ballots, strict voter ID, and an end to the unmonitored drop-boxes and electronic gimmicks, gimmicks that erode trust. LB541 delivers on that vision with surgical precision, restricting mail-in chaos, mandating watermarks, securing drop-boxes with 24/7 surveillance, and requiring hand-counts to verify machine tallies. This isn't just a bill, it's a battle cry for the election integrity that echoes Trump's call to action. If you look around, states like Texas and Florida are charging ahead with aggressive election integrity bills, banning machines outright, and imposing felony penalties for tampering. Georgia's cracking down on non-citizen voting with audits that leave no stone unturned. Nebraska's LB541 is tame by comparison, yet it is a critical step forward. We're not reinventing the wheel here; we're catching up to a national movement to safeguard democracy. Other states are showing courage, and we must join them. The people spoke in '24, delivering a landslide victory for Trump and his promise to end election nonsense. Nebraskans don't vote for half-measures or weak-kneed excuses-- or, Nebraskans didn't vote for half-measures and weak-kneed excuses. They demanded a system they can trust, yet this Legislature has failed them, unfortunately, time and again. Multiple election integrity bills have come before this committee. Bills to tighten voter rolls, secure ballots, stop fraud, and what happened? Nothing. Instead, the committee ignored the people, and our elections remain vulnerable. This bill isn't radical; it's common sense. It's not about disenfranchisement; it's about guaranteeing every vote is real. Critics will whine about access, but LB541 keeps early voting and drop-boxes under strict rules, so no legitimate voter is left out. The only ones hurt are the cheaters, and that's the point. Committee, we are at a crossroads. The people's will

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is clear: they want Trump's election integrity agenda enacted. LB541 is your chance to finally deliver something meaningful after years of inaction. Nebraska deserves elections as strong as its spirit, and anything less is a betrayal of the voters who sent you here. Thank you.

**ANDERSEN:** Thank you, Mrs. Seevers. Are there any questions? Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair-- Vice Chair. Ms. Seevers, I-- so, your position is we can't trust the outcome of our elections currently?

**DANNA SEEVERS:** My position is that we have proof of threat, plenty of proof of threat. And it would be very simple. And a lot of people thought that people like me would go away after the last election, but I'm back here again because I believe that we have proof of threat. And whether it's a Democrat or whether it's a Republican, I believe that we can and should secure our elections for, for everyone.

**J. CAVANAUGH:** So, we can trust the outcome of our elections, then?

**DANNA SEEVERS:** I personally do not, because of cyber threats, and the-- what I have witnessed and seen across the nation causes me to believe that we cannot trust. And that is why you have people calling for one day of voting on paper ballots and hand counting back at the precinct level, which isn't that hard, and it's definitely not more expensive. It's a lie that it would be more expensive. It would be actually 9% of the total cost we spend now to count with the machines.

**J. CAVANAUGH:** So then, how do you know that President Trump won?

**DANNA SEEVERS:** I don't.

**J. CAVANAUGH:** So, then why should we put any stock in his agenda if we don't know he's legitimately elected?

**DANNA SEEVERS:** Well, the bottom line is, if I count it by hand in my precinct-- and I'm not anti-machine, I'll have you know; I'm, I'm OK with the machines being used to count the ballots as a han-- as a check-and-balance system. I want to count the ballots by hand, and then I'll be happy to zip them through the machine and just check it, because I've gone through that before, where we've hand counted; didn't quite match up, so you had to find out where the problem was.

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I'm not one of these anti-machine people, but I believe we have to be able to count them ourselves at the precinct level, because I know that that's going to be more fair.

**J. CAVANAUGH:** OK, thanks.

**DANNA SEEVERS:** OK.

**ANDERSEN:** Any other questions? Mrs. Seevers, thank you for your testimony. Are there any, any other testifiers as proponents? Seeing none. Anybody testifying as an opponent? Welcome to the Government, Military and Veteran [SIC] Affairs Committee.

**DAVID KOHRELL:** Thank you. Good afternoon, Governor-- Government, Military and Veterans Committee [SIC]. My name is David Kohrell, last name is spelled K-o-h-r-e-l-l. You probably got the first name, OK? So, I'm against LB541. Quick background. I've served as a poll worker and a judge since 2023, I've worked four elections now. Getting ready for my fifth. I have 35 years of leadership and hands-on experience in I.T. and cybersecurity for organizations such as the Nebraska State Patrol, Omaha Police Department, the Gallup Organization, Pfizer, Bank of the West, and GSK Haleon. I have a master's degree in MIS from UNL, and hold multiple I.T. and cybersecurity certifications. I've also been a Lancaster County party delegate and neighborhood captain, and have volunteered for several campaigns, including County Attorney Condon and Senator Bosn. Five considerations for election integrity. Only U.S. citizens vote. Right to vote cannot be impeded. I added a bit on that because there were some rather overzealous ballot box chasers on November 3rd of last year. Rather embarrassing, potentially disenfranchizing a young person voting for the first time. Third, ballots are accurately tabulated; the process is transparent. And election integrity in process claims are weighed with applicability to Nebraska. And so, as I've done this review, the roots of LB541 can be traced to a couple of Nebraska GOP SCC platforms and proposals from 2023 and 2024, even a little bit further back from some election integrity research from Nebraska Voter Accuracy Project. That had populated through LB785 in the 107th Unicameral, LB228 and LB230 for the 108th, and this year's LB541. There are some good merits to this bill. I'm going to speak to one in particular that I think is a little unfounded and impractical. Number one, hand counting-- hand counting with a 25% audit and removal of machines. One of the things I've tried to do is press the election integrity enthusiasts on "what's a

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machine?" It is an express vote. I'm a poll judge, we have machines to help ADA. That is a machine; it doesn't transmit anything. In over four elections with over 1,300 ballots cast, it was used once and I was there to help someone that needed help. But it printed off a form, we placed the form securely in the ballot box; that was then shipped to the Lancaster County Election Commission for scanning. So, that's a machine; we need that machine. In terms of the scanners, those are needed as well, and we need to maintain it. It's something where I've not seen a vulnerability. I fully understand about risks, both in terms of probability and impact, but also vulnerability threats and assets, and that's some of the courses I teach for Bellevue University in cybersecurity. And that's the conclusion of my testimony against.

**ANDERSEN:** Thank you, Mr. Kohrell.

**DAVID KOHRELL:** I'm open to any questions.

**ANDERSEN:** Any questions? Yes, Senator Lonowski.

**LONOWSKI:** Thank you, Vice Chair. Thank you for your testimony. So, do you see a-- would you see a problem if we went back to counting by hand? Or are you just saying it's because we're not trustworthy?

**DAVID KOHRELL:** Logistically-- so, I think about counting by hand-- so, I'd just take my district, 2D2 in southwest Lincoln. The general election was an incredible experience. One, I hope we don't have the volume ever again. We had 800 people in our precinct. It's-- it was a modest-sized Baptist church, Fellowship Baptist Church in southwest Lincoln. We had an older 1950s-style fellowship hall. I hope you can envision it. Not big, pretty modest. Down the hall, near the sanctuary entrance, was the other precinct. Over 1,350 people cast ballots that day. I wouldn't be against a hand-count, but you have individuals that have worked 15 hour days. I was there at 6:30, got home at 9:00. We have to ensure that all ballots-- we had 800 ballots that were cast; out of those 800 ballots, 797 people all had driver's license. One military, we did two provisional ballots for ID. We also had 38 provisional ballots because someone may have showed up at the wrong place. But at the end of a 15-hour shift where you've had 1,500 people working, it was 30 minutes to make sure we had the right ballots, because every precinct is identified on the ballot. I'm a judge, I'm a Republican, I sign it; my friend Dave Collett is a Democrat, signs it. It took us 20 minutes to count it, to make sure we had the exact

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measurement of ballots that went into the drop-box; that, then, was secured by the inspector. I think it'd be a logistical nightmare, because you're gonna have to have a whole lot of other people. And I know this isn't audience participation, but raise your hand if you're a poll clerk, judge, or inspector. Just raise your hand. You can let me know. See anyone raising their hand?

**LONOWSKI:** About ten.

**DAVID KOHRELL:** OK. So, my encouragement to those that want to get involved-- it's our process. I had questions after 2022. Hey, if you want to talk about my bonafides, I actually helped a friend of mine, "shirtless Bob" Borer-- that was his nickname from trail running-- run for Secretary of State. I mean, it doesn't get that much better than that. But I also come at it from-- if we go through the paper ballots then great, where are we going to send it to? You know, because it, it would have to be Pinnacle Bank, maybe; Lancaster County [SIC] Event Center, I don't know. Our election commissioner can speak to it. I'm just looking at a logistic challenge, but also looking at their main forms of risks that need to be managed. And so, a course I'll be starting up again for Bellevue University is on cybersecurity risk. Operational risk is probably the biggest risk we manage. I know there's threats out there, and believe me, in daily life-- like, today, I got off a call, we were talking about [INAUDIBLE], we were talking about CrowdStrike, we're talking about things. I can't really reveal why, but in terms of things, we adapt to an industry. So, what some people read about on a Telegram chat or wherever they get their information, I get the privilege of living in, you know, to fight off hackers. So, hopefully that answers the-- I think it would be foolish. I think it'd be incredibly foolish to say, hey, we don't want a scanner that-- we've used scanners since the 1980s, for my modestly impressive ACT score in 1983. That's the tech that we're using. And I'm going to tell you I got 32s, but you can't even check on it, so.

**LONOWSKI:** Thank you.

**ANDERSEN:** Any other questions? All right. Thank you for your time, Mr., Mr. Kohrell.

**DAVID KOHRELL:** Thank you.

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**ANDERSEN:** And we do have some invited testifiers, now. I'd ask-- invite Mr. Bena to please come up and testify. Welcome to the Government, Military and Veteran [SIC] Affairs Committee.

