

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Government, Military and Veterans Affairs Committee March 1, 2023

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

**BREWER:** Well, good afternoon and welcome to the Government Committee. I'm Senator Tom Brewer. I serve as the Chair of this committee. And today, we have a unique day. We're going to try something new so I ask for patience. The committee will be holding a combined hearing on three bills posted on the agenda. They're all elections bills. And in order to facilitate the number of people that we have testifying, this is the procedure we're gonna go through. Let's see. We're going to have committee members that may come and go during the procedures. They are presenting in other committees. As a matter of fact, we got presenters that are presenting in other committees. So understand that there'll be some movement here. Don't worry about it, just part of what we do. We'd like you to abide by the following rules to facilitate today's meeting. Please either turn off or silence your cell phones. We're going to try and prevent any interruptions that we don't have to have today. All right. Today, we will have different order on testifiers. The way we're going to do it today is we'll have both of the openings and then we will go to our election commissioners. And they're here in the front row. When they're done, we have two ADA testifiers who will come up and they will give their testimony. And then we'll simply start on my right on the second row and we'll just move across. Now, what I ask is that after you're done testifying to please move to the overflow room. And if you haven't seen where the overflow room is, if you go through that door, there's a construction wall there. There's a door going in there, a hallway. And then to the right is the overflow room. There's a television in there, so you'll be able to watch the proceedings. The reason we're doing that is so as we empty this room, we'll be able to reset with fresh faces in here. And it also keeps my lobbyists who like to come and take up space and sleep, a place they can't do that. OK? All right. The Red Jackets will be trying to manage and help with that. But I just, I ask your cooperation, because the sooner that we're able to cycle folks up and get them through, the better, because we're going to-- we're going to have a very long day today. We just want to try and make it efficient. OK. We'll be-- we'll have the introducing senators, both are here and will be introducing on their bills. In order to, to do what we need to do and keep it official, you will have the green sheets. You'll need one of these for each bill that you want to testify on, OK, so there's no confusion there. There's plenty of

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green sheets. If you need them, just holler. We'll get some passed back to you. But those need to be filled out and ready when you come up. We ask that you fill those out. Ideally, print them because it's critical. Remember, this is the official record and some have been concerned about giving the information they asked for on here. It's not being sold to anybody. It simply goes in the record so that we get it right. And if we have the ability to call and ask questions, if you use, say, acronyms or something in your testimony and we don't know what that is to put in the official record, we can't do that. So that's what the green sheet does for us. Now, there may be some in the overflow room and hopefully not here that simply want to come and put on record that they are here to state their support, opposition, or neutral testimony on any of the three bills. And that's what the white sheet's for. But if you're coming up and you're going to sit in that chair and you're going to testify, you need a green sheet. All right. So with that, if you have handouts, we're asking for ten copies. If you don't have it, let us know. We got the pages. We can scurry down and take care of that. When you come up, we just simply ask that sit down, speak clearly in the microphone. State your name, then spell your name. Again, that's just simply going into the record. Today because of the numbers, we're going to three minutes. So you'll have two minutes on the green light, one minute on the amber, and then the red light will come on. And simultaneous with the red light, you'll get a audible alarm. For the courtesy of everyone, that's your cue to go ahead and cease and desist. Because if I have to stop you, then that's, that's harder. Okay? We don't want to make it hard. And again, this is just for the courtesy of everyone here, because I can't give some extra time and some not. I mean, it's got to be fair. So just work with me on that. No displays of support or opposition on this bill, vocal or otherwise, will be allowed. There may be folks that come up and testify and you don't like what they say. Don't care. It's their time in the seat. It's their time to say what they want to say and you guys are there to just listen. OK? So if I have any issues with that, I got plenty of state troopers just to have you escorted out and gone. I don't want to do that. But you owe that to that person in the chair to show them that respect. All right? All right. Committee members who are with us here today will introduce themselves, starting on my left.

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**RAYBOULD:** Good afternoon, everyone. I'm Jane Raybould, Legislative District 28, which is the heart of Lincoln.

**SANDERS:** Good afternoon. I'm Rita Sanders, representing District 45, which is the Bellevue/Offutt community.

**AGUILAR:** Ray Aguilar, District 35, Grand Island.

**LOWE:** John Lowe, District 37: Gibbon, Shelton, and Kearney.

**HALLORAN:** Good afternoon. Steve Halloran, District 33 which is Adams, Kearney, and Phelps County.

**BREWER:** Dick Clark is the legal counsel for the Government Committee. Julie Condon is the committee clerk. And Senator Sanders is the Vice Chair. Our pages today are Logan, hold up your hand there, and Audrey. OK. So with that, we will invite our first testifier up. Senator Day, welcome to the Government Committee.

**DAY:** Thank you. Good afternoon, Chairman Brewer and members of the Government Committee. My name is Jen Day. That's J-e-n D-a-y. And I represent Legislative District 49 in Sarpy County. I'm here today to introduce LB675 as an answer to the question, how can we implement voter ID without creating a hindrance to Nebraskans' constitutional right to vote? I understand this is the second hearing on voter ID bills that you've heard this session. LB675 protects Nebraskans' voting rights in ways that the other bills do not. It was drafted over the interim with the input of many of the experts here today. Most significantly, this bill provides a wide range of what can be accepted as a qualifying ID so that fewer legal voters will be turned away at the polls. These include, but are not limited to, driver's licenses, learner's permits, state ID cards, school-issued student IDs, IDs from other states, military identification cards, tribal ID cards, passports, and other lawful forms of identification commonly accepted in other states with voter ID laws. Importantly, this bill would accept all these IDs, whether or not they are expired. If the goal of voter ID policy is to verify a person's identity, election workers can do that successfully, even while using an expired ID. Those who do, those who have an ID but forgot to bring it, forgot to bring it with them would be allowed to complete a provisional ballot and then return

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to the election office within one week to cure it or have their provisional ballot resolved as a qualifying vote. Additionally, LB675 provides for voter accommodations to ensure the successful casting of a ballot and to preserve the efficiency of Nebraska's elections. Having safe and secure elections also means having the infrastructure to implement these changes. So LB675 expands DMV hours and staffing to include evenings and weekends starting two months prior to an election. There are folks here who will provide specific information about the extremely limited hours of many DMV offices in the more rural areas of Nebraska. We need to address that so those needing IDs can actually get them and that people that live in these areas of the state are not at a disadvantage when voting. The bill would also increase election office staffing and training to ensure that our elections continue to run smoothly under these new requirements. It would ensure that election offices and libraries have the equipment necessary to provide identification. For those who have mobility issues, live in care facilities, or live in remote areas, LB675 would provide mobile units that would travel to provide identification. And like LB535, those without qualifying ID could, could receive it and documents like birth certificates which are needed to attain that ID at no cost. Furthermore, LB675 allows time to communicate with voters through a public relations campaign about the changes to the state's election processes and would go into effect in 2026. The last thing we want is confusion on election day, so people need time to absorb these requirements and acquire the identification necessary to vote. This enactment date wouldn't just help voters but also give poll workers time to implement changes and ensure our elections continue to run smoothly. While many of the components of LB675 are to help those who have trouble getting IDs, this one is not. If we create significant delays during the first election cycle after implementation, this will hurt everyone and annoy our constituents, whether they vote every election or hardly at all. Given the broad interest in improving our elections this session, LB675 also provides a range of provisions that would provide voter conveniences like permanent absentee voter lists to contact by mail, email, or text to ask if an absentee ballot should be sent. Absentee voters would receive email or text ballot receipts that would confirm the receipt and status of their ballot. Voters would have the ability to request absentee ballot online. Prepaid postage would be provided on ballots. And I'd be remiss to not include

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automatic voter registration, which is a convenience to voters and creates efficiencies for our election officials. Some of the folks behind me will provide further details on these improvements. In November, the voters asked us to determine what voter ID would look like. They are expecting us to do this in a measured, careful fashion that won't disenfranchise any qualified voters from being able to vote. In order to do that, we must provide these accommodations so no one falls through the cracks. And if we don't implement LB675 correctly, let's think about who that will end up being. It'll be those who might not use, who might not use a driver's license anymore in their advanced age, but still vote remotely or get rides to the polls. It's going to be those who might have mobility issues or simply lack the ability to spend an entire afternoon at an understaffed or sparsely opened DMV. Just because someone might have these disadvantages does not mean they should lose their right to vote. The voters have been very clear on this issue. No one can deny that. LB675 reflects the will of the voters while protecting the marginalized. Election integrity has two sides: protections and safeguards of the process, but also accessibility of the election itself. No election has integrity when an eligible voter is turned away. I appreciate the committee's commitment to working on this issue, and with that, I'm happy to answer any questions. But I will say that there are testifiers behind me that can answer technical questions about the bill.

**BREWER:** All right. Thank you for that opening. Let's see if we have some questions. Senator Raybould.

**RAYBOULD:** Thank you, Senator Day. I was really pleased to see the vote by mail stay in this piece of legislation because I don't know how some of the rural districts, rural counties that only vote by mail would do it. The one thing I was hoping you could talk more or maybe someone after you will talk more about individuals in nursing homes. I know you mentioned a mobile unit going out to different communities, but I didn't know if they were specifically going to go out to all the nursing homes or assisted living facilities to help those residents make sure because trust me, I know I've hit a few nursing homes and I know that they vote. They vote.

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**DAY:** Right.

**RAYBOULD:** And they are very proud to vote so.

**DAY:** Yes, I think someone behind me will be able to answer more of the technical questions about the mobile units.

**RAYBOULD:** OK, wonderful. Thank you.

**BREWER:** All right. Additional questions? Senator Halloran.

**HALLORAN:** Halloran. Thank you, Mr. Chairman. I'm new here. [LAUGHTER]  
So good to have you here--

**DAY:** Yeah. Thank you.

**HALLORAN:** --Senator Day. So, so the voters did pass a constitutional amendment--

**DAY:** Right.

**HALLORAN:** --very specifically tied to a photo ID.

**DAY:** Correct.

**HALLORAN:** Right? Going through the list of suggested identification that you have in your bill, starting on page 7 and 8, and many of those don't have photos on them.

**DAY:** I will have to look closer at the detail of the IDs and whether or not we would be changing that to make sure that they all include a photo.

**HALLORAN:** OK. I mean, Social Security card, Medicare, Medicaid identification card, United States Citizens certificate, there's a number of them that don't currently have photos.

**DAY:** OK. Yeah. And absolutely, again, this is to me, this bill was sort of a, a base of, of what we're going to work on implementing this session because we know we have to do something. And if what-- if some

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of what is in this bill is contained and this bill needs to be amended, we can definitely work on that.

**HALLORAN:** OK. But you would agree it needs to have a photo.

**DAY:** Yes. If that's what the voters were looking for, then yes.

**HALLORAN:** Thank you.

**BREWER:** All right. Additional questions? All right. Thank you, Senator Day.

**DAY:** Thank you.

**BREWER:** All right. We will now proceed to LB228, LB230. Senator Erdman, welcome to Government, Military and Veterans Affairs Committee.

