



Ninety-Seventh Legislature - Second Session - 2002
Committee Statement
LB 935

Hearing Date: January 23, 2002

Committee On: Government, Military and Veterans Affairs

Introducer(s): (McDonald, Schimek)

Title: Change provisions relating to absentee ballots

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

- 8 Yes Senators Aguilar, Brown, Burling, McDonald, Schimek, Smith, Synowiecki, Vrtiska
 - 0 No
 - 0 Present, not voting
 - 0 Absent
-

Proponents:

Senator Vickie McDonald

Representing:

Introducer

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

This bill requires all absentee ballots be returned to the election commissioner or county clerk by the close of the polls on election day. Currently, absentee ballots which are mailed can be received by the election commissioner or county clerk until 10 a.m. on the second day following the election.

Section 1: Amends section 32-933 to require new or former residents who mail their ballots to the election commissioner's or county clerk's office to have them arrive before the close of the polls on election day.

Section 2: Amends section 32-941 to change the day a voter can request an absentee ballot to the Wednesday preceding the election. Currently, absentee ballots must be requested on the Friday preceding the election. Also, it deletes any reference for the allowance of registered voters to return registration forms no later than 10 a.m. on the second day after the election.

Section 3: Amends section 32-943 to require the agent designated to pick up the absentee ballot, to pick up the ballot one hour prior to the closing of the polls. Currently, the agent is allowed to pick up the ballot “before 7 p.m.” It also deletes language allowing the registered voter to return the ballot by mail so it arrives no later than 10 a.m. on the second day following the election.

Section 4: Amends section 32-946 to require a registered voter without a residence address to return his or her ballot prior to the closing of the polls on election day.

Section 5: Amends section 32-950 to delete language allowing absentee ballots to be accepted by 10 a.m. on the second day following the election.

Section 6: Amends section 32-954 to delete language allowing mailed ballots from special elections to be accepted if they arrive by 10 a.m. on the second day following the election.

Section 7: Amends section 32-956 to require that the request for a replacement ballot in a special election be received prior to the close of business on the fourth business day before the election. Currently, the request must be received on the Friday before the election.

Section 8: Amends section 32-1027 to allow the absentee ballots counting board, in counties using optical scanners, to check the names on the identification envelope received on the Thursday before the election. Currently, the law states the counting board may check on the *day* before the election. Also, the bill requires the absentee ballots counting board to convene on election day to begin counting the absentee ballots.

Section 10: The bill outright repeals section 32-1029 dealing with absentee ballots counting board counting ballots received before 10 a.m. on the second day after the election.

Section 11: Emergency clause.

Explanation of amendments, if any:

Senator DiAnna R. Schimek, Chairperson