**WAYNE BENA:** Thank you, Vice Chair, and members of the Government, Military and Veteran [SIC] Affairs Committee. For the record, my name is Wayne Bena, W-a-y-n-e B-e-n-a, deputy Secretary of State for elections, here on behalf of Nebraska Secretary of State Bob Evnen in opposition to LB541. On the onset, Secretary Evnen shares Senator Holdcroft's interest in election integrity and appreciates the inclusion of certain provisions of the bill that the Secretary agrees with, such as restricting employers from being a voter's agent, to tightening security on drop-boxes. When looking at LB541, it makes roughly 20 separate policy changes in election law. I'll focus my testimony today on provisions regarding hand-counting and voter registration. After me, county election officials from across the state will testify on other provisions with their concerns. However, I can speak to any portions of the bill that you wish to want to talk about. LB541 would allow a county election official to choose to hand-count all ballots, or would require any county that uses a vote-counting device to hand count 25% of the total ballots cast in their county. On the onset, if you as a body pass a law requiring hand counting, the Secretary of State and the county election officials will implement that law. However, if you're asking our office if such a law is justified, the answer is no. Hand counting-- which is statistically the least reliable way that you can count ballots-- has a significant time and a significant cost to conducting an election. Using data from the Hall County Election Commissioner on how long it took their office to complete their post-election audit of three races in two precincts in their county, we can extrapolate that it would have cost upwards of \$7 million to conduct a statewide hand recount and-- count at-- or, \$2.5 million for counties to hand 25% of their ballots. And this is not a state cost; this is a county property tax cost. For context, for our new committee members, in our current process before each election, each counting machine in the state is tested three times for logic and accuracy, and two mock elections are conducted to upload election results. And after each election, and before the election is certified, a manual audit is conducted for a varying percentage of the precinct statewide that can desist [SIC] of three races being hand-counted in a precinct to audit the accuracy of the count. Beyond this, I'd like to also highlight a recent report

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that I have provided you for the record that I alluded to in our meeting this past September. In a recent report issued by the Election Assistance Commission, a.k.a the EAC, the results of a pilot project our office conducted in conjunction with the Douglas County Election Commission and the EAC was released. In this pilot, under the supervision of the EAC Field Services Division, all of the counting machines, reporting software, and a random sample of the ballot marking devices for the disabled were tested in Douglas County to ensure that the software being used to-- matched the original software certified by the Election Assistance Commission for this equipment. According to the results of this security review, which I flagged at the bottom of page 9, the orange little sticky, this report yielded no findings, observations, or deficiencies that could potentially impact the security of the system as deployed. So, in short, the machines were working as certified prior to the November general election. Commissioner Kruse and I had an opportunity to testify at a hearing of the Election Assistance Commission a few weeks ago in Washington, D.C. on the successful pilot, and the commission has subsequently voted to continue and, depending on funding, expanding this program going forward. All of these testing efforts amplify the fact that our ballot-counting equipment count our ballots accurately and securely. This bill would also eliminate online voter registration, as well as restrict a voter from mailing an application. Currently, 20% of all voter registrations are completed using the online registration website. In order to access a service, a voter needs to have a current Nebraska driver's license or a state ID. If the intent of this bill is to require a voter to show a photo identification in order to register, these voters will have done so by virtue of not being able to access the website if they do not possess an ID. In addition, restrictions regarding whether a resident could mail the voter registration form or not may violate federal law in regards to our obligation to accept the national voter registration form, which can be mailed. Thank you for your time, and I'd be happy to answer any questions that you might have.

**ANDERSEN:** Mr. Bena, thank you very much. Any questions? Senator Cavanaugh.

**J. CAVANAUGH:** Thanks, Vice Chair. Thanks for being here, Mr. Bena. You said something in your comments about-- that hand-counting is less reliable?

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**WAYNE BENA:** Yes.

**J. CAVANAUGH:** What's the basis of that?

**WAYNE BENA:** And I can provide you studies on this topic; there's been a lot of studies since the onset of the wanting of hand-counting for elections. But statistically, the machines, as, as we've seen during our hand-counting process, have a very small margin of, of, of an error rate. In regards to hand counting, I can give you a, an instance in Nevada when they mandated hand counting in their primary that it took a, a group of individuals two hours to count 25 ballots, and the-- because they kept having to redo it because it wasn't matching. And so, based upon this-- and I can actually provide you those studies-- is that using these machines have been proven to be more reliable.

**J. CAVANAUGH:** OK. Thank you.

**ANDERSEN:** Any other questions? Yes.

**WORDEKEMPER:** Thank you for being here. I guess I just want to understand the process that you alluded to. So, prior to the election, you test the machines to make sure they're running correctly?

**WAYNE BENA:** Yes.

**WORDEKEMPER:** And you probably get some sort of a result. So then, if you run the ballots through the election day, can you re-run the test on the machines and compare that result to the prior one to see if there was any glitch in the machine during the ballot process? Is that possible, or?

**WAYNE BENA:** Well-- is that-- if that's-- is that-- were you saying if that's possible? Yes.

**WORDEKEMPER:** [INAUDIBLE].

**WAYNE BENA:** And I will say that's why we-- that's why we actually do the manual audit after the election.

**WORDEKEMPER:** OK.

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**WAYNE BENA:** And so, in that, we-- in this past general election, we did a hand-count of 10% of the precincts statewide, at least one precinct in every county. And it audited three different races, one federal, one state, one picked by the county itself to determine the, the accuracy of the count as stated on election day.

**WORDEKEMPER:** OK. Thank you.

**WAYNE BENA:** Mm-hmm.

**ANDERSEN:** Any other questions? All right. Mr. Bena, thank you very much for your time. Next invited testifier will be Mr. Kruse. Welcome.

**BRIAN W. KRUSE:** Welcome. Thank you. Good afternoon, Vice Chair, and members of the committee. My name is Brian W. Kruse, B-r-i-a-n W. K-r-u-s-e, Douglas County Election Commissioner. I am, I am here on behalf of myself as the election commissioner, co-chair of the NACO election law committee, and the Douglas County Board of Commissioners in opposition of LB541. I would like to state this bill is offering solutions to a whole host of problems that simply do not exist. In short, the laws we have are working well for election officials, candidates, campaigns, and most importantly, the voters of Nebraska. Douglas County had 115,000 by-mail early voting ballots for the November 2024 election. Reducing the time to process those ballots from 35 days to 22 days will result in at least 22 additional employees working nights and weekends, as well as overtime for current employees. This would conservatively cost an additional \$100,000 in Douglas County alone. In addition, we had over 21,000 in-person voters. You can only imagine how long the lines would have increased with eight less dates. Next, I would like to talk about essentially eliminating early voting. No-excuse early voting has been in place in Nebraska for 25 years, a quarter of a century. Early voting numbers speak for themselves. On average, 50% of voters in Douglas County choose to vote early. The number one reason we hear over and over again from voters why they like early voting is so they may take their time, research the ballot, and become a more informed voter. We especially hear that regarding local or lesser-known offices for judges and special issues. I think it is worth noting that nationally, both major political parties and both major presidential candidates not only embraced early voting last year, but had campaigns encouraging it and spent millions and millions of dollars on those early voting campaigns. Voters who vote early may return their ballots

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either by drop-box or U.S. mail. However, the U.S. Postal Service has asked voters not to mail ballots back beginning a week before the election, as they cannot guarantee delivery. In contrast, voters may use a drop-box of-- up until the time the election ends. In statewide and city elections in Douglas County, over 75% of voters choose to use a drop-box. Our drop-boxes are under 24/7 camera surveillance, have fire suppression systems, take two keys to open, and when appropriate, have concrete bollards around them. These boxes are extremely safe and secure. Finally, we support the post-election audit administered by the Secretary of State's office with the current three races in 10% of precincts.

**ANDERSEN:** Your time has expired, but please finish your thoughts.

**BRIAN W. KRUSE:** OK. If we were to hand count ballots in Douglas County for last fall's election 100%, it would have taken hundreds, possibly thousands of additional individuals and cost over \$1 million in labor alone. I have included for you a story from a very small county in South Dakota that is perfect example of how inaccurate it can be. In conclusion, this bill is full of solutions to problems that do not exist. This bill is loaded with unfunded mandates in the millions of dollars. Taxpayers would need to foot the bill. We are the gold standard of elections in large part due to our local election officials across the state. You hear of very few, if any, problems with our elections, whether it is how voters vote, voter registration, or reporting of results. If you do hear of any issues, they are almost always theories, stories of second- and third-hand accounts, and rarely, if ever, has evidence been presented. Nebraska has a system that works amazingly well. In conclusion, the Douglas County Board of Commissions [SIC] voted 7-0 to oppose this bill. Therefore, on behalf of the NACO election law committee, the Douglas County Board, and myself, we oppose LB541 and urge the committee not to advance this bill to General File. Thank you.

**SANDERS:** Thank you, Mr. Kruse, for your testimony. Check with the committee to see if there are any questions for you. See none. Thank you very much.

**BRIAN W. KRUSE:** Thank you.

**SANDERS:** Next, we'll have Todd "Witcher" [SIC]. Welcome back.

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**TODD WILTGEN:** Thank you, Chairwoman Sanders. Members of the Government, Military and Veterans Affairs [SIC] Committee, my name is Todd Wiltgen, T-o-d-d W-i-l-t-g-e-n, and I'm the Lancaster County Election Commissioner, and I am here today in opposition of LB541. I have serious safety concerns about making the video surveillance of our drop-boxes publicly available. I distributed a report about an incident that took place on Saturday, November 2, when the individuals associated with the Nebraska Voter Accuracy Project recorded a young male wearing a black sweatshirt approached one of our drop-boxes on a skateboard and clearly deposited one single ballot envelope. He then took a selfie in front of the drop-box. This recording of such an innocuous act-- casting a ballot-- was then widely disseminated through various social media platforms falsely and defamatorily claiming he was a ballot mule. Overnight, the video was viewed over 1.5 million times, generating threats of vandalism of the drop-box and violence against the young voter. After reviewing our surveillance footage, we were able to identify the voter and refer the threats to the Lincoln Police Department. The responding officer had the unenviable task of contacting the young voter and advising them about what had transpired. On November 5, Election Day, an agent from another law enforcement agency contacted me and advised me that the online post had generated multiple death threats, and that I should take-- that I should take care not to reveal the identity of the voter. There are online discussions about using facial recognition software to identify the young man. On November 9, I received a public records request for our footage of this incident. Thankfully, I was able to deny the request under Nebraska Revised Statute Section 84-712.05, subsection (9), which exists to protect government infrastructure and, in this case, the safety of an innocent voter. Providing the footage would have revealed the young man's identity and endangered his personal safety. The other provision of LB541 I'd like to focus your attention on is the excessive mandatory manual audit requirement. Requiring counties, requiring counties to manually count 25% of ballots will unnecessarily and dramatically escalate election costs. The Election Act already mandates the county election officials conduct three separate independent tests prior to Election Day to verify the accuracy of the counting process. Following elections, counties conduct a manual audit at the discretion of the Nebraska Secretary of State. His office randomly selects the precincts and races for a hand-count audit to verify the accuracy of the counting process. Last November, we manually audited three races in three

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precincts. Our two manual audit teams hand counted almost 10,000 ballot questions, and it took two business days. Had we been required to manually count 25% of the ballots cast in the last election, we would have to have used 50 teams to hand count over a million ballot questions. I estimate it would have taken 2,192 staff hours, or 44 hours per team to conduct the audit. Payroll cost alone would have been \$132,000. My office has taken pains to avoid drafting poll workers who only work 1 or 2 days a year. For a large-scale hand count, we would need to-- we would need over 250 workers for at least a week per election, so we would have no choice but to institute a draft, which would entail additional costs; then, you must also add the time and cost to secure a space large enough to accommodate those new workers for that week, all costs that would be ultimately borne by the taxpayer-- by the property taxpayers. For these reasons and reasons outlined by my colleagues, I would ask that you not advance LB541 to General File, and I would be happy to answer any questions you may have. Thank you.