**ERDMAN:** Thank you, Senator Brewer. So which one do you want me to do first?

**BREWER:** You got LB228 on the, on the board first. Let's go with that.

**ERDMAN:** OK. Thank you. My name is Steve Erdman. I represent District 47. That's nine counties in the Panhandle. The name is spelled S-t-e-v-e E-r-d-m-a-n. So I'm here today to introduce LB228, excuse me, LB228. And LB228 is a bill that would be in-person voting. We have had issues or we've had concerns about what may be happening with our voting. And so as we dealt with this over the interim trying to figure out exactly what we would do to try to to deal with that, as Senator Day had announced to you that the voters did pass 432, a constitutional amendment to have voter identification. And so what we're trying to do with LB228 to ensure the maximum number of Nebraskans would have the opportunity to vote on election day. And the bill also states that election day would be a state holiday. And I had done a little review to see how many states have a state holiday. And there are five states that currently do a state holiday for voting. And after reviewing that and having discussions with those who had contacted me by email and in person, making the voting day holiday may be cost prohibitive for, for not only government agencies but also for local businesses. So we may need to think about doing an amendment on

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that part of it. But we will have a provision for military so that they can vote as well and, and in person. If you want to vote early, you can go to the courthouse, show your identification, and vote early. The provision that we have placed there is that they would show a qualified document showing their identification. And LB230 that I'm going to introduce when I finish with this one will explain what that document should look like. And so moving forward with this, we will vote on the first Tuesday after the second Monday in May and November, and we would vote in the precinct and we would also have those ballots counted at the precinct level. It appears to me that the best time to solve an issue is before it becomes a problem. And I'm not here to say today whether there was vote rigging or cheating or whatever you want to use the term to describe it. But I think the best way to handle that is before it does happen, that you make an opportunity or you have the provisions put in place so that it doesn't happen. And so we used to count ballots by hand and we used to count them at the precinct level and we used to know exactly what the results were by midnight. And so it's an opportunity for us to do that again. And I noticed the fiscal note was just a little bit high. And you may have, you may have seen that yourself. It's somewhere around \$28 million. The Secretary of State has a \$25 million fiscal note. And then the other election officials that, that had been requested to turn in a fiscal note was several hundred thousand dollars in several locations. That's generally what we do here in the Legislature when we are an agency and we don't want a bill to pass. What we do is we kill it by fiscal note. And so that may very well be the case with this bill as well. And so the intent as, as it says in the bill and if you look at the very simple language that the bill states, is that and I'll just go over briefly with that and I'll end that so I can take your questions. I do have another bill to do here. So basically what we're going to do and like I said, we need to deal with that state holiday: All persons voting on the day of the statewide primary election and the statewide general election shall do so in person at their polling place as designated by the election commissioner or county clerk and shall present a photographic identification card approved by the Secretary of State to the election worker at the polling place. Any person who needs to vote prior to the date of the election may do so in person at the office of the election commissioner or the county clerk, and shall present a photographic identification card approved

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by the Secretary of State. Only registered military personnel and those registered to vote with a residence at a nursing home or assisted-living facility may vote by mail, and the ballot envelope must be postmarked prior to the date of the election. All ballots shall be counted on the day of the election. All ballots shall be counted at the precinct level. The Legal Counsel for the Government, Military Affairs Committee of the Legislature shall prepare a committee amendment to change the relevant portions of election to conform with this section. That's basically the bill. That's what we are trying to do and trying to vote in person. The question was asked what about mail-in ballots for those rural counties that have mail-in ballots only? My county is one of those counties. We were one of the first counties to do that. Doing mail-in ballot didn't change the turnout of much significance. We mailed a ballot to every person in the county, every registered voter in the county. Last election, we had a 57 percent turnout. Now, you have to remember we paid the postage to their residence and back to the courthouse. All they had to do was vote, sign the envelope, and drop it back in the mail. And we had a 57 percent turnout. And so they talked about what it's going to cost. It cost our county about \$3 a ballot to mail those both ways. And we mailed out 3,000 of those. And so the cost that it costs us to do that will go away if you have in-person voting. And so the issue that we have to deal with is how do we make sure that our ballots, our votes are secure and they're not messed with and this is the way to do that. Thank you.

**BREWER:** All right. Thank you, Senator Erdman. Let's see if we have any questions. Senator Raybould.

**RAYBOULD:** Thank you, Senator Erdman. The question for you, going back to the nursing homes, do the individuals in the nursing homes will all be voting by mail, it sounds like, right?

**ERDMAN:** Say that again.

**RAYBOULD:** Will all the individuals in nursing homes be allowed to vote by mail?

**ERDMAN:** Yes.

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**RAYBOULD:** Do they need to have a photo identification or?

**ERDMAN:** Yes.

**RAYBOULD:** They do.

**ERDMAN:** What we're doing with this bill is saying that we have a voter identification method or a card. The LB230 is the one that's going to clarify what that card looks like.

**RAYBOULD:** OK. So maybe this question is for when you do LB230. Will you also have a mobile unit going out to the individual nursing homes?

**ERDMAN:** Not on mine. No.

**RAYBOULD:** No. OK. OK. Thank you.

**BREWER:** All right. Other questions? No other questions. All right. Seeing none, we want to transition to LB230 now.

**ERDMAN:** I'll do that. Again, my name is Steve Erdman, S-t-e-v-e E-r-d-m-a-n. I represent District 47. And I have a handout if you'd pass this out. What I'm, what I'm passing out to you here is a, an amendment that came to my attention that the voters, when they voted last November, they used qualified voter on the information that we voted on the ballot, change the constitutional change. And I noticed there was no place in the ballot that it talked about defining what a quali-- qualified voter is. And so that document that he's now passing to you is the description or the amendment we're going to use to try to determine or define what a qualified voter is. So qualified voter means a registered voter who is in the possession of a valid photographic identification for voting purposes. That was not in the, in the statute. So we wanted to include that. So that's what we did. And I went up to Bill Drafting this week to talk to them about what we might do to make that definition. And that's what they brought me back. OK. So in '22, as I said, the voters passed the constitutional amendment requiring us, the Legislature, to figure out how to have voter identification. No, statewide-- it says no statewide election shall be had in the state of Nebraska until the Legislature addresses how to, how to roll this constitutional amendment provision out. LB230 is a comprehensive plan for photo identification for voting purposes.

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LB230 identify, identifies a qualifying photograph, a photographic ID for voting purposes as a driver's license, a state identification card, a voter identification card, a United States passport, port, a tribal identification card. Each identification card must come with a photo of the voter. Those remaining provisional ballots without showing a qualify, qualifying identification card must do so at the county election office on or before the following Thursday after the election. I know the bill says the next Tuesday gives one week. We have an amendment, AM281, that I dropped in last week and it changes that to the following Thursday. So you have two days after the election to show your ID. Those qualifying to vote early must present a photocopy of their ID along with their application. AM281 clarifies that those who physically are incapacitated, who are members of the United Armed Forces and who are members of the Nebraska National Guard will qualify for early voting. An agent delivering a ballot to a registered voter shall pick up the ballot no later than one hour prior to the closing of the polls and return the ballot to the polling place before the polling place closes, along with a color photograph of the registered voter's qualifying ID. In order to guard against identity theft, the bill criminalizes any election official or election worker who scans a qualifying, qualifying voter ID. In order to ensure that there is compliance with the law, that will be-- they will be criminalized if you do that. In order to assure all citizens have an opportunity to vote without an extra cost or expense to themselves, the bill prohibits fees for issuance of state identification cards used for voting purposes and prohibits fees for insurance of birth certificates that is needed to obtain a state identification voting card for voting purposes. The bill also requires an American flag be printed on the operator's license and that would-- on-- or on the state identification card. Those are the provisions in the bill. I would like to briefly explain to you where AM231 fits into the bill. I think it's important that we understand where those would fit in. And so if you have a copy of the amendment as well as the, the bill, on page 2 and the amendment, the top of AM281 where it says Section 3, Section 3 would fit in right under statute 32-103-- 104, excuse me. And that says the following, the following says: Physically incapacitated. We're given a definition, in reference to a voter, means a handicap or mental [SIC] condition that prevents a registered voter from voting in person at a polling place on the day of the

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statewide election and that was diagnosed by a licensed physician no fewer than 30 days prior to the date of such statewide election. So that's where that would fit. And then we will-- we, we put in on top of that the right above that is where the qualified voter identification would fit in. So as you notice, as you go through the-- thank you, very helpful-- as you go through the bill, you'll see everyplace that it says Thursday or Tuesday we've stricken that and put in Tuesday. All right. So the next significant portion is over on page 24 under Section 20 and under 24 under Section 20, we're going to strike all the new language on page 25, and we will insert the language that is in Section 20 on the amendments of Section 20, 32-941 and that is the language that will be submitted in there. That's the new section the way the bill will read: Any registered voter who is physically incapacitated and who is permitted to vote early pursuant to Section 32-938 may register to vote early by mail by completing an application provided by the Secretary of State and submitting such application at least 30 days prior to the date of the statewide election to the election commissioner or county clerk in the county where the voter has established his or her home. Such application shall expire on January 1 of the following year. The application request shall include the voter's party affiliation for the ballot for a primary election, a colored copy of a qualified-- qualifying photographic identification, the voter's residence address, the address to which the ballot is to be mailed if different, and the voter's telephone number if available. The signature on the application and on the envelope used to return the ballot for the early voting must match the signature in the voter registration card, or the ballot shall be rejected. The voter shall be informed that a colored copy of the qualifying photographic identification must be included with the ballot being returned unless the qualifying photographic identification is shown in person to an election worker by the voter voting the ballot when the ballot is returned to the election office. And then on the backside: when a registered voter who is a number-- member of an armed forces of the United States-- of the United States or National Guard, and who is permitted to vote early. So we're making a provision there. And then the second part at the bottom of that will be also included: The voter-- the voter who is a member of the armed forces in the United States-- of the United States and the National Guard shall submit a separate request for a ballot

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for voting for election, except that the voter still be deployed for both the primary and the subsequent general election. So they apply one time. We'll cover both the primary and the general if they're still deployed. The request for the ballot for the early voting will cover both elections. In the elect-- in addition to the requirements of the subsection (2)(a) of this section, the request for the ballot for early voting shall include the voter's military address, the voter's party affiliation for the ballot for a primary election, a colored copy of qualified photographic identification, and a sworn off that the voter is a member of the armed forces of the United States or the Nebraska National Guard. And the qualifier qualifies to the-- to the request a bal-- to request a ballot for early voting. The signatures on the request and the envelope used to return the ballot must be the same, must match. So it's the same thing. So that's what we're going to do there. And those are the provisions we're going to have in place for voter ID. I think it's a very straightforward piece of legislation. I think that we have an opportunity to accomplish what the voters required us to do by their vote. And I would hope that this would be-- give your consideration to be the bill that we use for identification. And I will try to answer questions that you may have. I have another bill that's up in another committee that I may have to step out. So I'll try to answer those questions. Don't know if I'll be back for a while. It might take a while in the other committee as well.

