

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT
LB1086

Hearing Date: Wednesday February 12, 2020
Committee On: Government, Military and Veterans Affairs
Introducer: Hansen, M.
One Liner: Provide for poll watchers under the Election Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Blood, Brewer, Hansen, M., Hilgers, Kolowski, La Grone,
Lowe, Hunt

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Matt Hansen
David Shively

Brian W. Kruse
Michelle Y. Andahl
Beth Bazyn Ferrell
Westin Miller
Wayne Bena

Representing:

Introducer
Lancaster County Election Commissioner and NE
Association of Clerks, Registers of Deeds and Election
Commissioners
Douglas County Election Commission
Sarpy Election Commissioner
NACO
Civic Nebraska
Secretary of State Bob Evnen

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

This bill amends the Election Act. It defines the term "poll watcher". It specifies minimum individual qualifications for poll watchers. It provides for the appointment of poll watchers by political parties, nonpartisan candidates in electoral contests, organizations formed relating to ballot questions, and nonpartisan organizations interested in elections. Notice of such appointments would be due to relevant county elections officials or to the Secretary of State no later than the end of the day on the Wednesday prior to the election, however the bill provides that "a poll watcher shall not be denied entry to a polling place because a poll watcher is not on the list [...]."

The bill would require that eligible poll watchers who are residents of Nebraska be provided a credential by the local election official. Poll watchers who are "representing a state-based, national or international election monitoring organization" would be issued credentials by the Secretary of State.

Precinct inspectors would be required to maintain a sign-in sheet for poll watchers. Poll watchers would be entitled to be present for all proceedings at the polling place governed by the election act. A poll watcher or the organization appointing the poll watcher would be entitled under this bill to present protests relating to "any aspect of the conduct of the election" to the Secretary of state or local election official, who would be required to "rule on the issue" within a reasonable amount of time.

The bill would prohibit interference or assistance by poll watchers regarding any voter unless selected by the voter to provide assistance. Poll watchers would be prohibited from engaging in electioneering activities while at the polling place.

Poll watchers would be required to maintain a minimum distance of eight feet from the sign-in table, sign-in register, polling booths, ballot box, and uncast ballots. This minimum distance could be modified if eight feet is impracticable in a particular polling location.

Violation of the limitations set in Section 8 of the bill would be a class V misdemeanor.

Tom Brewer, Chairperson