**SANDERS:** Thank you, Mr. Wiltgen. We'll check to see if there's any questions from the committee. See not. Thank you very much.

**TODD WILTGEN:** Thank you.

**SANDERS:** We'll go on to our next invited testifier, Tracer [SIC] Overstreet, Hall County Election Commissioner. Good afternoon. Welcome.

**TRACY OVERSTREET:** Thank you. Pleasure to be here. I don't think the state actually pays enough for the State Patrol and the road crews who cleared-- the interstate was closed this morning, and I really appreciate they got it opened by Grand Island just before noon, so kudos to all the, the state workers who were manning the roads after the storms. I appreciate that. Good afternoon, Chairwoman Sanders and committee. I am Tracy Overstreet, T-r-a-c-y O-v-e-r-s-t-r-e-e-t. I am the Hall County Election Commissioner. I am officed out of Grand Island. Our county board also opposes this bill, as well as myself as election commissioner, and I also am the co-chair, with Mr. Kruse, of the election law committee for the Nebraska Association of County Clerks, Register of Deeds and Election Commissioners [SIC], and we also have a lot of concerns about this bill. LB541 would eliminate online voter registration. Currently, 20% of Nebraskans are utilizing online voter registration. It's very important people are able to

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update their registrations as well as register for the first time. On nights, weekends, holidays, we have a lot of shift workers in our community, so it's important to have that accessibility for our voters. Voters have to update their voter registration whenever they change their name, their address, or their political party. So, that's really important to have that accessibility. It's also very advantageous to us as election workers because we're not having to re-key in the information, we're not having to decipher someone's illegible handwriting on a paper form. So, that's very helpful. If we did not have online voter registration, we would have to employ additional staff in our office. LB541 also alters by-mail voter registration, and I think does so in a way that would put us in conflict with federal law. Currently, the national Voting Rights Act does mandate that every state accept and use a by-mail voter application or voter registration form that's provided by the Federal Election Commission. I also believe that it's contrary with a federal postcard application that allows overseas citizens and military to register to vote, and I also think it's in conflict with our national change-of-address confirmation mailings. When we get address changes from the post office, we send those confirmation mailings to the voter; they send back updated information via that card. It's by mail. We need to be able to process that by mail. That would be in conflict with federal law. Another concern is the watermarking of ballots. Currently, just the sheet of paper, the ballot itself, costs \$0.10; depending on the type of watermark, it could range and increase the cost \$0.20 per ballot up to \$2.00 per ballot. So, that is also of a concern. And we have a 25-year history of no-excuse early voting. I do want to make note of the excuses that are allowed under LB541-- I don't see poll workers as being allowed. We don't have enough poll workers to vote in their home precinct on election day; we would have to implement a draft if poll workers were not allowed to vote early in our county. I think getting rid of no-excuse early voting is anti-voter, it's a major backslide for the state of Nebraska. Brian and I both serve on federal committees, and I can tell you that Nebraska is seen as a gold standard and really, a lot of the other states envy us, what we have here in Nebraska. For all of these reasons, I, myself, as election commissioner, on behalf of our association and the whole county board of commissioners, oppose LB541, and we would hope that you would not release it from committee.

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**SANDERS:** Thank you, Ms. Overstreet, for your testimony. Check with committee to see if there are any questions. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair. Thanks for being here, Ms. Overstreet. Can you talk a little more about the cost of the watermark? Do you know-- what, what would be the difference between going up to \$0.20, which is a basic double cost, and going up to \$2.00?

**TRACY OVERSTREET:** Well, there could-- there are watermarks, there could be polygraphs, there's all kinds of different security marks that could be used. But another thing that's a major concern for some type of security mark is the use currently of our express votes, which use thermal paper. And I'm not sure how thermal paper can be watermarked or have a security mark put on it, so that's going to be costly. The express votes are what is available at every precinct across the state of Nebraska for someone with disabilities to use. It's a ballot-marking device. It's not exclusive-- currently, it's not exclusive to someone with a disability. However, I believe some of the language in this bill reads as though it would now become exclusive to someone with a disability. And we also use the express votes for if a precinct would happen to run out of a particular ballot, someone could always use an express vote as a backup. And I think some of the language in this bill may prevent that, so that's a huge concern. I know it's a big wide variety of cost in that watermarking, but we're looking not only at regular ballot paper, but also the express vote, a thermal paper.

**J. CAVANAUGH:** And who is responsible to bear that cost of the printed ballot?

**TRACY OVERSTREET:** The taxpayers have to bear that cost. They pay for elections, they pay for the paper, they pay for the poll workers. So, not only is this-- I think it's disenfranchisement to the voter; it's also very onerous to Nebraska taxpayers. The hand count, even, for example, in our county, if we would have hand counted in the last-- the presidential election would have cost us \$150,000 just to hand count that, and that's without security cameras. I think if we had to secure an area and add the cameras, that would be an additional \$250,000 expense to hand count. I have a \$450,000 budget overall, so that's going to be a huge increase for our county taxpayers.

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**J. CAVANAUGH:** I have one more question. Sorry. So, my ballot in the last-- in November. I think it was four pages. Does that sound right? Yeah, I'm seeing, I'm seeing Mr. Kruse shaking his head yes. So, four pages. Is this \$0.20 to \$2.00 per page?

**TRACY OVERSTREET:** It's per page.

**J. CAVANAUGH:** OK. Thank you.

**SANDERS:** Are there any other questions from the committee? See none. Thank you very much for your testimony.

**TRACY OVERSTREET:** Thank you.

**SANDERS:** We'll now ask for opponents on LB541. Oh, wait. I'm sorry. We have one more invited guest. Beth Brazen [SIC] Ferrell with NACO. Sorry, and welcome.

**BETH BAZYN FERRELL:** Thank you, Chairman Sanders, members of the committee. For the record, my name is Beth, B-e-t-h; Bazyn, B-a-z-y-n; Ferrell, F-e-r-r-e-l-l. I'm with the Nebraska Association of County Officials and appearing in opposition to LB50-- LB541. What you're receiving are letters from the Fillmore, Nuckolls, and Richardson County clerks. They did intended to be here today, but with the questionable roads, they decided that they would have me submit their testimony for them, so. I'd encourage you to take a look at those letters. If you have any questions about the details or the data in there, I know they would be happy to answer them. One thing that you will see in there, there are some concerns about one piece of the bill that talks about shortening the time frame for early voting from 35 days to 22 days, and there is a concern about that in part because of delays in postal service deliveries. So, they're-- again, I'd encourage you to look at the letters and, and see their comments about that. Also, I just-- as a reminder, to note that the Lancaster, Douglas and Hall County boards all voted to oppose LB541. Nebraska clerks and election commissioners are doing an incredible job keeping our elections safe and accessible and accurate, and we don't believe that LB541 is necessary. It's not an improvement to that. So, we would encourage you not to advance the bill. I'd be happy to take questions.

**SANDERS:** That was quick and easy. Thank you, Ms. Bazyn Ferrell. See if there are any questions from the committee. No. I see no-- I see no

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questions. Thank you very much. Now, we'll open it up for any other opponents. Any other opponents? Welcome.

**JANET BANKS:** Thank you. My name is-- my name is Pastor Janet Banks. I am the former chair and now the vice chair of the Nebraska Democratic Party Black Caucus.

**SANDERS:** Could I please have you spell your first and last name for the record?

**JANET BANKS:** My first name is Janet, J-a-n-e-t. That's Pastor, P-a-s-t-o-r. Banks, B-a-n-k-s.

**SANDERS:** Thank you.

**JANET BANKS:** You're welcome.

**SANDERS:** Go ahead.

**JANET BANKS:** Good afternoon. First of all, thank you all for the opportunity to testify before you today. This is still a form of the democracy that we cherish. All of you here in the Unicameral today campaign, knowingly or unknowingly, on the gifts of helps. This can be found in 1 Corinthians 12:27-28. I'm not going to list all the gifts there, but I will say this: now you, you all that have the gift of helps and guidance. And a-- I'll stop there. I was going to go through another [INAUDIBLE]. My late mother lost her battle with cancer back in December of 2015. She started out being a poll worker back in the 60s, when poll workers could campaign outside of the building with the hats and the buttons of candidates, until the Lord Jesus Christ called her home prior to that crucial 2016 presidential election. I miss my mom and dad. I, too, have kept that tradition in my family here in Nebraska since 2008. I have taken civic, social, and spiritual pride in exercising that civic service. I stopped voting in person so that I can register online to ask for a mail-in ballot so that I can continue to provide that civic duty. The proposal to eliminate vote-by-mail, early voting, enforce a hand-count voting will disenfranchise voters regardless of party. We will force an unnecessary burden upon our precious senior citizens, those with disabilities, and those who must work on election day to support their families. Barriers such as transportation, financials, medical, and mental will be derived from this. With all due respect, disastrous, crucial, and unfounded data

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regarding this proposal. When I heard of this bill, my mind went to the song America the Beautiful. What's beautiful about making voting rights more difficult to achieve? Rocket science isn't needing-- isn't needed here. Do the right thing. The verse in that song that says "God shed his grace on thee // and crown thy good with brotherhood from sea to shining sea." I personally do not believe that God's grace is on this bill. I do not believe God is crowning or guiding the state senator proposing this bill, or any state senator standing with him to be forced upon the brothers and sisters of the state of Nebraska of every religion, community, race, gender, or political affiliation. Another musical tribute to our country is "My country, 'tis of Thee, sweet land of liberty // of Thee I sing // Land where my fathers died, land of the pilgrim's pride // from every mountainside, let freedom ring." State Senator Rick Holdcroft and company, allow freedom to ring here in Nebraska Unicameral. Unlike any other, this land regarding the freedom to continue to vote with the present measures in place. That's one of the many measures that will allow the good state to continue to be sweet and unique. Your-- you, state Senator Holdcroft, could be the champion of allowing freedom to ring in our state by withdrawing this bill. Then, everyone in Nebraska and across the country will look at you and this entire Unicameral as a beacon of hope and liberty. State Senator Holdcroft, champion hope, liberty, and freedom for the right to vote without unfounded and unnecessary barriers for the citizens of our great state. Let freedom ring. I'm an ordained pastor that believes that the Bible-- I believe the Bible from the front to the back, and I'm not ashamed.

**SANDERS:** I am so sorry, Pastor Banks, but you've had the red light for the last minute or two. Could you just wrap up your thoughts, please?

**JANET BANKS:** I can. I'll skip a couple of my paragraphs. I'm an ordained pastor that believes in the Bible from the front to the back. I'm not ashamed. I'm an ordained pastor, nurse, former underground coal miner, 14-year breast cancer survivor who also lost both of my parents, loving godfather, and other family members to cancer. I'm a mother, surrogate spiritual mother, grandmother, sister, surrogate sister, aunt, cousin, extended cousin, nontraditional student, and a citizen of Nebraska. I love our state and country.