**BREWER:** Understood. All right. Let's see if we have questions. Senator Raybould.

**RAYBOULD:** Yes. Thank you, Senator Erdman. So I'm looking at-- I don't have your white copy in front of me, but the-- when you talk about qualifying photographic identification, I notice that on several of the licenses, they all say that you can't use an expired license like your passport or your driver's license. Did that change in the white copy by any chance?

**ERDMAN:** I don't believe we address that.

**RAYBOULD:** OK. And then could you tell me again.

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**ERDMAN:** One time-- at one time, Senator, one time we had, had expired no less than 60 days.

**RAYBOULD:** It says, "or has been expired less than sixty days." But nevertheless, you can't use an expired.

**ERDMAN:** Right.

**RAYBOULD:** And then the only concern I have, again, with nursing home individuals, assisted living, particularly those who have Parkinson's, I think like my dad, you know, his, his, his signature in no way would ever resemble his signature on any, any old photo identification or probably any, any recent photo identification that may have been taken on his behalf so.

**ERDMAN:** Well, Senator Raybould, I can appreciate that. And as we're drafting this bill and one's trying to think about all the situations that may come up, one possibly can't think of all of them. And so as we move forward with making the final version of this, we need to take into consideration those things that I had no idea might happen and make sure that we have adopted this policy to fit those situations like nursing homes left out. It's not our intent with this bill to eliminate anyone from voting or make it impossible or more difficult.

**RAYBOULD:** And then as an additional question, if I may.

**BREWER:** Please.

**RAYBOULD:** Could you tell a little bit what are some of the penalties for the counties that don't complete their voting tabulation on that day?

**ERDMAN:** I don't know what-- I don't know what the penalties are now and I don't know what they would be then. That would be a question for somebody beyond my pay grade.

**RAYBOULD:** OK. Thank you.

**BREWER:** That's not a very high pay grade, just for the record.  
[LAUGHTER] All right.

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**ERDMAN:** I get paid weekly, sir, very weakly.

**BREWER:** OK. Other questions for Senator Erdman? And more for the sake of everyone, understand that we've had one bill. We've got three here today. We will-- we will probably mix and match, take parts and pieces as necessary. There will be a committee bill that we'll make sure that, for one, it's constitutional, whatever that we move forward. And that's going to be a critical factor. So just think of it this way. We want to take input from you, ideas, all that. But the committee at some point will have to come together and hammer out something that will be that, that committee amendment to one of these and that will go forward to the floor. Then it's going to go through plenty, plenty of debate and probably some changes there too. So don't, don't, don't think that this is the end all, be all, and that's what it will be. These are to be modified and changed so that we have a proper product at the right time. So OK. One more time for questions for Senator Erdman before we let him go. Yes, sir.

**ERDMAN:** One other thing, Colonel. I know I'm not supposed to ask questions, but I'm going to make an assumption.

**RAYBOULD:** OK.

**ERDMAN:** I'm going to make an assumption that the Secretary of State and the Attorney General has looked at this bill for its constitutionality.

**BREWER:** They have reviewed all of the bills and have recommendations on possible changes. So what we'll do is, is probably sit down, look at those and see where we, we have our left and right boundaries to keep things.

**ERDMAN:** I understand.

**BREWER:** And so, yes, they-- they've been very interested and we're going to use their input to make sure we do it right.

**ERDMAN:** OK.

**BREWER:** All right. Anything? Yes, Senator.

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**CONRAD:** Thank you, Chairman Brewer. Senator Erdman, did you get a copy of the letter from the Secretary of State's Office? If not, I saw it when I was digging through my inbox last night after, after committee hearing. I'd be happy to send one your way and I'm sure they would too.

**ERDMAN:** I don't believe I have, Senator.

**CONRAD:** OK. Very good.

**ERDMAN:** Thanks for doing that.

**CONRAD:** Yes.

**BREWER:** All right. You're off to Natural Resources. Thank you. OK. We've got-- yeah. I've got lots of notes here. All right. So we have a new procedure here, and it's for the ADA written testimony. And in this case, we do have one, Jennifer James from 1340 Lincoln Mall here in Lincoln. She is a opponent on LB230. So we read that in right after and then we'll still read in the letters at the end. So if that's a little bit confusing, don't worry about it, because I'm still confused. Now, this is the part where we're going to go through and we'll do the election commissioners, give them a chance to come up and speak. Again, we'll jump over to our ADA testifiers and then we'll start in the rows so everybody's on the same. Brian Kruse, you're first up. Welcome to the Government Committee.

**BRIAN KRUSE:** Good afternoon. Oh, sorry.

**BREWER:** All right. And Brian, you have sheets on all three.

**BRIAN KRUSE:** Two, LB228 and LB230.

**BREWER:** LB228 and LB230. All right. Thank you.

**BRIAN KRUSE:** Yes. OK. Good afternoon, everybody. Chairman Brewer, members of the committee, my name is Brian Kruse, B-r-i-a-n K-r-u-s-e. I am here as cochair of the NACO Clerks, Register of Deeds, and Election Commissioners Law Committee, as well as the Douglas County Election Commissioner. I'm here to testify in opposition of LB228 and LB230. Nebraska election officials support voter ID as the citizens of

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Nebraska have spoken. As we understand LB228, it would eliminate early voting by mail except for members of the military and individuals in a nursing home or assisted living. Currently, there are 11 counties that conduct elections by mail, and other counties have by-mail precincts. This would be a drastic change for them, if even possible. For example, Cherry County is an all-by-mail county, and the clerk has stated in several of her precincts there are no physical locations to serve as polling places that are ADA compliant, and some precincts do not even have a physical location other than a private home. We know in Nebraska that if the by-mail option were to be removed, voters in some areas would have to travel an hour or more one way to their polling place just to cast a vote. With weather conditions, family and work obligations, this just simply is not practical or fair to candidates or the voters. In the 2020 general election, early voting consisted of 38.7 percent statewide and 50 percent in Douglas County. By far, the biggest reason we hear that voters like to vote early is convenience and being better informed. They can sit at their kitchen table and research candidates, judges, and issues they are not familiar with. If this bill were to become law, counties of all sizes would be affected. LB230 would allow for very few accepted forms of ID, only five, I believe, if I've read it correctly. This seems restrictive compared to other voter ID bills that have been introduced. Additionally, LB230 eliminates the option of conducting special elections in a by-mail manner. I will speak for the three largest counties: Douglas, Lancaster, and Sarpy. Political subdivisions, mainly school districts, that conduct bond and levy override elections have come to expect these special elections to be conducted by mail. In addition, voters have become acclimated to by-mail special elections. There is no question that by-mail special elections increase turnout. In Douglas County, turnout for a special by-mail election is repeatedly 35 to 40 percent whereas special elections conducted in polling places in the past have historically been 23 to 28 percent. These bills have numerous issues for both voters and election administrators that would drastically change the way our elections are conducted, especially the manner in which Nebraskans vote. And it would cost nearly \$1,000,000 annually in Douglas County alone and many millions statewide. It is important to remember that voters voted last November on voter ID. They did not vote on eliminating by mail for voting. They did not vote on

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eliminating special elections by mail. They voted on voter ID. And I think this is something that we need to keep in mind. So in conclusion, we do not support as an organization LB228 and LB230. We urge this committee not to advance it to General File. Thank you.

**BREWER:** All right, thank you, Brian. Let's see if we don't have some questions. Questions for Brian Kruse? All right, thank you. Oh.

**BRIAN KRUSE:** I almost got out of it.

**BREWER:** I glanced left and right. Senator Halloran, please.

**HALLORAN:** Thank you, Mr. Chairman. So what would cost a million or more, million, million here, a million there?

**BRIAN KRUSE:** Well, it'd be \$1,000,000 in Douglas County. That may be reduced a little. Senator Erdman just said not having the state holiday would reduce some of our cost on that. But the big cost would be the way the bill is currently written to count the ballots at the precinct level, the state would have to buy all new equipment. They'd have to buy counting equipment to count it at the state level.

**HALLORAN:** Why would they have to buy new equipment?

**BRIAN KRUSE:** Because it didn't, it didn't--

**HALLORAN:** I can--

**BRIAN KRUSE:** Unless you're going to do a hand count.

**HALLORAN:** Right.

**BRIAN KRUSE:** But if you're going to do a hand count, then you've got to have a whole nother set of election workers. So the costs come in either buying new equipment or the costs come in hiring additional election workers to get this process done on the same day.

**HALLORAN:** So--

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**BRIAN KRUSE:** And if you buy new equipment, then you have to store that in a secure place. You have to have it delivered to election places and picked up.

**HALLORAN:** Quick question. So the current equipment isn't upgradable.

**BRIAN KRUSE:** The current equipment that we have in Douglas County is central count. So they're DS 850s. They're huge machines and everything in Douglas County is brought back to our office and everything's counted on the machines there.

**HALLORAN:** That's not my question.

**BRIAN KRUSE:** So if you're asking if there's a trade-in value or something like that, upgradable in what-- can these machines be taken to the field? The answer is no. And we only have nine of them anyhow.

**HALLORAN:** OK.

**BRIAN KRUSE:** So there wouldn't be one for each precinct.

**HALLORAN:** And I don't know the answer to the questions. That's why I'm asking them.

**BRIAN KRUSE:** Sure.

**HALLORAN:** So there's not a software package that could be upgradable for these machines, that-- I mean, I can upgrade this in a heartbeat.

**BRIAN KRUSE:** Yeah, but, but you have to have a machine-- if you're going to use machines to count ballots at each polling place, which is what the bill says, then you have to have machines. We have 231 precincts in Douglas County.

**HALLORAN:** Right.

**BRIAN KRUSE:** And you'd have to have multiple machines at these polling places in order to do it in a timely manner. And we currently only have nine machines. These machines are not practical to be taken to the field.

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**HALLORAN:** I see.

**BRIAN KRUSE:** They're-- these machines, when they're going, count 250 pieces of paper a minute. And that's how when we have central count, we can count all of these ballots, you know, quickly during Election Day because of the ability of these machines to count so many ballots at one time. But these machines would not be able to be taken to a polling place. And again, we've only got 9 of them and we've got 231 precincts. And if you eliminated early voting, then we would have to add precincts because the current law says you can only have a certain number of voters, up to 1,750 voters turnout per precinct. So we have 50 percent early voting. So now you're moving all of these people to a precinct. So your ceiling at those precincts, the current ones are going to go up. So we would have to add precincts to then become compliant with that law and get under that ceiling of 1,750. Does that help? Probably more than you want to know.

**HALLORAN:** No, but adding more precincts would seem to me that it would make it more local than what we have now.

**BRIAN KRUSE:** Well, we have, you know, we have neighborhood polling. In Douglas County, we have-- do have the 231 reasons. And the reason we do have 231 is to have neighborhood polling places so individuals can walk, use public transportation, things of that nature.

