

**ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009**  
**COMMITTEE STATEMENT**  
**LB325**

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**Hearing Date:** Wednesday February 11, 2009  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Nelson  
**One Liner:** Change provisions relating to elections

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Avery, Giese, Janssen, Pahls, Pirsch, Price, Sullivan  
**Nay:** 1 Senator Karpisek  
**Absent:**  
**Present Not Voting:**

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<b>Proponents:</b>	<b>Representing:</b>
Senator John Nelson	Introducer
Neal Erickson	Secretary of State
Sandra Stelling	Clerks/Register of Deeds/Election Commissioners
Dave Phipps	Douglas County Election Commission
Beth Bazyn Ferrell	Nebraska Association of County Officials

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<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**

LB 325 makes several changes to the Election Act, including changes to provisions relating to when voters receive provisional ballots, the duties of an election commissioner or county clerk when information is received that a voter has moved, and where candidates for city and villages offices file candidate filing forms.

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**Explanation of amendments:**

The amendment strikes all of the original sections and inserts the following new provisions:

If the name of a registered voter does not appear on the precinct list due to error, the election commissioner or county clerk will designate whether the voter is entitled to a regular ballot or a provisional ballot. Currently, the poll worker makes the correction in the precinct list and allows the voter to receive a regular ballot.

Similarly, if a registered voter moves to a new residence within the same county and precinct but the voter registration register does not reflect that move, the election commissioner or county clerk will designate whether the voter is entitled to a regular ballot or a provisional ballot. Currently, the voter is allowed to complete a new voter registration application to update his or her address and is then allowed to receive a regular ballot.

When an election commissioner or county clerk receives information that a registered voter has moved, the election commissioner or county clerk will update the voter registration register to indicate the voter may have moved. Currently,

the law requires the election official to immediately update the voter registration record.

For candidates running for city or village offices, the candidate filing form will be filed with the election commissioner or county clerk. Currently, these offices file with the city or village clerk.

Finally, the amendment changes the language on the form when a person is challenged on eligibility to vote based on age to make it consistent with the voter registration form.

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Bill Avery, Chairperson