**SANDERS:** Thank you, Pastor Banks, for your testimony. Let me check to see if there are any questions for you now. Any questions from the committee? See none. Thank you very much.

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**JANET BANKS:** You're welcome.

**SANDERS:** Any other opponents on LB541? Welcome.

**HEIDI UHING:** Hello, Chairman Sanders, and members of the Government, Military and Veterans Affairs Committee. My name is Heidi Uhing, spelled H-e-i-d-i U-h-i-n-g. I'm public policy director for Civic Nebraska. Our organization advocates for a more modern and robust democracy with free and fair elections. We have excellent election commissioners and county clerks in our state who conduct elections on behalf of all Nebraskans. If you haven't yet toured one of the election offices in your district, I encourage you to do so. Each time I visit to learn more about their work, I'm struck by their thoroughness and their careful attention to detail. We have the right people on the job. That's why, in MIT's latest election performance index, Nebraska was elevated to the top five states for election integrity. That's something we should all be proud of. That's why it's so disappointing to see bills like this come to your committee. Disinformation campaigns in recent years have fostered conspiracy theories that have led to segments of the population distrusting the election process, with themes as diverse as illegal immigrants voting, to dead voters, to stuffing drop boxes. Electoral fraud in the United States is extremely rare, according to multiple courts, election officials, audits and studies, including one review in Sarpy County that cost taxpayers \$88,000. After investigating 52 affidavits claiming fraud in the 2020 general election and the 2022 primary elections, no voter fraud was found. The most important role in our democracy is that of the citizen. Our government is structured so that we may determine who is governing us. Attempts like this to retract the number of people voting are contrary to the goals of our democracy. They also contradict the tenets of good government. Why would we, according to the fiscal note, spend \$1 million more on our state's elections to drastically reduce the number of people participating in them? That is not effective and efficient governing, nor is it effective government to be ignoring modern uses of technology to provide secure conveniences to the public that is being served by these processes. I'll mention the handout that I shared with you is an update on a court case that was related to a documentary that was responsible for disseminating a lot of this misinformation about the stuffing of drop-boxes, how voting by mail is fraudulent, and a lot of those claims created a perception among some members of the public that voting by mail in particular is fraught with fraud.

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And, you know, it takes a while for these things to make themselves through the court system. This is the result, that people who contributed to these perceptions have had to apologize publicly, retract their comments, and pay a hefty settlement. So, it's important to recognize, I think, the end result of what happened with those claims. So, for these reasons, I urge you to not advance LB541.

**SANDERS:** Thank you, Ms. Uhing, for your testimony. Checking to see if there are any questions from the committee. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair, and thanks for being here, Ms. Uhing. And I apologize if you're not the right person to ask this to, but I'm just wondering about letting some counties do all vote-by-mail--

**HEIDI UHING:** Yeah.

**J. CAVANAUGH:** --and other counties have no vote-by-mail, or no, no, no whatever excuse vote by mail. Does that have any implications of, like, equal protection, or any type of thing like that?

**HEIDI UHING:** We've been asking similar questions for a couple reasons. One is that, you know, the states-- or, the counties that would be grandfathered into that process would enjoy overrepresentation in our elections, because we see that any time the use of voting by mail is expanded under any policy, voter turnout increases substantially. So, you'll see in those counties-- we have 11 counties in the state that currently qualify to conduct elections all by mail. In order to qualify to do that, you have to have a population of under 10,000. As a side note, 66 counties qualify to do that right now; only 11 are doing it currently, and their turnout numbers are high 60s, low 70s where the state average is in the mid 50s. So, you can see it just boosts turnout incredibly. So, so, it's a policy that we want to support, but it is unfair, then, to grandfather in these folks to this very convenient process while retracting it from the other counties. And I would also add on that component that if the goal of the-- or, if the belief behind the bill is that voting by mail can't be trusted, then it's interesting that it would protect some counties to continue to do so. That, that seems like a-- something that would need to be addressed, perhaps.

**J. CAVANAUGH:** And I would point out-- I think I asked Senator Holdcroft, and he can correct me in his closing if he wants, but I

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thought I asked him-- I think the counties that are eligible can still opt in after this bill, too.

**HEIDI UHING:** I'm unclear on that, to be honest. I think that should be explained a little bit more thoroughly in the bill. I-- it-- my impression was that those who are doing it now would be grandfathered in, but I'm not sure about future requests.

**J. CAVANAUGH:** OK. All right. Thank you.

**HEIDI UHING:** Thanks.

**SANDERS:** Thank you. Any other questions? Thank you for your testimony.

**HEIDI UHING:** Thanks.

**SANDERS:** Any other opponents on LB541? Welcome.

**MIKE MALLOY:** Hi. Afternoon, senators. I'm Mike Malloy, M-i-k-e M-a-l-l-o-y. I am testifying as-- on behalf of myself today. Since 2016, I have been a poll worker here in Lancaster County. I've worked on 11 different elections. The last eight, I was a precinct inspector, which means that I oversee a group of five people to verify-- to conduct the election in my precinct. And I bring good news: there is no voter fraud in the state of Nebraska. I've never seen a bus full of migrants roll up to a polling place and unload people to come in to vote; I've never seen anybody come and vote and then go put on a disguise and then come back and vote a second time. There are a lot of procedures in place that we have to make sure that that election is safe and secure. I know I don't have a lot of time today to go into all of those, but there's two things about this bill that I really dislike. One is the increased use of hand counting-- and a number of people have already testified about how that's less accurate. I can personally testify to that, because one of my jobs as a poll worker is at the end of the night, we have to count the ballots and make sure that we have an accurate count. And it's very simple, all we're doing is saying, hey, 312 people came to vote today, we should have 312 ballots in this metal box over here. And we go through and we break it out, and we do piles of ten, and this last election, we had to do it three times because it's like, oh, first time we came up with 310; well, the next time was 313. Now, we had to go through oh, this pile only had nine and it, it didn't have ten; two of them stuck together

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and we didn't count it right. And all we're doing is just getting to a number; we're not tallying winners and losers; we're not tallying the winner of the presidential election and the governor's race, and the Senate, and the House, and legislatures [SIC] and all the ballot initiatives. Hand counting, there were, what, 20-some-odd different votes that you could cast in this last-- at least here in Lancaster County, with all the initiatives. You'd have to hand count every single one of those. It would be astronomical. And Senator Andersen very wisely brought up the fiscal implication of this. I didn't look at the fiscal note for this bill, but it's got to be astronomical. You've got to have human beings to do this hand count. I'm not doing it for free, so they're all going to have to be paid to do that. And human beings make mistakes. So, it-- that's-- it's a less accurate way to do that. If we were to print the first page of this bill and say how many words are on this bill, how would we determine that? Do we each count them, or we let the machine do it? Which do you think it's better? The last thing I'll say is the ending no-excuse early voting, the first provision under there is a-- one of the excuses you can give is I'm going to be out of town. Well, who, who verifies that that's really true? If I'm a cheater and, you know, I'm going to do that, I'm going to lie to you and say, yeah, I'm going to be out of town when I'm really not. So, I don't really know what that accomplishes. I think that you've, you've done a lot of work-- I'll finish very quickly-- you've done a lot of work: voter ID laws, more secure ballots, all that stuff in the last two years. At some point, you have to trust the process. At some point, you have to say there's a process in place, there are people who are using that process, and the results are accurate. I think we're at that point. Thank you for your time.

**SANDERS:** Thank you, Mr. Malloy. I'll check to see if there are any questions from the committee. See no question. Thank you for your testimony.

**MIKE MALLOY:** Thank you.

**SANDERS:** Any other opponents on LB541? Welcome.

**SHERI St. CLAIR:** Hi. I am Sheri St. Clair, S-h-e-r-i S-t C-l-a-i-r. I'm here this afternoon on behalf of the League of Women Voters of Nebraska. The right of every citizen to vote has been a basic principle of the national League since its founding in 1920. The League has undertaken nationwide efforts to promote voter protection

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and education, to prevent the development of processes and laws that threaten to disenfranchise voters, to educate the public on new election procedures, and to provide voters with information needed to cast a vote and be sure that the votes are counted. In addition, remind you that the Nebraska state Constitution states that "all elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise." We find a number of provisions in this bill problematic. They're detailed more in your handout, and I'm just going to hit on a couple of that in this allotted time. The bill places a lot of restrictions on the voter registration process. League members conduct many registration events, often held at high schools, parades, festivals, and the like. It is reasonable for citizens not to have a photo ID with them at these events. Photo ID verification at this step is redundant to the process, since the Secretary of State and the DMV match their computerized information to verify accuracy of all information provided. League volunteers also visit assisted living centers, shelters, and jails. Citizens at those locations are not able to visit an election commission. It's unclear whether applicants would have to additionally physically come to the election commission even after registering to vote with the deputy registrar, which is not going to be possible for some of the voters. The League has consistently testified in opposition to decreasing the amount of time allotted for early voting-- in this case from 35 to 22 days-- whether by mail or in person. This decrease in accessibility hinders the right of people to vote, and you already heard the impact that this decrease in time will have at the various election offices. Back in 2017, the Secretary of State issued a report indicating that the best long-term, county-friendly, least expensive choice for Nebraska generally would be an all-mail voting model where every voter is assured of receiving a ballot. Data provided in the handouts demonstrate that mail-in voting is extremely popular in Nebraska, and reports in the Secretary of State show that this is true, and that early voting ballots are cast securely without any evidence of fraud. I also wanted to touch on the requirement that voters state a reason they are permitted to vote early when requesting the ballot. Requiring them provide a rationale is-- seems-- strikes me as both discriminatory and unnecessarily intrusive. Apparently, those counties which are exclusively vote-by-mail would not require this of voters. Nebraska law has not required a person to disclose a reason for making an early vote request since 1999. This bill also requires the development of a

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procedure to hand-count at least 25% of the ballots, and you heard issues associated with the comparison of hand and machine counting. Nonetheless, in spite of known limitations of hand count, the League supports the right of individual candidates to request a hand count of ballots on-- if the election results fall within the margin authorizing them to request such an official hand count of results. As the League works to remove barriers to voting, and there-- we are therefore opposed to the advancement of LB541. Sorry.