**HALLORAN:** OK. Thank you.

**BRIAN KRUSE:** Sure.

**BREWER:** Senator Lowe.

**LOWE:** Thank you. Thank you, Brian, for being here.

**BRIAN KRUSE:** Sure.

**LOWE:** How many voters did you say you had per precinct?

**BRIAN KRUSE:** So the law says it's based on turnout. The law says you can have a maximum-- the precinct can have a maximum of 1,750; 1,750 turnout per precinct, not registered voters, but turnout. So we always take the presidential general, which is our largest turnout, and then

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we determine the number of precincts that we have based on the largest turnout we have in the presidential general and divide that out by, you know, a maximum of the 1,750. So that's how we get the number of 230. Now our number is less than the 1,750. I think the average is around 1,500 on that. I'm going off of memory here. But we do that to better service the voters to make the experience better, to have shorter wait lines and things of that nature.

**LOWE:** When I-- in my earlier life, I had a document imaging company.

**BRIAN KRUSE:** OK.

**LOWE:** One of the first document imaging companies in the state, and our scanners ran at 17 pages a minute. We thought they were lightning fast.

**BRIAN KRUSE:** Yep.

**LOWE:** By the time we were done, ten years later, we were at 250 pages a minute with OCR capability with just a store bought scanner. I would think that you could come up with some way to put one of those scanners in each one of the precincts because they were reasonably priced and then you could get a count at each one of the precincts--

**BRIAN KRUSE:** The company, ES--

**LOWE:** --still-- and then still process in one location. But then you have something to compare, the precinct count and the final count.

**BRIAN KRUSE:** Sure, you could do that. But you'd have to buy new equipment of course, which you understand that. ES&S, our current vendor, the product that does the precinct counting would be what they call the DS 200, digital scanner 200. And their system is rated, for whatever reasons-- I, I don't know all the mechanics of it-- but it will scan two to three pages per minute, about one every 20 to 30 seconds, one piece of paper. So if you take the number of potential voters you have divided by that, you know, we are projecting we would need 5 to 6 of those at each polling location in order to be done the day of and keep up with that. And then, sure, you could, once you get a tabulation on there, you could take them back to the election commission and you could run them through the current machines we

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have. You could do a comparison, but that's probably not going to be able to be done the same day. It might take a day or two to run all of the ballots, because--

**LOWE:** Why would that be?

**BRIAN KRUSE:** Well, if we don't start getting ballots back to the office until after the polling place closes at 8:00.

**LOWE:** Why couldn't they run in the precinct?

**BRIAN KRUSE:** No, they could. So you could have your results on your precinct machines. And then if you're asking if you-- are you asking if you'd run them again back at the office so you'd have two counts--

**LOWE:** You have two counts.

**BRIAN KRUSE:** --to compare to. And what I'm saying is your count at the office, because of the sheer number like in Douglas County of ballots, you know, we-- right now in a presidential general, we count about 12 hours on Monday because the law allows it for early voting; and then we count about 8 or 10 hours on Tuesday in order to get all those counts done. So if polling places close at 8:00 and we start to get those ballots back at 8:00 or 8:15 or 8:30, there's no way with the machines we have, we could be done counting all of those by midnight and have a comparison. It might take a day or two to do that. You just physically can't run that many pieces of paper through the nine machines we have in, say, 3.5 or 4 hours. Are we, I mean, a, I on the same page here?

**LOWE:** Yeah. It sounds like ES&S may need to increase their speed--

**BRIAN KRUSE:** Well--

**LOWE:** --maybe twice to help you out.

**BRIAN KRUSE:** I mean, the machines we have are very efficient. I've never used the precinct level machines because we have central count, so I'm really not very familiar with them, to be honest.

**BREWER:** Yes, Senator Raybould

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**RAYBOULD:** Commissioner Kruse, could you tell a little bit about the history of vote by mail? Do you-- what are the trends you are seeing?

**BRIAN KRUSE:** Sure. I believe it was around 2000, maybe a little before, that Nebraska went to a no excuse absentee voting state. So you don't have to have an excuse to request a ballot. So in the last general, before the pandemic, we saw early voting trending up. We were probably in the mid 20s, maybe high 20s before the pandemic. The pandemic hit around St. Patrick's Day about this time in 2020. In May, in the May election, just about two months later, it was 88 percent of all voters voted by mail in Douglas County. Now, you have to remember that was two months after the pandemic, nobody was leaving their home. In the general election that year, we settled back to 63 percent of all voters voted by mail. Now, this last election in, in November, we were at almost identical 50 percent early voting, 50 percent in-person voting. You know, we had about 5 percent in-person voting in our office. But the vast majority of that 50 percent was by mail. And I had kind of predicted or thought that after the pandemic was over we'd settle in at 50/50 in Douglas County. That's what we saw. And I think that's where we're going to continue to see as long as the option is available.

**RAYBOULD:** Thank you very much.

**BREWER:** All right. Additional questions for Brian? All right. Thank you for your testimony.

**BRIAN KRUSE:** OK. Thank you.

**BREWER:** OK. Next, Sherry. Welcome to the Government Committee.

**SHERRY SCHWEITZER:** Thank you. I'm sorry if I'm going to speak fast because I have tried to time my testimony here, so I stay within the three minutes. So good afternoon, Government and Military and Veterans Committee. My name is Sherry Schweitzer, that's S-h-e-r-r-y S-c-h-w-e-i-t-z-e-r. I am the Seward County Clerk. I've been in the office almost 45 years. LB228 and LB230 have been introduced as a result of the approval of the voter ID amendment. Both bills go way beyond the scope of what voters approved. Both bills violate the federal law called UOCAVA, Uniformed and Overseas Citizens Absentee

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Voting Act. This act passed in 1986, allows United States citizens who are overseas, not just military, to vote. LB22 [SIC LB228] states that only military and those registered at a nursing home or assisted living-- assisted living facility may vote by mail, also known as early voting. There are many people who cannot or are not able to go to their polling place. Let's start with students who are away at college. Guess they wouldn't get to vote because they wouldn't be at their polling place. What about people who are homebound but not in a nursing home or assisted living facility, as the bill states? What about those who are just sick in the hospital? What about those who are disabled? What about those who just prefer to vote at home because they want to make an educated choice of who or what they are voting on? What about those who travel for their work, such as truck drivers, traveling nurses? All of these people would not be eligible to vote if you-- if you take early voting away. According to LB230, the amendment talks about having to be physically incapacitated in order to vote early. According to the bill, a person must have a diagnosis from a licensed physician no fewer than 30 days prior to the election for a handicapped or medical condition. Have we ever heard of HIPAA? You have to pay to a doctor to get a diagnosis. Is the state going to pay for this like they say they're going to pay for-- pay for IDs or a birth certificate? If LB228 would pass as it is right now and Election Day, let's say was yesterday because we know elections are on Tuesdays, most senators on this committee would not be allowed to vote because you are not at your polling place. I wouldn't be even able to vote because I am at the work an hour or two before voting and many hours after. So even me or my staff or most county clerks and election commissioners would not be able to vote. Page 40 of LB240 says the election worker can be guilty of a Class V misdemeanor for each offense of not asking for an ID. Finding election workers is hard enough without telling them they could be guilty of a crime for doing a civic duty. Remember, county clerks and election commissioners are on the forefront. We know that early voting is safe and secure. We make sure the laws are obeyed. Shouldn't everybody who is eligible to vote be allowed to vote? Make sure the will of the people is met, but not at the expense of disenfranchising others. I ask you not to advance LB228 and LB230 out of committee. Thank you. You must not have your timer on.

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**BREWER:** Well--

**SHERRY SCHWEITZER:** Thank you so much.

**BREWER:** --you are-- you are considered an elected commissioner and, and you get some leeway because we need to hear what you have to say. So--

**SHERRY SCHWEITZER:** Thank you.

**BREWER:** --we're, we're giving you-- giving you leeway so that you don't have to rush quite as much because we need to hear these things that you're sharing with us because it's critical in us making a decision. So thank you for providing a copy. And just for the record, so you are an opponent to both LB228 and LB230.

**SHERRY SCHWEITZER:** Correct.

**BREWER:** OK. And, and just for everyone in the room, when you come up, say your name, spell your name, and then say, I'm here to testify in support of LB228 and LB230 and opposed to LB675. You know, whatever your green sheet combo is, just announce that. That way it's going into the record right there and there's no confusion. All right. Questions for Sherry? All right. Thank you for this list of things that we need to be thinking about.

**CONRAD:** Thank you.

**BREWER:** All right, Tracy, you're up next. Welcome to the Government Committee.

**TRACY OVERSTREET:** Thank you. Good afternoon, Chairman Brewer and committee members. My name is Tracy Overstreet, T-r-a-c-y O-v-e-r-s-t-r-e-e-t. I am the Hall County Election Commissioner and member of the Election Law Committee of NACO's County Clerks, Register of Deeds, and Election Commissioners Group. I am here today in strong opposition to LB228. LB228 is a very costly bill to both counties and to the state of Nebraska. The primary cost driver in this bill is the mandate to count ballots at the precinct level. Purchasing precinct counters would cost around \$18.5 million statewide for machines if there were about two machines per precinct and we use the number of

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precincts in the last election. I do stress that probably more precincts would need to be added. So the \$18.5 million is very conservative. That's just for the machines. There's an additional \$600,000 minimally a year to maintain those machines. Counties would then also bear the cost of additional poll workers, of training, of storage of the machines, and delivery of those machines. You may think that the cost of the machines could be saved by ordering hand counting at each precinct. But hand counting is also very expensive. And I'm going to use Hall County as an example. I handed out a spreadsheet with tabulations and costs for Hall County, and I'm using actual time and cost that we had from our last hand count audit from the last election. In Hall County, precinct counting machines would cost the state \$382,000 to buy; about \$13,000 a year to run; precinct level machine counting would cost Hall County about \$30,000 for every election. If hand counting was required, that county cost would jump up to \$120,000 per election. Hand counting would take multiple days or weeks, or you can offset that additional time by adding more people. At minimally, we would have to at least double our number of poll workers and maybe triple or quadruple. We couldn't use our existing polling sites because churches would need their fellowship halls back. Schools would need their classrooms back if it were a multiple day count. We would need to rent other counting space, provide security for that space over the multiple days or weeks. And again, we would need to double the number or even triple the number of workers that we have. That \$120,000 cost for Hall County is for a turnout for 45 to 50 percent voter turnout. Presidential elections typically have 65 to 75 percent turnout. And so minimally, really what we're talking about for an additional cost to our county is about \$200,000 per election. I have a budget every year of \$400,000; \$200,000 additional per election is a substantial cost. And I've also included in my packet the unfunded mandate testimony that you heard from our county board chair last week on LR1CA. This bill also requires that all ballots shall be counted on the day of the election. This is actually physically impossible to do, whether it's counted by machine or it's counted by hand. Only counting ballots on the day of the election would ignore all provisional ballots. I don't believe it's the intent of this bill to ignore provisional ballots, yet that is how this bill is worded. The bill would also make Election Day a holiday, and that factor would also increase costs and reduce possibilities for our polling sites.

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Nebraska counties, Nebraska taxpayers cannot afford LB228. It adds cost. It subtracts security. And precinct county is-- precinct counting is not one of the provisions that voters approved with a constitutional amendment on voter ID. Nebraska's current practice of counting ballots at one location called central count promotes enhanced safety and security of ballots and workers. Central count is efficient with machinery. It's efficient with personnel. It has saved taxpayers in Nebraska millions of dollars over the decades. Please do not advance LB228.