**SANDERS:** Thank you, Ms. St. Clair, for your testimony.

**SHERI St. CLAIR:** And there's references in, in the handout for most of these statements, for your--

**SANDERS:** Yes. Thank you very much for your written testimony.

**SHERI St. CLAIR:** --reading pleasure.

**SANDERS:** Thank you. Are there any questions for Ms. St. Clair? See none.

**SHERI St. CLAIR:** Thank you for your time.

**SANDERS:** Thank you. Any other opponents? Welcome back.

**OLIVIA LARSON:** Thank you. Good afternoon or evening, I haven't checked the time. My name is Olivia Larson, O-l-i-v-i-a L-a-r-s-o-n. I am still the policy and advocacy associate at RISE. I request this be included as part of a record that shows RISE is in opposition to LB541. I'll allow you to read all about our programs later, because there are a lot of them. The mission of RISE is to break generational cycles of incarceration. RISE is also a founding member of the Nebraska Voting Rights Restoration Coalition, a collective of over 30 state and national organizations who advocated for the removal of the two-year waiting period for people with felonies to vote. We successfully worked to pass LB20 last year, and Nebraska remains the only state that restored voting rights in 2024. Due to the legal challenge of the Attorney General and Secretary of State, coalition partners filed a lawsuit at the Nebraska Supreme Court. The ruling to uphold restoration was released with only ten days for impacted Nebraskans to get registered before the deadline. Our coalition relied on the existing systems of registration, particularly online voter registration, as the constraints of time and resources meant we could

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not support in-person registration for every impacted Nebraskan in time. These systems would no longer exist if LB541 were implemented. The majority of the voters we registered with previous convictions were during the three days before the registration deadline. Of the voters our coalition registered, 74% turned out to vote, on par with the statewide turnout rate reported by the Secretary of State. Nebraskans with direct experience in the criminal legal system have made it clear they are motivated to vote, and they do. LB541 inhibits our ability to re-enfranchise those with felony convictions, and proposes another barrier to accessing their newly-restored right to vote. NDCS estimates that 95% of incarcerated Nebraskans will one day return home. Restoring the right to vote is a powerful signal that Nebraskans believe in second chances. RISE works to provide every returning citizen with the information they need to become civically engaged with their community; LB541 simply poses too many barriers in order for them to do so. For these reasons, we oppose LB541, and we ask you not to vote this bill out of committee.

**SANDERS:** Thank you very much for your testimony, Ms. Larson. Check to see if there are any questions from the committee. I see none. Thank you very much.

**OLIVIA LARSON:** Thank you.

**SANDERS:** Any other opposition for LB541? Good afternoon. Welcome.

**LINDA DUCKWORTH:** Good afternoon, Chairwoman Sanders, and committee. I'm Linda Duckworth, L-i-n-d-a D-u-c-k-w-o-r-t-h. I'm here representing myself. There are a number of provisions in this bill that are objectionable and alarmingly expensive to us taxpayers one way or another, but the one I am focusing on today is the idea of hand counting 25% of the ballots. Of course, I didn't realize that we were going to have so many good explanations about that, but I drove all the way from Omaha on this horrible day, so I'd really like to just take my 2.5 minutes to, to say what I have to say. So, thank you. In the winter of 2010-2011, citizens from the southern part of Sudan, including its diaspora, voted in a referendum election to decide whether to separate from northern Sudan. The largest voting center in the United States was in Omaha, and I was the head of center. After seven days of registration in November of 2010 and seven days of voting in January 2011, it was time to count the 3,076 votes at the Omaha center. Hand counting began immediately after the close of polls

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on the last evening at 6 p.m. Three teams were tasked with tallying votes, and numerous observers and monitors representing organizations such as USAID, the Carter Center, and the U.N. were present. Even though each ballot contained only one question-- unity or secession-- the process of counting took most of the night, and then there were many steps to follow to wrap up the election. I remember having breakfast around 5 a.m. with a coworker after we had been up for more than 24 hours. What I'm saying is that process of hand counting a mere 3,076 ballots-- divided among three teams and featuring only one question-- took several hours. In contrast, our elections, such as the recent one in November, typically include at least 15 offices and several ballot issues. You do the math. Aside from the concern of human error, consider the expense of additional personnel to tally votes of finding the space in which to do it and the security needed to keep the ballots safe as all this is going on. At the same time, I am not saying hand counting is always the wrong way to go. Those elections around the world, usually administered by IOM, as the Sudanese referendum was, need to be conducted in a uniform way that works for all polling places. A pre-technology approach is usually the appropriate one. And I can see why the system we have now in Nebraska, where 10% of the vote for a few selected race-- a few select races is hand counted in addition to the machine count makes sense. It helps to assure our citizens and lawmakers that the machines really are accurate every time. But this is not the time to add mountains of costs to U.S. taxpayers, all to make Nebraska elections less accessible, nor is this the time to change a well-run system that other states have begun emulating. I ask the committee to not advance LB541. Thank you.

**SANDERS:** Thank you, Ms. Duckworth, for driving all the way down here, and for your testimony. We, we feel your pain. So, thank you for your testimony, and let me check to see if there are any questions from the committee. See none. Thank you, and drive home safe.

**LINDA DUCKWORTH:** You too.

**SANDERS:** Thanks. Any other opposition? Good afternoon. Welcome.

**CESAR GARCIA:** Good afternoon. [INAUDIBLE] Senators, committee members. Good afternoon. My name is Cesar Garcia, C-e-s-a-r G-a-r-c-i-a, and I'm a community organizer with Nebraska Appleseed, an nonpartisan nonprofit dedicated to justice and opportunity for all Nebraskans.

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Today, we're testifying in opposition to LB541. As you have heard, LB541 will make it more challenging for Nebraskans to exercise the right to vote in Nebraska. We work with local communities all across the state. We hear regularly from community members about how important it is to have an accessible voting process for eligible voters in Nebraska. By restricting the early voting process in Nebraska, we're concerned that it will make it more difficult for eligible Nebraskans to have their voices heard during an election. For many Nebraskans, life is unpredictable. We frequently, we frequently hear that on election day, people miss the opportunity to vote because they have work schedules they cannot change, family responsibilities, or they're out-of-town, or unexpectedly fall ill. Early voting allows people to plan their schedules better and proactively schedule a time to vote that is convenient for them. By restricting early voting to a handful of scenarios, voting in Nebraska will become more challenging and less convenient. As a consequence, our state will likely see lower voter turnout. This is particularly true in rural parts of the state, where early voting helps people navigate not just, not just scheduling barriers, but also geographical barriers. Thank you for your time, and I'm happy to answer any questions.

**SANDERS:** That was fast. Thank you, Mr. Garcia, for your testimony. Are there any questions from the committee? See none. Thank you very much.

**CESAR GARCIA:** Thank you.

**SANDERS:** Any other opposition on LB541? Welcome.

**KATIE BRADSHAW:** Thank you. Thank you to the committee. My name is Katie Bradshaw, K-a-t-i-e B-r-a-d-s-h-a-w. I oppose LB541. I'm representing myself. I have served as a poll worker since 2016, first in Scotts Bluff County in far western Nebraska, and now here in Lancaster County. I've seen how carefully the process is managed to maintain a party balance among workers, and all the double-checks to ensure security. This bill would make it more difficult for citizens to vote, and increase the costs of our elections. This bill would reverse over two decades of successful no-excuse voting by mail in Nebraska, and it goes against the trend for some of our rural counties that vote entirely by mail. And voter-- as it's been noted, voter participation has gone up in those counties. What a wonderful success. Those counties can continue to vote entirely by mail; why would we make it harder for the rest of the state with this bill? The list of

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approved excuses for voting by mail in this bill cannot cover the range of circumstances voters may have, so we're going to lose legitimate voters. What about people whose work shifts don't allow them to go vote after work? Maybe they have to pick up kids. You can never know how long the line's going to be before work, and you can't be late, so do you just skip voting? What should poll workers do if they're assigned to work a precinct other than the one they vote in? This has happened to me. I can't leave my assigned polling station and go stand in line to vote. There will be lines. What are voting lines going to look like when the number of in-person voters increases? Particularly in presidential election years, there are always lines. The longer the line, the more people we're going to lose when they can't afford to wait that long. Depending on the polling location, there may be no room for people to wait inside, and I've seen voters having to wait outside in line, in rain and in cold conditions. I understand that counties have had difficulty securing polling loc-- polling sites even now; how are they going to find more polling places if they have to expand opportunity for larger numbers of voters? Things are different now than they were 25 years ago. There's more concern with security in schools and other public buildings that may make securing polling locations more difficult. I urge you not to let this bill out of committee. Thank you for your time.

**SANDERS:** Thank you very much for your testimony, Ms. Bradshaw. Let's see if there are any questions from the committee. See none. Thank you very much. Are there any other opponents on LB541? Welcome.

**MACKENZIE LONCKE:** Thank you. Thanks, Senator Sanders, and senators of the Government, Military and Veterans Affairs Committee. My name is MacKenzie Loncke, M-a-c-K-e-n-z-i-e L-o-n-c-k-e, and I am the policy fellow at OutNebraska. OutNebraska is a statewide nonpartisan nonprofit working to celebrate and empower LGBTQ+ Nebraskans. OutNebraska speaks today in opposition of LB541. Nebraska's constitution declares that our elections shall be free, and there shall be no hindrance or impediment to the right of qualified Nebraskans to vote. We are here in opposition to LB541 due to our concerns that many Nebraskans, including gay and transgender Nebraskans, would face undue burdens to vote. OutNebraska's main concern with LB541 are the proposed elimination of online and mail voter registration, and the restrictions on early and absentee voting. OutNebraska participates in get-out-the-vote campaigns, and travels across our great state to register voters and increase voter turnout

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for Nebraska elections. Throughout our travels, we have had the opportunity to listen to the concerns and experiences of these voters. Safety while voting has been a top concern for folks in the gay and trans community in Nebraska. The current process that allows voters to register to vote by different means and vote early, by mail or in person, strikes a good balance between election security and the safety of voters and the privacy of their vote. We want our election law to allow voter-- all voters to safely and securely cast their vote, no matter their genders, race, ability, or where they live in Nebraska. We have heard concerns from transgender and gender-diverse Nebraskans that they fear being intrusively questioned or being turned away at the polls for in-person voting. Our state has around 4,000 voting-eligible transgender Nebraskans; many of these voting-eligible individuals fear being harassed for their appearance via intrusive questions, or by being turned away at the polls altogether. We heard from community that last year that many opted to take the extra steps to cast their vote early or by mail in order to address their safety concerns. LB541 would erode these voters' ability to vote altogether. We must do right by all Nebraskans and ensure that all eligible voters can exercise their right to vote. LB541 falls short of the needs of Nebraskans. We ask that you do not advance LB541, and work to create legislation that will create no hindrance on our right to vote. Thank you.

**SANDERS:** Thank you for your testimony, Ms. Lucky [SIC]. See if there are any questions from the committee. Senator Andersen.

**ANDERSEN:** Thank you, Chairman. Thank you for your testimony. Over the last two elections, do you know-- I haven't heard of any, but do you know of any violence towards the LGBTQ+ community that has happened in Nebraska?

**MACKENZIE LONCKE:** I have not heard any personal experiences, but our community organizer has had interactions with voters. I can reach out to them and see if they have heard of any personal experiences. But I would like to note that there is, like, an increased fear on behalf of transgender and gender-diverse Nebraskans to cast their vote, and so a lot of voters do choose to do early voting or mail-in votes, but-- yeah.

**ANDERSEN:** Thank you.

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**MACKENZIE LONCKE:** Yep.

**SANDERS:** Thank you. Any other questions for Ms. Loncke? Thank you very much for your testimony.

**MACKENZIE LONCKE:** Thank you.

**SANDERS:** Welcome.

**CHAUNCEY BROWN:** Good afternoon, Chairman-- Chairperson Sanders, and the members of the Government Committee. My name is Chauncey Brown, C-h-a-u-n-c-e-y B-r-o-w-n, and I'm an advocacy strategist with Planned Parenthood Advocates of Nebraska. As the advocacy and political arm of Planned Parenthood North Central States in Nebraska, our 501(c)(4) organization works to ensure that all Nebraskans have a voice in our democracy. We engage with communities, advocate for fair policies at the Legislature, and work to protect and expand access to the ballot. A fair, accessible, and secure election system is essential to our democracy, and that is why I'm here today strongly opposing the LB541. In the 2024 general election, Nebraska experienced a remarkable voter turnout, with 73.9% of registered voters casting their ballots, totaling 934,188 votes. This represents the second-highest turnout of votes cast in our state's history. Notably, several rural counties that adopted all-mail voting saw significant increases in voter participation. As Heidi mentioned earlier, those 11 counties that transitioned to all-mail voting reported markedly higher turnout rates, demonstrating the effectiveness of mail-in voting in enhancing voter engagement. Eliminating online and mail-in voter registration would disproportionately impact Nebraskans in remote areas and those with mobility challenges. These registration methods have streamlined the process, making it more efficient and accessible for all eligible voters. Early voting options are essential for accommodating the diverse needs of our population. Restricting these options would create unnecessary hardships, especially in a state where long distances and unpredictable weather like we had last night and today can make voting on a single election day challenging. LB541 does not enhance the security or integrity of our elections; instead, it introduces confusion, restricts access, and places unnecessary burdens on voters. We should focus on measures that encourage participation and uphold the trust Nebraskans have in our electoral system. I urge the committee to reject LB541 and continue to support policies that

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ensure our elections remain fair and accessible and secure for all Nebraskans. Thank you.

**SANDERS:** Thank you, Ms. Brown, for your testimony. Are there any questions from the committee? Senator Andersen?

**ANDERSEN:** Thank you, Chairwoman. Thank you for your testimony. I was just looking at your website, Planned Parenthood. I thought it was all about health care, and it appears like it is.

**CHAUNCEY BROWN:** So, we have a (c) (4) part of what we do in Planned Parenthood; I work for both the (c) (4) and our non-- our healthcare side of things as well. Within our work, we do advocacy work in the Legislature, we work on campaigns helping people to register to vote, to know what they're voting on. So, we do work in both. I am here on behalf of our (c) (4) side, Planned Parenthood Advocates of Nebraska.

**ANDERSEN:** OK, so it's not tied to any health care issues, it's all on campaigns and advocacy, and supporting causes?

**CHAUNCEY BROWN:** (c) (4)-- the (c) (4) side of stuff is specific to advocacy, Legislature elections, the work that we're allowed to do in a (c) (4).

**ANDERSEN:** Thank you.

**CHAUNCEY BROWN:** You're welcome.

**SANDERS:** Any other questions for Ms. Brown?

**ANDERSEN:** Talk about Planned Parenthood.

**SANDERS:** See none. Thank you very much.

**CHAUNCEY BROWN:** Thank you.

**SANDERS:** Any other opposition to LB541? Welcome.

**WES DODGE:** Good afternoon. My name is Wes Dodge; Dodge is D-o-d-g-e. I'm with RepresentUs and Better Ballots Nebraska, and I'm a volunteer. My father used to have the saying that some people make a room better when they come into it, and other people make it better when they leave. I think this is a bad bill. It's, you know, it being part of

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being discussed of what we're doing in our democracy makes our democracy worse. I'm not going to go over a lot of what always-- already has been gone over, and I had a feeling people would do a lot better job of that with the not-- with-- than I would, but as far as vote-by-mail, it expands access; it allows the rural voters to have access, elderly and people with disabilities. And what I see a lot in my practice is people who are just busy. They're, they're, they're working a lot, and I'm sure a lot of you have people like that in your, your districts too. And so, vote-by-mail makes it easier for those people to vote and, and allows you to do, do a better job of voting. The online mail-in voter registration-- we're doing everything online right now. I, I didn't like it when I first had to start doing it, but in the practice of law, we're filing everything now, we're-- I couldn't believe it the first time they were accepting digital signatures, but they do that on all legal pleadings everywhere now. So, if we can't-- if we can trust it in that realm, we can trust it here. Early voting, more people vote. It's hard for people to be available on just the Tuesday that they're supposed to be, like I mentioned before. I won't go over hand-counting because that would be redundant for you, but it's been proven to be more effective to do it with machines. So, I think we need to ask the question, are these policies making voters-- voting easier and more secure, or are we trying to limit people in some way or another? And, and I fear that maybe we're trying to limit people in some way or another, and that makes our democracy worse. We need to-- we need to do everything we can to get as many people to vote as we possibly can, in any way. We haven't had any widespread voting fraud issues. The real problem isn't voter fraud, it's voter suppression. Instead of making it harder to work, we should focus on ways to encourage participation; we should be talking about how to increase access, not limit it. And democracy works better when more voices are heard, so let's make Nebraska a place where democracy is better just like we'd make a room better when we walk into it. So, this bill does not make the room better. Please, let's keep it here, let's not let it out of committee.

**SANDERS:** Thank you very much for your testimony, Mr. Dodge. Let's see if there's any questions from the committee. See none. Thank you very much.

**WES DODGE:** Thank you.

**SANDERS:** Are there any other opposition to LB541? Welcome back.

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**DYLAN SEVERINO:** Good afternoon, Chair Sanders, and the Government, Military and Veterans Affairs Committee. My name is Dylan Severino, D-y-l-a-n S-e-v-e-r-i-n-o. I'm policy counsel at the ACLU of Nebraska, and I'm here in opposition to LB541. LB541 is a bill that's built around unsubstantiated and constantly disproven rumors. Nebraska has a proven, secure election system. All the restrictions and barriers to voting that LB541 creates would be for no gain to security; in fact, a loss, because hand counts are proven less accurate than computer counting, and it would come at the cost of less voter participation, as it is more onerous to both register and to vote. To start, I'd like to point out that Secretary of State Evnen has debunked election fraud in Nebraska in a report called "Fake vs. Fact" on his website. In this short report-- it's actually a PowerPoint, so it, it looks like a lot, but it's, it's not a lot-- he confirms that Nebraska's current, current processes are safe, secure, and accurate, and free from fraud. A lot of what I-- I didn't have the luxury of looking at it, but what I think I heard in some of the proponents' testimonies would be disproven in Secretary evidence report here. LB541 eliminates online and restricts by-mail voter registration, which needlessly burdens rural voters, seniors, people with disabilities, and people without reliable transportation, forcing people to take time off work and potentially make long drives just to register. LB541 would revert us to an excuse-only early voting state, a model that states have been moving away from for decades, and that Nebraska moved away from in 1999. There are currently only three excuse-only early voting states, and at least one of them has legislation pending right now that would change that. LB541 also requires 25% of votes to be hand-counted. Not only is this time-consuming, costlier, and more prone to error than computer counting-- as it turns out, humans are not as good at mindless rote tasks as the device we created to perform mindless, rote tasks for us-- but it's also unnecessary. There's no evidence at all of any error or fraud with computer counting in Nebraska, and the machines are already checked against hand, hand counts before every election. This all comes at the cost of voter turnout: if you make it harder to vote, fewer people will vote. It's as simple as that. Frankly, the voter turnout is the greater cost, however, it's going to cost Nebraska \$1 million upfront, according to the financial note. And, if you look at the back from the Secretary's original financial note, it's going to cost counties at least \$2.5 million every electoral cycle. LB541 does nothing to protect Nebraska's elections because they're already secure and trusted the way they are. It comes

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at a massive cost to taxpayers and voter turnout. Our democracy works best when all our voices are heard, so we need to move in the direction of making it easier to vote, not harder. For these reasons, we oppose LB541, and ask the committee to postpone it indefinitely. Thank you, and I'd be happy to answer any questions.

**SANDERS:** Thank you, Mr. Severino. Check to see if there are any questions from the committee. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair. Thanks for being here, Mr. Severino.

**DYLAN SEVERINO:** Of course.

**J. CAVANAUGH:** So, I, I-- you probably heard me ask Ms. Uhing this question. I thought maybe you'd be another good person to ask. If some folks in Nebraska can vote by mail regard-- without any excuse, and some folks have to have an excuse, is there an implication of violating equal protection there?

**DYLAN SEVERINO:** I think there is, but I haven't looked under-- into it, so I wouldn't want to say definitively, but I think there's definitely something there. Maybe also, like, the Privileges and Immunities Clause, as well. Or definitely the Supremacy Clause. As Commissioner Overstreet mentioned earlier, the national Voter Registration Act might supersede some of these, so I think there's definitely some questions. I'd want to look closer at the equal protection clause before I said definitively, but I definitely think you're right that there's a feeling that there's something there that's out-of-line, that some-- based on where you live in a state, that some people get this permission to vote a certain way, and, and people who live in another part of the state don't.

**J. CAVANAUGH:** OK. Thank you.

**SANDERS:** Any other questions for Mr. Severino? See none. Thank you--

**DYLAN SEVERINO:** Thank you.

**SANDERS:** --very much for your testimony. Are there any other opposition on LB541?

**\*SHANNON CORYELL:** Restricting access to online voter registration is completely unacceptable. There are a lot of people with disabilities

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and people without access to adequate transportation who use this option. There has never been any widespread fraud or issues with this service. Voting is a fundamental right and not a privilege for a few.

**\*JENNIE CALENTINE:** Good day Senators, members of the public, I firmly oppose LB541. We should be making it easier to vote, not harder. Most business these days is done over a computer or smart device. To eliminate online voter registration is to alienate the youth from their right to participate in civic life. To restrict mail-in voter registration is to disrupt the efforts of non-partisan organizations, like League of Women Voters, Seed the Vote, People's Action, and the Working Families Party. It would also hamper organizations such as political parties on the right and left, Turning Point, Vote Forward, and Early Vote Action. Finally, requiring grounds for early voting impedes those tens of thousands of Nebraska workers who are scheduled to work on an Election Day. If you are stuck at your desk in meetings, you may not have the time to vote, unless you have already voted early. Having those early voting ballots is also helpful for the election commissions doing the counting. I am also strongly in opposition to any Voter ID measure, as obtaining an ID requires an outlay of cash and time that economically challenged folks may have a hard time with. Thank you for your attention to this.