**BREWER:** All right. Thank you for your testimony. Quick question. In Hall County, how many precincts do you have?

**TRACY OVERSTREET:** We have 24 precincts currently. Under this proposal, we would have to add at least two additional.

**BREWER:** And then Douglas County was shooting for 1,750, not not more than. Do you have kind of a target number that you try and--

**TRACY OVERSTREET:** Well, the state law is for each precinct to have 1,750 voting voters. So after redistricting, we averaged-- we looked to have a precinct about 1,500 voters per precinct. Now, some of those areas that are projected to grow, we undersized that maybe 1,000 to 1,200. We have one precinct, one precinct that actually has 2,000, which would be over the 1,750, but they're not voting voters. It's 2,000 registered voters. Then we look at the turnout, and I think this is what Mr. Kruse was talking about too. When you have early voting, you can subtract off that number of voting voters so that you don't-- you can have a precinct that may be a little bit larger or that you may not need to send out as many polling booths on Election Day because you know maybe already 20 percent or 30 percent or 40 percent of your people have already voted in that precinct. So in answer to your question, in Hall County, on average, we have 1,500 registered voters at each of our precincts.

**BREWER:** And is there kind of a target number of poll workers that you'd have at a given precinct?

**TRACY OVERSTREET:** So typically, a polling site would have five poll workers. You would have two, two clerks, the people who check in a

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voter; two judges, the people who issue and receive ballots; and then you would have a precinct inspector. In the last elections, we have had to add additional poll workers. Obviously, during the pandemic, there were issues there. We're forecasting that we would need to add in at least two additional poll workers for every site. And the precinct that had the 2,000 voters that I mentioned, that's already kind of a super site for us. So we have additional workers there as well.

**BREWER:** OK. Well, let's see if we have some questions for you. Questions? Senator Raybould.

**RAYBOULD:** Yes. Thank you so much, Commissioner Overstreet. I meant to ask this question from the Seward County Clerk, too, so I forgot about that. But could you talk to me a little bit about vote by mail in Hall County and the trends that you have been seeing?

**TRACY OVERSTREET:** So prior to having-- well, when Nebraska had you had to have a reason, you had to have an excuse. So in the '90s, I think our vote by mail was probably or people who were voting absentee, that's what it was called, around the 5 to 10 percent range. After 1998, I think our by-mail or early voting averages around 20 percent. During the pandemic, that went to 80 percent in the primary. It went back down to 50 percent during the general election. And we have kind of tapered out now to about 40 percent. So it's double what it used to be in nonpandemic climate from 20 percent was normal to now 40 percent because there are many people who do enjoy voting early because they do like to study their ballot. Our ballot, we had 70 races in the last election, which is also something that adds to the cost of counting, whether it be by machine or by hand. It's not just one race. I mean, it's 70 races and every ballot on average had 35 different races on it. So people like to know what the questions are, who their candidates are, who their judges are, the wording of everything, and they like to study it.

**BREWER:** Yes.

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**RAYBOULD:** And then a follow-up question. And I don't know if for school bond issues in Hall County, are they vote by mail only or do you do the mix, vote by mail and in-person?

**TRACY OVERSTREET:** So for special elections, it's the discretion of the election administrator, whether it's done in-person or it's done by mail. And that-- we haven't had-- we haven't had a special election recently. I'm hearing rumblings maybe of some in our county. The last ones that have been done have been done in person. I mean, it really depends on the climate and also the political subdivision and what their feeling is. The last few that Hall County has had have been done in-person.

**RAYBOULD:** OK. Thank you very much.

**TRACY OVERSTREET:** But they've been done at reduced, reduced precincts, not-- we wouldn't open all of the traditional precincts. It was condensed precincts.

**RAYBOULD:** Thank you very much.

**BREWER:** Senator Halloran.

**HALLORAN:** Thank you, Mr. Chairman. So you are an expert is what we would call you, and I'm complimenting you on that.

**TRACY OVERSTREET:** Well, I don't know that there's any such thing in elections. There's, there's always nuances for everything.

**HALLORAN:** I don't know if that's comforting or not. But, but, but all of you here are very important to us because we have a referendum from the public on voter ID. Right? How do we satisfy that for mail-in voting and for absentee ballots? I'm looking for something constructive here. I get it. You don't like this and you've listed reasons why not. But constructively, what can we do to satisfy the referendum for voter ID, for mail-in voting and for absentee ballot?

**TRACY OVERSTREET:** Well, thank you for that question, because I consider Nebraska to be a gold standard state. And I understand that a lot of the provisions that are being proposed may be things that have been tried or even utilized in other states. And I think that what

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Nebraska has really is, again, a gold standard, and we don't have a lot that we need to improve. Having said that, let me tell you this. I think that with voter ID, I think it may be easier for a lot of our poll workers. I think it was frustrating for a lot of our poll workers when someone comes to vote. Many of the people who would come to vote at the polling site already want to show I.D. And the statutes, as they were written, prohibited our poll workers from even being able to look at someone who brought in an I.D. And I think if that statute would have been changed to allow for people who want to confirm I am this person, that we would have been able to look at I.D., maybe we wouldn't be talking about the whole constitutional amendment. That said, it's been passed and we honor that. I think the real change that most people have in their mind with vote-- with voter ID is at the polling place, not necessarily so much at with early voting. We have a lot of security with early voting, with signature verification.

**HALLORAN:** I think the public was very clear in the referendum. They wanted each vote to have some quantified, qualified photo ID. So my question is again for mail-in balloting and vote by mail or absentee ballots, how do we quantify the voter ID referendum?

**TRACY OVERSTREET:** Well, I think you have to-- obviously, you have to have a photo ID because that's what's required in the constitutional amendment. But I think that there needs to be more flexibility than-- I think we're talking driver's license, we're talking state ID, but I think political subdivisions need to be allowed to issue an ID, too, for, for those voters who may be homebound, hospital bound, those kinds of things. Does that answer your question or am I missing what you're asking?

**HALLORAN:** Well, maybe I'm-- well, I'm not sure. I mean, it's vote, vote by mail. How do we-- how do we subscribe to a photo ID in the process of voting by mail?

**TRACY OVERSTREET:** In what kind of document should be shown to allow?

**HALLORAN:** Photo ID, how do we quantify that that voter has a verifiable photo ID? That's what the voters are asking for.

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**TRACY OVERSTREET:** Right. Right. So it-- well, if they have to show a document, they should show it at the time of requesting a ballot. I-- I'm concerned about them showing any type of ID when it's returned, because that can affect anonymity of the ballot, which is secret ballot is also something that is guaranteed.

**HALLORAN:** So, so it's necessary. And that's what I'm looking for. It'll be necessary to, if you request to vote by mail, to show a valid photo. Right?

**TRACY OVERSTREET:** Well, in some states, some states allow by mail to use a signature in place of a photo ID. I mean, if someone is submitting a photo ID and you don't have something to compare it to, I'm not. I don't know. I don't know how you want to define that. I mean, I am not the legislative body, Senator.

**HALLORAN:** I understand that here. But you're here to help us--

**TRACY OVERSTREET:** Right.

**HALLORAN:** --accomplish our goal here. Right? So but I thank you for your answers.

**BREWER:** OK. Additional questions? All right. Thank you for your testimony. All right. I will say this one more time and that'll be it. The next time I say this, I will physically be removing people from this room. You are to be very quiet and emotionless in how you handle people that are testifying. It is their moment in the sun. And I don't want anybody removed from this room. But I will warn you, the next time someone decides to all of a sudden start making noise, you're going to be in the other room. Clear? All right, Becky.

**BECKY ROSENLUND:** Yes.

**BREWER:** Welcome to the Government Committee. You can start whenever you're ready.

**BECKY ROSENLUND:** Thank you. Good afternoon, Chairman Brewer and members of the committee. I'm Becky Rosenlund, B-e-c-k-y R-o-s-e-n-l-u-n-d. I'm here to speak in a neutral capacity on LB675. I'm a member of the NACO Election Law Committee and I'm the deputy

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election commissioner in Hall County. Before I started my current job, I had been a poll worker in several elections. I signed the voter ID petition in the summer of 2022 because I think having a citizen present a photo identification at the polling place could help with effective polling site operations and enhance voter confidence in the process overall. I started my current job two months before the 2022 general election. My confidence in Nebraska elections has grown each day. Nebraska is the gold standard in election integrity. In particular, I am happy to report that our current procedures for early voting are very secure. This is a well-defined process with signature verification and auditing capabilities that enhance the integrity and security of our elections. In fact, after working full time in elections for two months, I decided to vote against the voter ID constitutional amendment that I originally supported because I feared that the vague language would jeopardize our current outstanding system and negatively impact Nebraska voters. LB675 allows Nebraskans to continue to vote early and by mail. It offers flexibility in qualifying documents. Nineteen thousand Nebraska voters, 300 in Hall County, don't have a driver's license or a state ID. LB675 allows the use of school IDs, county IDs, Nebraska birth certificates, and also supports the creation of a no fee voter ID and a mobile unit to assist home or hospital bound voters. For early voters, we would prefer that ID be shown at the time of the ballot request as opposed to ballot return, which can affect ballot anonymity. Some issues of concern in LB675 include expecting election officials to print qualifying identification on an already very busy election day. Allowing public libraries, nonprofits, and other sites to print qualifying ID may increase the possibility of fraud. Requiring election officials to provide email or text responses to voters who request and return ballots duplicates information that is already readily available on the Nebraska Secretary of State's voter check Website. And it adds complication and expense for many counties. The mandate for postage paid return of all ballots and requiring the creation of a permanent list of voters who want mail ballots also adds to the financial burden of counties. These decisions are best made locally because of the additional costs that are incurred. Automatically registering everyone who completes a DMV record will lead to excessive duplication of records and many records with lower quality signatures. Voter ID is a huge change for Nebraska. Please take the time to do it right. LB675

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allows for implementation in 2026 so new procedures can be tested in a smaller election and with the time to, to really plan for that as opposed to the presidential election in 2024. Please remember that voters passed voter ID, not postage paid return, not permanent lists, not text responses, and definitely not limiting early and by-mail voting.

**BREWER:** OK. Thank you. Just how many voters do you have in Hall County?

**BECKY ROSENLUND:** About 34,000--

**BREWER:** OK.

**BECKY ROSENLUND:** --registered voters.

**BREWER:** And how many did you say?

**BECKY ROSENLUND:** It's a little over 300 that don't have driver's license or state IDs.

**BREWER:** All right. Probably ratio sounds about right. All right. Questions? All right. Well, thank you again. I mean, I got to tell you, we, we heard the first bill, 7-- or LB575 [SIC LB535] and we realized that we're probably getting out over our skis in that we were getting feedback and not fully appreciating what was in some of the bills until we were actually hearing them. And so that's why we kind of wait on this, the brakes and slowed things down so that we can have a little more time to digest what's in them. And what we're coming to the realization is, is that this task we have in front of us may very well be the most difficult thing we do in the Legislature this year, because there is no easy answer on this. It's, it's, it's a hard road ahead. And so thank you for your input.

**BECKY ROSENLUND:** Thank you for being willing to take the time to do it right. This is important to Nebraska voters.

**BREWER:** All right. Well, thank you.

**BECKY ROSENLUND:** Thank you.

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**BREWER:** All right. Let's see, Becky. Beth, you're up. Welcome back to the Government Committee.

**BETH BAZYN FERRELL:** Thank you. Good afternoon, Chairman Brewer, 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. I'm appearing in opposition to LB228 and LB230 and neutral on LB675. In the interest of time, I'm not going to repeat what the election commissioners have said. I think they've laid out our positions on these bills very well. I would just say that, Senator Brewer, you mentioned the hearing on LB535. We offered at that time to do whatever we can to be a part of whatever you decide on the voter ID bills. We're happy to do that and I would just offer that again. I think our election commissioners are very well versed and they have practical experience in conducting secure and accurate elections. And I think that's something that we will continue to strive for with the voter ID processes.

**BREWER:** And I think we'll probably have you on speed dial for questions because there will be plenty. When we appoint this committee, we'll sit down in a room and we will start figuring out how to take all these pieces of the puzzle and put them together so that, that we can get there. And I don't think we're going to be able to do that with the knowledge we have amongst us. I think we're going to have to go out. And because what may seem like a good idea might be a big uh-oh, when smarter people look at it and they understand that fundamentally you, you built-- you built it wrong because you didn't understand the rules. And so that's why you guys coming and sharing with us some of these challenges with whatever bill helps us to better understand what right looks like. And we appreciate you doing that. All right. Thank you for your-- oh, any other questions? All right. Thank you, Beth. OK. We will have our first ADA testifier, Kathy Hoell. And there'll be no time running for her. We'll just go ahead and let her share with us here. Pages, can you help out there? Thank you.

**KATHY HOELL:** I'm learning how to drive today.

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**BREWER:** That's OK. Welcome, welcome to the Government Committee. Whenever you're ready, you can begin.

**KATHY HOELL:** OK. OK. Good afternoon, Senator Brewer and members of the committee. My name is Kathy Hoell, K-a-t-h-y H-o-e-l-l. And I am from Papillion. First of all, I am a person with disability. I have worked on voting issues for people with disability nationally, and I also was on the Help America Vote committee here in Nebraska under senator-- Secretary of State Gale. Today I'll be dealing primarily only with disability issues. There's other people who know more about the other pieces of this. I want to thank you for having this hearing. I appreciate you wanting to come up with the best bill possible. But it probably would have been a really good idea if all four bills had been in this venue. I support LB675. I oppose LB228 and LB230. And now I'm going to go through my thesis. I really like the list in LB675 of the voter I D because there are many people with a disability. You know, we don't have a lot of people who have active driver's licenses. Most people don't have active driver's licenses and they can't drive. And also in a lot of cases, they end up on Medicaid or whatever and forced by the state to live in poverty. And that's an expense you can't afford. But I do support the idea of a outreach, outreach effort to let people know about IDs. But I think this has got to be a very targeted approach. It's going to be targeted towards people with disabilities. It needs to be targeted to people with low incomes, young people, whatever. We're a very diverse state in some areas. And I think we need to be-- we don't all like the news. We don't all read the newspaper. You know, [INAUDIBLE] what you do is got to find ways to get these populations. Public awareness campaigns are usually targeted to those, your average voters and they use [INAUDIBLE] the average outreach technique and they don't always work. The Americans with Disabilities Act was passed 33 years ago. The Help America Vote Act was passed 21 years ago and Nebraska still has inaccessible polling places. Apparently, the people involved in overseeing these polling places and what needs to be done. They-- for county clerks, they have a full-time job doing what county clerks do. And being an expert on the ADA and accessibility is a whole nother set of things they need to learn. And I don't think it's because they don't want to do it. They just don't have the knowledge base. They don't have the time. I think it would be to the advantage of the state to actually go

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outside of the county clerks and contract with the Centers for Independent Living to-- these are people that are very, very aware of disability. They work with people with disabilities day in and day out, and they would have the knowledge base that needs to be had for this endeavor. But the other thing, in her-- in the mobile unit, the only suggestion I have is the word "accessible" be put in. They have to be accessible vehicles because I have found through the years-- I've been disabled 40 years. If it doesn't say it, it doesn't happen. And so if the word "accessible" is not there, it's probably not going to happen. In LB228, the first thing that stands out to me is the election day would be a holiday. And that's great. That's fine. That's another holiday. People can travel. They can go do whatever they want. Why would they go vote? [LAUGHTER] But my main concern is if it's a holiday in cities where they do provide transportation, the people that are going to be doing the transportation are probably going to be taking the holiday off. So even when there is limited transportation, people won't be-- with disabilities will not be able to get to the polls. And this idea of mail-in ballots for only the military, people in nursing homes [INAUDIBLE] and assisted living facilities. You're discriminating against most people with disabilities by even thinking of doing that. And people who are out there living in the community, they have to have-- you have to provide them some way to vote. I mean, because you're opening yourself up to a lawsuit by-- with the fact that there is limited transportation to limit mail-in ballots. And finally, there is-- you're not providing reasonable accommodation under the ADA, as you should be doing, which is outlined in federal law. It is very specific. So you'll be opening yourself up to lawsuits. And I'll tell you right now, I'll probably be leading the charge. People with disability need to vote by mail, and it says it refers to physically incapacitated. I find this very offensive. I am not physically incapacitated. I am a person with a wheelchair. I am a person with a disability and I want to be treated as such. Senators have heard this terminology for many years and they seem it goes in one ear and out the other. Well, I treat you with respect. I refer to you as Senator. I expect the same thing in return. Accessibility is different for every kind of disability. I mean, you cannot-- the thing most people think of is accessibility for wheelchair. But if somebody has PTSD, voting by mail would be imperative in most cases. If they have just anxiety issues, they need to vote by mail. If they're

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influenced by the weather, they may need to vote by mail. I mean, the only way I'm functioning is-- it's still freezing out there. I can actually move around and get outside. We have seen because of COVID that a lot of people are voting by mail. It's increased civic involvement. Personally, I don't understand why some people seem to find this problematic. I think the more people involved, the better. And I really hope that the disabled community is considered in your final product. If I can answer any questions, I'd be happy to.

**BREWER:** All right. Thank you very much for your testimony. See if we have questions for you. Questions? All right. Thank you for your testimony. Thanks for taking the time today.

**KATHY HOELL:** Thank you.

**BREWER:** OK. We'll have a little bit of a reset here and get the chair back over. Yeah. And the next [INAUDIBLE] chair. All right. And Deanna Henke will be our next testifier. Deanna, welcome to the Government Committee.

**DEANNA HENKE:** Thank you. Good afternoon, Senator Brewer and members of the committee. My name is Deanna Henke, D-e-a-n-n-a H-e-n-k-e. I'm a resident of Lincoln, Nebraska, and I am a person with a disability. I would like to first say that the language that is being used, such as that in LB230, is highly offensive. Each time people from the disability community have come to testify on many bills, we have reminded senators that using words like handicapped, physically incapacitated, wheelchair bound, or special needs are all slurs the same as if you were to use a racial slur. The correct and respectful way to address us is with person first language. This means saying things like person with a disability, student with a disability, child with a disability, etcetera. We respect you by using the title of Senator. Please respect us in the same way with this language going forward. When it comes to voting, the last thing that should be done is enacting laws to make it more difficult and sometimes impossible for people to vote. Voting is a right and should be taken seriously. There is no widespread voter fraud, despite what some people believe. Voting by mail is a necessity for some people for many reasons. Not being forced to divulge our medical information or show a picture ID should be our right. If the amendment to LB230 were to pass, several

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people would not be able to vote. Maria, who has severe anxiety, cannot go to the polling place but is not considered incapacitated by the standards in LB230. Michael, who fought in Desert Storm and has PTSD, is not considered eligible and would also not be allowed to vote by mail. Gabrielle, who has to take care of her ailing father full time, cannot go to her polling place, but would not be allowed to vote by mail. Matthew, who has an intellectual disability and needs extra time to consider and mark his ballot, would not qualify for mail-in voting. The list goes on and on. Under this amendment, even if a person were physically disabled and that was the reason for not being able to go to in-person voting, it requires that we set up a doctor's appointment not less than 30 days before Election Day. We then have to go to the doctor and pay for that doctor visit. We have to have the doctor divulge our medical information and have it approved by somebody who has no idea who we are or anything about our disability. We also have to pick up a form from the election commissioner. We have to go someplace to get photocopies of our identification and pay for those colored photocopies. If we are not able to go to polling places, what makes you think we can go do all of these other requirements? The amendment also says we would have to do this again each time we vote. These restrictive voting measures are simply a way to try to prevent people from voting. It is shortsighted, out of touch, and backwards. If you are truly looking for a way to make voting better for all Nebraskans, start by making the polling places accessible. Having volunteered for Civic Nebraska as a polling place inspector, I know the reality of inaccessible polling places. LB675 has some commonsense measures to help alleviate some concerns of these restrictive voter ID laws. Senator Day's bill is the only one that has any merit or offers any solutions. I welcome any questions or comments that you have.

**BREWER:** All right. Thank you for your testimony. See if we have questions. All right. Seeing none, thank you for your testimony.

**DEANNA HENKE:** Thank you.

\_\_\_\_\_ : Oh, I'm sorry. I'm sorry.

**BREWER:** All right. We will now start the time testimony. So again, you'll have three minutes when your light comes on. And with that, just a quick reminder. Announce your name, spell your name, and then

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let us know what you're proponent, opponent or neutral true-- to and on what bills. With that, you may begin. Thank you.

**ROBBIE ADAMS:** My name is Robbie Adams, R-o-b-b-i-e A-d-a-m-s. I'm from Papillion. I support-- I oppose LB675 and I support both LB228 and LB230. I oppose LB675 because, first of all, there is no requirement that the identification documents our voters provide photo ID, ID, the lack of which continues to plague our elections with probable fraud since 4,001 votes were tabulated in 2020 that were more than the total of registered voters in the state of Nebraska. Who were these voters? We need photo ID. Even hunting and fishing licenses are sufficient identification for this deficient bill. The identification can be current or expired, inviting those who have moved to different locations or states to come back and vote provisionally with expired documents. Registrations need not be exact matches for names or addresses. Canvassing efforts have proven some addresses were not valid since they did not match addresses on the property tax lists and could be vacant lots. Voters who register at the DMV illegally will not be prosecuted for voter registration violations unless they meet an amorphous standard of violating registration law, quote, willfully or unknow-- or knowingly, a standard difficult to prove and easy to violate. LB675 hides voter risk registration fraud, makes election integrity even more difficult, and waters down standards that should be transparent, clear-cut, easy to understand, and hard to violate so that Nebraska's elections will no longer have more votes than voters. I support both LB228 and LB230 because we must require that identification documents have a photographic image of the voter. This requirement is an everyday occurrence to pick up sports tickets, to fly on an airplane, to apply for a checking account, and countless other daily occurrences. This requirement will not limit a person's access to the vote no more than a photo ID limits access to fish or hunt in Nebraska. It is not an inconvenience since voter deadlines are easy to find with plenty of notice. So even if a person does not have a driver's license, they have plenty of time to get a state ID, photo ID card with waived fees. It can't be racist since all people will be required to provide photo ID to vote. It is the height of condescension to think people of color are unable to get photo ID since modern life requires it repeatedly for very common purposes. This bill would rightly place limits on voting by mail. Those who need

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to do so can vote early at the county election office or the county clerk's office. Since the vote-- voices crying voter fraud continue, continue to get louder with charges of machines getting hacked, ballots being harvested, voting machines intentionally taken down, vote counting windows covered with pizza boxes, ballots don't print or Zuckerbucks paying for partisan efforts in certain districts, we must tighten laws to regain trust in the election process. LB228 and LB230 will do just that. Please vote both LB228 and LB230 out of committee and into legislation. Thank you.