**SANDERS:** Any in the neutral on LB541? Going, going. Senator, Senator Holdcroft, would you like to close?

**HOLDCROFT:** Oh, yes.

**SANDERS:** Online position comments for hearing period is proponents, 104; opponents, 1,134; and 2 in the neutral.

**HOLDCROFT:** I suppose it's too much to ask for a consent calendar on this bill. Well, I'll start off by-- first of all, I appreciate all the, all the testifiers coming, and certainly a wide range of opinion. And I would-- you know, I have great respect for Brian Kruse and what he does there in Douglas County, but he made the comment that it's a bill that's, you know, it's solutions that are looking for a problem. Well, the problem is the people do not have confidence, or they're losing confidence in their election system. And you heard it, and I hear it a lot in Sarpy County. So, that's why I brought the bill. It's all about coming up with methods to build confidence in, in the voting process, and to make sure people believe when they vote, their vote is

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counted correctly and, and is, is applied correctly. So, that's kind of what it's about. It's a lot in one bill. Probably too many things happening in one bill. I get two things working against me. First, it's 2020-- it's, it's 2024 and not 2020. If it was 2020, we would be much more prone to look into, you know, election concerns. But we've had a great election, 2024; we had wide margins of victory, and so people are really-- the number one, we did a little research-- the number one indication or criteria by which people believe in their election process is whether or not their candidate won. If their candidate won, then there's no problem with the, with the election system. If they didn't, if it was close, then we need to look at it. So, now is the time, with some, you know, some fairly calm waters to try and, you know-- to consider some things that would build confidence in the voter. So, like I say, there's a lot of things in this bill. First, let's talk about mail-in ballots. In 2020, as I had in my opening statement, we passed a, a, a, a constitutional amendment that said-- that required people when they voted to use a photo ID. If you go to the polls on the day of election, you show a photo ID; if you go to the commissioner's office 30 days before-- any time 30 days before-- you show a voter ID; when you vote by mail, where's-- who are you showing a "voto" ID-- a photo ID for? And now, some people will say, well, you got it write, write it down on the envelope. You got to write it down. Well, the idea of a photo ID is it's got a photo on it that you compare to a face to, to certify that that's the individual who's voting. And so-- right? And, you know, we've been doing this for 25-- you know, we-- well, the, the, the photographic requirement is-- it's only been around since 2020. So, you know, that's a concern to me. And maybe right now it's not a big concern to others, but, you know, we-- and we've heard the, the comment that we've been doing this for 25 years, we've had mail in ballots for 25 years. I'd like to go back to 25 years ago and see how many people voted by mail-in ballot. I mean, I think it just hugely exploded during COVID. And so, how long are we going to wait? Are we going to-- right now, we have 50%, at least in Douglas County-- I've got the numbers here-- about 50% people are voting by mail-in ballot, or at least early ballot-- early voting. OK? And it's probably going to grow because it's convenient; because it's, you know-- and, and so do we, do we let it get to 70%, to 80%, to 90% and then decide, well, we're not really following the Constitution because nobody's showing a photo ID when they vote? So, that's my concern about mail-in-- I mean-- yeah, mail-in ballots, and I would also show-- like you to-- reference you to-- there were a lot

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of complaints about not being able to get to vote because of this and that. I mean, if you're over 80 years of age, you can vote by mail-in ballot; if you're unable to go to a polling place on the day of election, you can do mail-in ballot; if you have-- are a caretaker of a person who is hospitalized, ill, or disabled, you can vote by mail-in; if you are-- if your tenants of your religion prohibit you from voting on the day of, you can do a mail-in ballot; if you're confined by a public order, you can do a mail-in ballot; if you have jury duty, you can do a mail-in ballot; if you're a member of the armed forces of the United States, of course you can do a mail-in ballot. So, we've made exceptions to try and give everyone the opportunity if they need to have it. And you can vote 30 days before the election at the election commissioner's office. So, this idea that you're all tied up on, on election day-- I mean, why not vote the week before, then? And then, there was this something-- some comment about you can-- you have your excuse if you're not going to be, you know, in the, in the location on the day of, how do we validate that? Well, well guess what, if you say you're going to be in Florida and you request a ballot for-- because you're going to be out-of-state, well, your ballot's going to be in Florida. So, if you're in-- you-- so, we don't have to validate it because if you're in Nebraska and you didn't-- you're just trying to cheat, well your ballot's in Florida. So, that's-- I think answers that question. As far as President Trump, you know, in his cabinet reach about, you know-- he had all the things that were in my bill, my bill came out first, OK? It was way before President Trump came out, so. He may have looked at my bill, I think, and worked that into his speech. I'm not aware of any-- somebody mentioned about the removal of machines. Let me go back, first of all, to the tabulating machines. Today, I mean-- you know, in the old days we could wait a while to get the results, and maybe the, you know, the, the contests were smaller. But today, I mean, people want to know who won at 8:00 on the day of the election. [INAUDIBLE] I mean, and of course, we can't meet that. But the only way we're going to be able to tell them within 24 hours of who won the elections is by using machines. OK? So-- and there is some, some concern, because think about this. ES&S-- who makes the machines-- also provides the "softbar"-- software by which the machines are programed to read the ballots, and they print the ballots. I mean, the opportunity there is tremendous. So, so you need to verify what's coming out of the machines. And we talked about, you know, the three runs before the election and compare it. But the real test for me is the post-election

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audits, and that's what the Secretary of State is doing. He does 10%. Is that enough? That's the question. Is that enough? And they, they hand-count them, and then they compare them to what's in the machine. So, if someone's screwing with the machines, you do the hand count and you verify what's coming out of the machines. And so far, you know, they've been-- they've compared exactly-- near, near exactly. So, I think the machines are OK. And also in the bill, we got an agreement from ES&S to allow for a third party to come in and validate the machines are not hackable. OK? They're-- they, they claim-- and I believe them-- there are no modems in the machines so they can be hacked. If you go down to the election commissioner's office, you see those machines are not hooked-- except for power-- to, to, to anything on the wall. And at least in Sarpy County, they're in a separate room, and with an air gap and everything else. The, the only real issue-- I mean, the machines themselves, I believe, are tabulating correctly. I, I mean, the, the issue could be-- because you got to put a thumb drive in them to download the information, take that, go to a, a computer that's hooked up to the internet so you can transfer the results. And there's the possibility there, but still, you have the static results from the tabulating machines, so. You know, but, but we need the-- is 10%, is 10% statistically enough to validate the machines for the election? I don't think so. I think I want to see it bumped up 25%, and eventually-- really, I'd like to see it, I think, if you would go to 100%. Now, that's certainly not reasonable today, but perhaps in the future we can figure out some new process and procedure where that, that is feasible. The, the Secretary of State has to certify the, the election within about two and a half weeks, I think, by the end of the month, and it's just not feasible to significantly increase the number-- the percentage of hand counts at this time. But I think 25% is a reasonable increase. OK, here are the problems with, you know, hand counts. Everybody likes the hand count idea, but there are a lot of different variations. But it may not be a bad idea to-- and, and maybe we'll bring this up next year-- to do a couple trial cases in some precincts, you know, and, and do it the hand count and, and see how long it takes and were there errors. Just a couple trial precincts to see if it's feasible. And that way we can address both the side that says yeah we've-- there are cases where it can be done in a day, and there are other people saying no, it's going to take months. So, let's get the-- to ground truth on that. [INAUDIBLE] OK, the wide range-- [INAUDIBLE] I had a bill two years ago brought that required three out of four different marks or ways of coating the

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ballot. Yeah, that-- those were, were going to cost you about 20%-- \$0.20 just to do the water mark, which we've passed out here, is, is-- our estimate is \$0.05 to \$0.10, so that's how much you want to pay for some, some confidence in the, in the ballots. Back to Senator Cavanaugh's question about the Western Nebraska. The reason we allow western counties to vote by mail 100% is because they're so widespread and they cannot hire enough poll workers. That is the reason that they're allowed to do mail-in ballots, and I believe they have to go to the Secretary of State to get permission to do that based on their physical localities, that they just-- it's not physically possible for them to establish enough precinct areas and man them, so they have to go to a mail-in ballot. That's why. So, all I'm doing is allowing that possibility to continue under this bill. Oh, and the, the ADA machines are exempt from this bill, so these thermal paper ballots do not require the watermark. So, that's not a, not an issue for that. OK. I'm sure you have many questions, and I'm happy to answer them.

**SANDERS:** Let's check. Senator Hunt.

**HUNT:** Thank you, Chair Sanders. Thank you, Senator Holdcroft. I appreciate some of the creative approaches to dealing with election integrity in this bill. What is the consequence for voters who lie about why they're voting by mail?

**HOLDCROFT:** A Class IV felony.

**HUNT:** What is-- how do you-- how do you anticipate those liars will be caught?

**HOLDCROFT:** Well, that's the challenge, because they're-- right now, I don't think we're looking. And unless we can, can shrink down the, the opportunity for these things to occur-- and right now, they're in the hundreds of thousands of opportunities where-- the, the, the commissioners, they're just losing control. There's-- for 30 days before the election, there are hundreds of thousands of ballots just floating around out there, and nobody really knows where they are and who's got them. OK? And then, they magically show up before the election, and we just believe that, yep, the guy who signed it and put his, his ID on-- number on there is the person who voted. So, I think we really need to get that huge population down to something where we can, can monitor it and manage it.

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**HUNT:** Do you think it should be a felony for someone to say, "I'm going to be out of town, so I need a mail-in ballot," and then, they end up not going out of town, but they still use the mail-in ballot?

**HOLDCROFT:** Well, how would they get it if they didn't go out of town? Because we're going to mail it out of town.

**HUNT:** Well, that's a good question, because is it your expectation that the election commissioner will be physically mailing the ballot? So, if I'm at a conference in Indiana on election day--

**HOLDCROFT:** Correct.

**HUNT:** --is it your expectation that, that our election commissioner in Douglas County would mail my ballot to my hotel in Indiana?

**HOLDCROFT:** Well, you would have to specify where, where you want your ballot to be mailed.

**HUNT:** OK.

**HOLDCROFT:** So--

**HUNT:** What if I wanted them to mail it-- OK, so you're saying-- say, say election day is November 2; November 2, I will be in Indiana. I'm registered to vote in Nebraska. So, November 2, the ballot will be in Indiana mailed to me by the election commissioner-- is that what you're [INAUDIBLE] here?

**HOLDCROFT:** Well, more, more-- that's used, I think, if you're going to be a, you know, a snowbird or something down in Florida. OK? And you know you're going to be down and just not in the area. Because if you're going to be in, in the area, you know, before the-- 30 days before the election, just go down and vote at the commissioner's office.

**HUNT:** OK. But what if I don't? What if I want to vote early because I'm going to be gone that week, and I just want to make sure that my ballot definitely gets in. So, to be safe, I want to get it by mail. I say I'm going to be out of town at a conference, so-- I don't, I don't get that ballot to my house in advance to, to bring to the election commission before I leave for the conference?

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**HOLDCROFT:** No, and I think-- [INAUDIBLE] I'm sure-- this is the, the way I understand it. And this is part of, part of the reason online requests for, for ballots kind of bother me, because when you, when you register, you put down your, your, your, your address for residency, and then you say, where do I want my ballot to be mailed? So, you find--

**HUNT:** Well, in this case--

**HOLDCROFT:** --you find somebody's-- I--

**HUNT:** Yeah, I get it.

**HOLDCROFT:** --driver's license, you, you log in, you put in their driver's license, you write theirs, the address. You put in your address and say, but don't send it there, send it to this address.

**HUNT:** Well, in this case, I'd be saying send it to my normal address because I'm going to bring it back before I go to my conference. So, why are you saying--

**HOLDCROFT:** So, that's, that's, that's--

**HUNT:** Go ahead.

**HOLDCROFT:** --no excuse. I mean, it's no excuse. Why, why can't you just go either on the day of, or go to, to vote in advance at the commissioner's office?

**HUNT:** So, tell me about your view on-- if I think I'm going to be out of town, maybe the conference gets canceled and it turns out I will be in town, but I already have this ballot and I've sent it in. Then I would be guilty of a felony, unfortunately. Can you speak to that?

**HOLDCROFT:** How are you getting the ballot?

**HUNT:** I--

**HOLDCROFT:** We mailed it to this conference, I mean, if that's what you wanted us to do.

**HUNT:** Oh. So, in this case, my election commissioner has mailed it to the conference.

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**HOLDCROFT:** I mean, that's what you've requested. You said I'm not going to be in town on the day of, and so--

**HUNT:** I see how that's much more secure. And then, would you support an amendment to put, perhaps, like a bounty on people who are accused of lying about the reason that they need an early ballot?

**HOLDCROFT:** I think a Class IV felony is pretty serious.

**HUNT:** What about-- I'm saying, like, what about to motivate other Nebraskans to report people? So, like, if, if Dunixi-- if Senator Guereca knows that I'm supposed to be at this conference but he knows it got canceled, could he-- would you support an amendment to reward him for turning me in?

**HOLDCROFT:** No, I wouldn't support an amendment like that.

**HUNT:** OK. That's where you would draw the line.

**HOLDCROFT:** Yeah.

**HUNT:** OK. Thank you, Senator Holdcroft.

**SANDERS:** Are there any other questions for Senator Holdcroft? Senator Cavanaugh?

**J. CAVANAUGH:** Thank you. Chair. Thanks for being here, Senator Holdcroft. First, I would tell you, I think it's no secret that I was not happy with the outcome of the last election. And--

**HOLDCROFT:** You won.

**J. CAVANAUGH:** I, I-- the statement applies. [LAUGHTER] But I-- and I-- but I have faith. I, I do believe that the elections were fair and, and run properly. So, I don't think that that's necessarily true, that people don't believe in the outcome just because their-- the-- their preferred candidate didn't win whichever office it was. But-- so-- but I did want to-- I didn't want to talk about that. But what I want to talk about is what you said about why we can maintain the smaller counties being able to do vote-by-mail and the bigger counties can't.

**HOLDCROFT:** Well, we're doing that now. So, if we're in violation of some federal law, then we're, we're violating federal law now. I-- I'm

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really not changing anything in my bill that we are not currently doing in the state of Nebraska.

**J. CAVANAUGH:** I'm not talking about whether we're filing-- violating federal law or not, and I don't know, maybe somebody also smarter than the two of us will get into that at some other point in time. But my question is the wisdom of maintaining the universal vote-by-mail in Wayne County or whatever, Banner County or something like that. If the argument for your bill is that vote-by-mail is inherently untrustworthy, why are we relegating 11 of our counties-- and potentially 66 of them-- to untrustworthy systems writ large?

**HOLDCROFT:** That comes down to cost.

**J. CAVANAUGH:** OK, so it's OK to have unsafe elections based off of cost?

**HOLDCROFT:** Well, I would love to-- I mean, I-- that's why we do it that way now, is because of cost. So, the argument that we, we, we change our procedures and processes, and we shouldn't because it costs too much-- I mean, that's the way we're doing it now, so. And again, I-- you know, it's-- I mean, I think, I think I see your point. I think we're allowing people to vote by mail in western Nebraska, and we're, we're going to allow them to continue to do that, and there's a danger in that because we're losing control of the ballots. Just-- that's the argument I'm using for, for Douglas County, so why aren't we applying it equally between Douglas County and western Nebraska? And it really-- it just comes down to they just can't-- they-- I'd love for them not to be able to vote, you know, to, to have the same rules, but they just-- it's not physically possible for them to man up the number of polling locations in those western counties like we can Douglas and Sarpy, and eastern--

**J. CAVANAUGH:** Sure. And I mean, I, I agree that it might be hard to find poll workers. I would submit to you that it's hard to find poll workers in Douglas County, Lancaster County, Sarpy County as well.

**HOLDCROFT:** Well, if you could make the case to the Secretary of State, I think he can waive that requirement. Now, I think you'll have a hard time. I think Brian will have a hard time convincing the Secretary of State he can't find the poll workers.

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**J. CAVANAUGH:** The statute says 10,000, so I don't think-- no matter how persuasive Mr. Kruse is, I don't think he'll convince the Secretary of State we have less than 10,000 people in Douglas County. But--

**HOLDCROFT:** Well, that, that's a good point.

**J. CAVANAUGH:** So, I did want to touch a little bit on the ballot. And I do appreciate-- I like-- this is a really kind of a cool ballot with the--

**HOLDCROFT:** Yeah.

**J. CAVANAUGH:** --raised thing on it.

**HOLDCROFT:** And only \$0.05 more.

**J. CAVANAUGH:** And so-- well, that was gonna be my question. So, Ms. Overstreet,--

**HOLDCROFT:** Yeah.

**J. CAVANAUGH:** --Overstreet said that it was between \$0.20 and \$2.00 more.

**HOLDCROFT:** Yeah. I-- well, I'd like to see her figures. But we did work that with the Secretary of State, and, and she-- her numbers may have come from my bill from two years ago where we were requiring three out of four unique identifiers, watermark being only one of them. But there was also an embedded stuff, and, and it really was a lot of stuff that we use in our currency, you know, as far as strips, you know, some of those magnetic strips and stuff. That may add up to \$2.00 per, but just a watermark like you see there, we estimate is between \$0.05 and \$0.10 per.

**J. CAVANAUGH:** OK.

**HOLDCROFT:** But still-- I mean, you're still talking probably a million, a million ballots. And so, it's not insignificant. And that's maybe my final point here: it's the wrong-- it's the wrong year for this bill, as you know. I mean, anything with a fiscal note is probably not going anywhere, so it may be-- and I hate to suggest this-- it may be good for the committee to maybe hold it over until we

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get a little better budget, but-- or if there's something in here we can incorporate that's fairly low-cost, then maybe we can look at that.

**J. CAVANAUGH:** Thank you.

**SANDERS:** Any other questions for Senator Holdcroft? Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you, Senator Holdcroft, for the bill. Did you look at any increased security measures on the system side, as well as personnel side?

**HOLDCROFT:** On the which side versus the personnel?

**ANDERSEN:** System-- on the systems themselves, how they're operating? And then as well for the people that [INAUDIBLE]

**HOLDCROFT:** Well, I think you-- I think the Secretary of State actually has a pretty good secure system. I mean, I didn't get into that detail, but I'm sure they do background checks and, and, and folks on, on there, the people that work and, and process the ballots. I'm not really too concerned. This is Nebraska, so we do have, I think, fairly-- you know, people with integrity. I did have in my earlier bill to put cameras in all the polling places so that from the time you receive your ballot, you would be under surveillance until you handed it back to somebody to put it into the box. And that's the other dichotomy I think I see here, between mail-in ballots and voting at, at the polling places. I mean-- you know, when you go to a polling place and you show your ID, you're handed that, that ballot, and somebody is watching you the whole time, from the time you go over, fill out your ballot and come back and hand it back in. Same thing when you go to the commissioner's office; they're going to hand you a, a ballot, and then you're going to go over here and fill it out, and hand it right back to them. We don't do that with mail-in ballots. Who knows where that mail-in ballots ends up and going? So again, that's the difference between, I think, the two systems of voting and why we need to control the, the mail-in ballots.

**ANDERSEN:** Thank you.

**SANDERS:** Senator Guereca.

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**GUERECA:** Thank you, Chairwoman. Thank you, Senator Holdcroft, for being here and-- so, explain to me the, the voter registration portion of it. It's only in-person voter registration?

**HOLDCROFT:** Yeah, we-- we're probably going to back out of that.

**GUERECA:** OK.

**HOLDCROFT:** We're. That was one of my--

**SANDERS:** Easy answer.

**HOLDCROFT:** --bargaining chips, but-- yeah, it's a-- it's, it's a noble idea, but it does cause a lot of problems. I mean, people--

**GUERECA:** Yeah, especially out in rural Nebraska.

**HOLDCROFT:** And it's not just-- I mean, from both sides, both Republican, Democrat side, community organizers at fairs, everywhere, they're, they're registering people to vote. And they still want-- Republicans want to be able to do that, the Democrats want to be able to do that, and so I think we're going to not touch that.

**GUERECA:** OK. [INAUDIBLE] the drive time between Merriman and Valentine, Nebraska, about an hour or so.

**HOLDCROFT:** Yeah.

**GUERECA:** That, that would not be fun, this two hours round trip. And I guess I-- the-- it concerned me. I guess I naively thought that the no-fault voter registration was a lot more-- I didn't realize it was so widespread, the-- you know,--

**HOLDCROFT:** I'm sorry, what?

**GUERECA:** --47 out of 50 states. And it sounds like Mississippi, it got through their senate, it's on its way to the governor's desk. I mean, that-- that's concerning, that we're backing away from not just a national trend, but, you know, how every other state in the union does it.

**HOLDCROFT:** It's all about confidence. And if, if the Secretary-- I mean, you, you heard the people, the proponents of this bill. I mean,

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there's some real concern. And I have a-- I mean, I have a pretty solid group of people in Sarpy County, constituents who just are not real confident in what's going on there. And, and so I, I feel an obligation to try and build, you know, some safeguards in place to try-- and if you've got something else we can do, what we're really looking for is third-party or voter, citizen ways to verify, have some transparency from, from the Secretary of State and the commissioner's office. And they-- you know, checks, kind of checks from different places, like the post-election audits that validate the machines. I think those-- that's, that's a key check. And, you know-- and we need more of those kinds of things to build up people's confidence in the [INAUDIBLE].

**GUERECA:** Like the poll watchers, right?

**HOLDCROFT:** And the poll watchers, too.

**GUERECA:** [INAUDIBLE] we allow poll watchers to go in, and I think Senator Andersen has a bill to observe the tests as well, right? I think those are, you know, good common-sense things, but-- yeah. That was-- thank you.

**SANDERS:** Are there any other questions from the committee? See none. Thank you--

**HOLDCROFT:** Thank you, Chairwoman Sanders.

**SANDERS:** --Senator Holdcroft for introducing LB541. This closes the hearing on LB541, and the hearing for Government, Military and Veterans Affairs [SIC] Committee.