**BREWER:** All right. Thank you. All right. Questions? Any questions? All right. Thank you for your testimony. OK. Next testifier. Welcome to the Government Committee.

**IRIS DUTTON:** Thank you. My name is Iris Dutton, I-r-i-s D-u-t-t-o-n. I'm from the beautiful northeast Nebraska rolling hills along the Missouri River by Ponca State Park and a retired military spouse. I am here in support of LB228 and LB230. And I just want to thank you for what you are doing to make our elections secure and making it hard to cheat. Last March at our GOP county convention, the following resolution was unanimously approved as follows, which is an indication of the people's support of what LB228 and LB230 provide. Be it hereby resolved that the Dixon County GOP supports election integrity at all levels of government, federal, state and local governments. A friendly amendment was added as follows: support voter ID which passed; cease using ES&S machines and contracts with them; return to hand counting our paper ballots; return to in-person voting locations and actively update voter rolls. Since March, I have talked to several people in Dixon County, and again it's an all mail-in ballot county, who desire to return to hand counting. Many did not know why we-- this was changed where we could not go to voting locations. Some were told it was illegal to vote in this way. In a neighboring county, voters were told by someone in the Secretary of State's Office that they couldn't even hand count 200 ballots in a special election. Another issue raised with all mail-in counties is that the ballot is not secret. All mail-in ballots have the identity of the voter tracked on the outside. Whoever opens the ballot can see how they voted. This is not a secret ballot that is cast and concerns many people in Dixon County. Another person was called by the county clerk's office as they forgot to sign their ballot. Her question to me was how did they know it was my

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ballot? Our ballots are tracked. One individual received five ballots, which was immediately taken care of by the clerk's office. Another individual told me that their friend received four extra ballots for grandchildren who had lived with him. I was told that the individual has asked four times to have their names removed. Who is responsible for updating of our voter rolls, the county, the Secretary of State? During the state Senate races in District 40, both Barry DeKay and Keith Kube supported hand counting of ballots. Finally, a forum that was held in January in Wakefield, Nebraska, in our county in which Secretary of State Bob Evnen spoke and discussed the issues with all mail-in counties such as Dixon County and problems with ballots that are mailed in. This is strong support for the above measures to bring greater accountability to our elections and provide our voters in northeast Nebraska to have the opportunity to vote in person and on location voting.

**BREWER:** All right. Thank you for your testimony. A quick check to see if we have questions. All right. Thank you. Thank you for the written testimony. OK. Next testifier, please. Welcome to the Government Committee.

**SHERI ST. CLAIR:** Thank you. I am Sheri St. Clair, S-h-e-r-i S-t. C-l-a-i-r, testifying this afternoon on behalf of League of Women Voters of Nebraska. The league is a proponent of LB675 and an opponent of both LB228 and LB230. We had previously testified in opposition to LB535, Senator Slama's bill, in response to Initiative 432. That bill severely limited both the types of acceptable photo IDs, as well as the ability of voters to easily participate in the electoral process. LB675 serves to correct many of the deficiencies which were identified. It specifies criteria to be met and legislation adopted in response to the initiative to keep the rights of the voter in mind. These include accepting a wide range of photo IDs, including student IDs and ID from other states regardless of expiration date; the issuance of acceptable IDs at no cost to the voter; establishing a mechanism to easily obtain an ID wherever you are in Nebraska; preserving mail-in ballot accessibility by exempting mail-in ballots from the photo ID requirement; protecting day of voting for individuals who may not have an I.D. on their person at that time; funding a public awareness communication campaign; training election officials, county clerks and poll workers; and providing ample time to

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allow for implementation. We are opposed to LB228 for several reasons. Mandating in-person voting except for select individuals is voter suppression. It's unrealistic to expect all eligible voters to be able to do in-person on any given day. LB228 also requires counting of ballots at the precinct level. Since the appropriate hardware, as you've heard, is not available in all of Nebraska's 1,300-and-some precincts, this forces hand counting, which means multiple recounts. LB230 contains multiple provisions that serve to discourage voting, especially mail-in voting, which has proven to be both popular and secure. Only a very limited number of acceptable color photo IDs would have to be presented when voting and also mailed with both the application for an absentee ballot and with the mailed ballot. Signature verification is used in a majority of states when processing mail-in ballots. In 2020, just two states had ID requirements for voters requesting or returning mail-in ballots. The National Conference of State Legislatures recommends that requirements for an affidavit or witness signature on an absentee ballot request be removed, and instead signature verification be beefed up on such ballots. It also provides a criminal penalty for any election worker or election official who doesn't follow all procedures. The threat of criminal penalty is likely to further discourage individuals from serving as poll workers and election officials. And lastly, the requirement that an American flag will be placed on the front of each operator's license or state ID card is unnecessary since citizenship must be established in order to register to vote. The point of this legislation is to verify identification, not citizenship. So in addition to supporting the League's position on this issue, I have also experience as a poll worker and as a child of a parent in assisted living, and I'm happy to answer any questions that you may have on any of these topics. So of the three bills, please advance only LB675. Whoo, thank you very much for your time.

**BREWER:** Sheri, you did an amazing job--

**SHERI ST. CLAIR:** At home, I was three minutes, 6 seconds.

**BREWER:** --to get through all of that and you even had time to spare.

**SHERI ST. CLAIR:** Oh, my goodness.

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**BREWER:** Hey, for clarification.

**SHERI ST. CLAIR:** Yes.

**BREWER:** So we have this is your testimony from today.

**SHERI ST. CLAIR:** Well, my-- yeah, I give the CliffsNotes testimony and the letters have more detail in them on all three letters.

**BREWER:** Right. So then these just simply break out by bill your position.

**SHERI ST. CLAIR:** Correct. Correct.

**BREWER:** Just want to make sure that was-- that was clear for the record. All right. Are there any questions for Sheri on her testimony? All right. Thank you.

**SHERI ST. CLAIR:** OK. I was going to have one more show, and tell. My mom's ID, the military ID, this is all she had. It's not in color. It was issued in 2007. Never expires. So the picture, you know, is well over 20 years old at this point, doesn't really look like her. But, you know, this is the kind of thing that many of our older voters are going to be having so.

**BREWER:** All right.

**SHERI ST. CLAIR:** Thank you for letting me share.

**BREWER:** You bet. OK. Let me move some paperwork here. All right. Next testifier.

**CINDY MILLER:** Hello.

**BREWER:** Welcome to the Government Committee.

**CINDY MILLER:** Thanks for having us. After listening to all the testimony, I threw out all my notes and I'm just going to share some things. My name is Cindy Miller, C-i-n-d-y Miller. First of all, I'd like to say it's obvious I oppose LB675. It has a lot of expensive fluff in it that really doesn't do much to ensure election integrity. And for the number of voters that voted in the last election wanting

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voter ID, it's obvious that the voters are concerned about fraud. That is the top issue, voter fraud. So I support LB228 and LB230. Voter ID is just the first step in ensuring our elections are secure. There's a lot of problems with mail-in ballots. I volunteered with a voter-- the Nebraska Voter Accuracy Project, canvassing to find irregularities. There are plenty of problems with mail-in voting. And I think that's why people want to get away from that and get to in-person, on the day of voting. Election commissioners lament about the fact that there are not enough volunteers or people to help at the polls. If you made this a holiday, a state holiday, you'd have plenty of volunteers. Right now I bet if you asked for a show of hands out in this audience, there would be a lot of people here that have been activated because of fraud that are getting involved and want to stay involved. I am one. I'm a poll worker. I want to work as much as I can to help my county have accurate votes, honest votes. States-- regarding hand counting at the precinct level, states have other-- already been doing, investigating how do we count by hand at the precinct level efficiently and accurately? Missouri is a good example of that. They have been doing testing this. It is possible and it won't cost \$18 million. I'd like to know how much those cars driving around in nursing homes and whatever, how much are they going to cost? How much do we already pay to ES&S for their machines? I trust that you guys can find creative ways to help people with the voter ID, picture voter ID. And I'm glad that you don't want anybody to be disenfranchised. What about the millions of people who feel disen-- disenfranchised because of stolen elections? What about them? Millions. Thank you very much.

**BREWER:** OK. Hang on just a second here. Quick question for you. You're a resident of what county?

**CINDY MILLER:** Washington.

**BREWER:** Washington. OK. Let me see if we have any questions for you. All right. Go ahead.

**CINDY MILLER:** Thank you. Thank you for your good questions, everybody.

**BREWER:** Well.

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**LINDA VERMOOTEN:** Good afternoon, Senators.

**BREWER:** Let's see. We got to reset the light right here. Can you turn that amber one down? There we go. All right. We didn't want you to start with just a minute to go so.

**LINDA VERMOOTEN:** Well, thank you. I appreciate that.

**BREWER:** All right. Please go ahead and start whenever you're ready.

**LINDA VERMOOTEN:** Good afternoon, Senators. My name is Linda Vermooten, L-i-n-d-a V-e-r-m-o-o-t-e-n. My first question I would like to ask you all is where are we? Is this not the United States of America? Is this not supposed to be the leader of the free world? And as I sit here and I listen to this testimony, I'm almost laughing to myself. I grew up in a Third World country. And when I'm hearing some of the statements made here and watching what's happening, the chaos in our elections, I have to laugh because I'm like, I grew up in a country where there was one election day. You got there or you didn't vote. End of story. We didn't have machines. We hand counted. We didn't have a few people like in the state of Nebraska. There's not even a single city in the state that would qualify in my country. You have to have a million people in your city to qualify as a city. For example, Johannesburg has 8 million; Cape Town, 5 million; Durban, 3 million; Pretoria, 2 million. So there's millions of people. These are hand-counted ballots. These are not used with machines and they are done expediently and the results are out very quickly. And I'm like, if this is the sophisticated way that we do elections, no wonder people are having a question as to how we are voting and the integrity of our votes. I definitely oppose LB675 because it opens so many loopholes. You can have any kind of piece of identification you want to say this is you. I was shocked the very first time I went to vote here and they didn't-- I wanted to show my ID and they said no. I said so I could be anybody that's walking up here saying, I live at this address and I can vote. I did get to serve as a polling person this last election, and more than 80 percent of people were trying to show us the ID and we had to tell them, sorry, we can't even look at it. And I'm like, we had to show an ID that proved that you were a citizen of the country, not just an ID. So a driver's license would not necessarily meet the criterion because it doesn't prove you're a citizen. As a foreign

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student, I could get a driver's license. Other visitors in the country can also get a driver's license. That doesn't prove they're a citizen. That is a photo ID, that doesn't prove that they are citizen. Only citizens have the right to vote in the elections. And I am deeply concerned about our elections and the fraud. And I'm definitely in support of LB228 and LB230 because I believe it goes a long way to say we the people have spoken. We want a photo ID. This has to show your name, your address, your, you know, so that you can prove your signature. You've got something to match it against. When people are walking up and saying, well, I'm Linda Vermooten and I live at this address. Now I can see, OK, here's your driver's license, name matches, address matches, photo matches, the person's signature matches what you just signed in my book. And I have nothing before this. It is possible to obtain all of these pieces of information. I, too, am also a person with a disability. I have a limited vision and mobility. I can get a copy. I can have somebody take me and make a copy. I can give them my state ID and they can go make a copy for that-- for me and bring it to me. Also, in my home, I have a photocopy that I can just put it on there. So that would not prohibit me as a disabled individual from voting. Thank you.

**BREWER:** Thank you. All right. Let's just check and see if we have any questions before we let you go here. Questions? Yes, Senator Lowe.

**LOWE:** Thank you. Thank you, Ms. Vermooten, for being here today and testifying. In your home country--

**LINDA VERMOOTEN:** Yes, sir.

**LOWE:** --when they would have an election, how many categories would be on that ballot for? I mean, is it like the American ballot where there might be 20 different things you vote on?

**LINDA VERMOOTEN:** Oh, well, let me say, the last vote that I cast, we didn't just have it simple as you do with two parties. We had 16 parties on that ballot, for starters.

**LOWE:** OK.

**LINDA VERMOOTEN:** So that is very complicated. So you've got to count all those different 16 parties to come up with just the president

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before you get to all the other issues that are on the ballot. So there's multiple issues on the ballot. And like I say, that's all hand counted and checked and the results are out very quickly. No machines needed.

**LOWE:** How long would it take to count the ballots in your home country, on-- just on an average night.

**LINDA VERMOOTEN:** I know that when we did presidential election, I think we had the results within a week. And that's all verified by hand. No machines. So that eliminates any manipulation of ballots or anything like that because everyone knows you sitting here and I'm sitting here. We verify. Boom.

**LOWE:** OK. Thank you very much.

**LINDA VERMOOTEN:** You're very welcome. Thank you, Senator.

**BREWER:** All right. Any additional questions? All right. Thank you, Linda. All right. Next testifier. Welcome to the Government Committee.

**LORENZO ORTEGA:** Thank you, Senator Brewer. Thank you, members of the committee. My name is Lorenzo Ortega III, and I represent the Nebraska Voter Accuracy Project. Mail-in ballots are the number one way to cheat in Nebraska. We've determined that. We estimate currently that 90-plus percent of the cheat was with mail-in ballots. We estimate that during the 2020 election over 70,000 ballots were submitted in every single county in the state of Nebraska illegally. Those ballots were then accurately counted by our election commissioners but, of course, had been illegally mailed in for unsuspecting voters who did not plan to vote. My rebuttals are for we, we support LB228 and LB230 and some of the comments that I've heard here recently. You know, if you're overseas, you can vote at any embassy. I have friends who've worked at embassies on the voting committees. They volunteer to do that when they live overseas like that. In addition to that, you'll notice that our 88 voters were able to attend this hearing. In this case, these 88 voters were not incapacitated. This does not-- we're not trying to, I think, in this law reflect anybody and reflect anything negative about them. A lot of people have disabilities. I personally have some disabilities as well. And to describe which kinds

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of disabilities, because certain disabilities, like the ones that I have, don't stop me from going to vote, but there are other disabilities that do. And we do have manual voting in LB228 and LB230 to be able to pull this off. In addition to that, all of our commissioners issue sample ballots so that people can leisurely review them prior to going out to go vote. And of course, mail-in ballots, as so accurately described in our earlier testimony, are not secret if accompanied with an ID. In addition, if you look at this, it may take more machines, but post result reduction must be included in the financial analysis of this law. And as we go to do this, what is the value of free and fair elections? That's barely countable. In-- I am in opposition for the LB675 here. And some of the things that I thought were crazy was that you could actually show up with an expired wrong name, wrong address, learner's permit, fishing license or expired high school ID or a noncitizen DOD military ID and vote in the state of Nebraska or you could simply just go up and vote and you could mail in a declaration saying you are who you are. That's all it takes is a declaration. No photo ID, no nothing according to the law as it stands right now. This is also an ID law where if you request an early mail-in ballot and you request that it's sent to an agent at a different address from your address that's perfectly legal. And by the way, you can send in a registration form to that address. And as long as the registration form goes back with the ballot, you're OK. No ID required and that's all inside that law, severely needs to be corrected.

**BREWER:** All right. Thank you for your testimony. Now, going back real quick so we got it right, you are an opponent to LB675.

**LORENZO ORTEGA:** Yes, sir.

**BREWER:** --and a proponent to LB228 and LB230?

**LORENZO ORTEGA:** That's correct.

**BREWER:** OK. Just trying to make sure we're on the same--

**LORENZO ORTEGA:** Yes.

**BREWER:** Let me see if we got questions for you. Questions? Questions?

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**CONRAD:** Thank you.

**BREWER:** All right. Thank you, Lorenzo. All right. Next testifier. I know, we have a little bit different process, it's kind of a pain, the process. Welcome to the Government Committee.

**CONNIE REINKE:** Hi. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e, from Lincoln, Nebraska. I really believe that we need to look at the big picture and there's a lot of technicalities. But the-- but there is fraud in our elections. The algorithm that Dr. Frank has presented is absolute mathematical proof that there was a correlation in every county in Nebraska that's not natural. Then we went out and I was part of that where we verified the vote and everybody wants a vote. We want to protect everyone's vote. We are not protecting it now. I found people that their, their response to how they voted was not accurate on the voter roll. That is to be our record so individuals are not being represented by their votes. It's absolutely-- there's absolute fraud. You'll see that in my press release all the things that we found. To, to solve the cost situation I have presented the difference in 2016 and 2020 elections in Lancaster County, and with more mail-in ballots it's almost double the cost. Mail-in ballots are very expensive. Before 2005, registered voters filled out a form notarized, having their photo ID to request an absentee ballot. They gave a reason. They sat in front of a notary, the notary looked at their identification, they looked at their signature-- I'm a notary. It was the responsibility of the notary to verify the identity through a photo identification, looking at the person, looking at the photo, comparing the signature that they write with what's on the photo ID. If the signatures matched, then the notary notarized. This is the way it was done before 2005. And I believe that that's the way it should be today. Fifteen or 18 years later, the number of mail-in ballots has grown. For the state, early mail-in and all mail-in precincts is 536,626 voters in the 2020 election voted early or all through mail. These must have-- this must be secured. This is, this is half of our population and we must know that the voter that's voting is the, is the voter. Thank you.

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**BREWER:** All right. Let's see, couple things. If we go back and look-- and I'm-- just again, just so it goes in the official record, you are a proponent for LB228--

**CONNIE REINKE:** LB228 and--

**BREWER:** --and LB230?

**CONNIE REINKE:** --LB230 and opponent--

**BREWER:** On--

**CONNIE REINKE:** --LB675.

**BREWER:** --LB675?

**CONNIE REINKE:** Yes.

**BREWER:** OK. On your sheet that you handed out, you have the 2016 and then 2020 and then at the bottom the difference in the amounts. The difference is how many mail-in votes, I guess. What, what was the difference? Did, did they have, like, 10,000, 50,000? The difference to kind of figure--

**CONNIE REINKE:** You know, this was a part of a public records request to Dave Shively and so I had just saved this portion of it so I don't know the percentages, but I was thinking it was 40 percent mail-in to more like 85 percent mail-in in the 2020 election. But I, I'm not sure, that's why I didn't put that down.

**BREWER:** So basically it doubled.

**CONNIE REINKE:** It doubled the costs for mail-in ballots. So we keep talking about costs. Mail-in ballots are extremely expensive. And you can go line by line, the printing, the postage. Look at the postage from \$23,000 to \$172,000. This is, this is very important to understand how much mail-in ballots cost.

**BREWER:** OK. And, and the source on this was-- is a-- was a records request that they--

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**CONNIE REINKE:** Yes.

**BREWER:** --sent from the county?

**CONNIE REINKE:** Yes, it was.

**BREWER:** OK. All right. Thank you.

**CONNIE REINKE:** And I could get that for you if you needed, needed that.

**BREWER:** No, I, I-- if that was a records request we can, we can follow up with that if need be. All right, let's see if we have any questions. Questions? Questions? All right, Connie, thank you for your testimony and--

**CONNIE REINKE:** You're welcome.

**BREWER:** --thank you for the handouts.

**CONNIE REINKE:** Sure.

**BREWER:** All right. Next testifier. Come on up. Welcome to the Government Committee.

**NICK FOLKERS:** Thank you for having me. My name is Nick Folkers, N-i-c-k F-o-l-k-e-r-s. I support LB228 and LB230, oppose LB675. As I have become somewhat politically involved, I have been afforded the opportunity to meet many outstanding Nebraskans who love their country and share a deep concern with the direction our country is headed. Election fraud and interference being of primary concern goes ignored. While engaged citizenry across the state and nation have worked diligently to provide overwhelming evidence of fraud and/or interference, it goes largely ignored by our leaders. Our Democratic representative Republic government has been turned on its head. Our Founding Fathers intended the people of this land to govern from the bottom up. As this nation struggles to see where we came from, it is my sincere wish that Nebraska takes the lead and returns our elections to we, the people. In Cedar County, county precinct maps have been distributed. We are informed and ready. Our leaders are not. Last year, myself and a group of others were attending commissioners'

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meetings requesting a return to hand counting of ballots at the precinct level. We were told by our clerk of the district court that in a prior small school bond election, he saw fit to obtain permission from the Secretary of State to hand count as it would be easier, faster, and cheaper. He said that the Secretary of State's Office told him if a hand count was employed, Cedar County could and would likely be sued. All three county commissioners and the county clerk would be removed from office and that the state would install replacements. It was recommended that we, the people, not pursue the topic of hand-counted elections anymore. And then in regards to the 750 voter per precinct, that equals precinct restructure in Cedar County which means I don't get to vote for the guy taking care of my roads. Thank you for your time. God bless the United States of America.

**BREWER:** All right. OK. Hang on just a second here, because I--

**NICK FOLKERS:** Yes, sir.

**BREWER:** --I was trying to do two things at once here. Now on, on the issue of the hand counting and the results, who, who would lose their jobs over that or how was that--

**NICK FOLKERS:** All three county commissioners and the clerk of the district court and Cedar County would be sued per the Secretary of State's Office. He would not say which one said it.

**BREWER:** OK. Well, that's, well that's pretty clear. Any questions? All right. Thank you for your testimony. OK. Next testifier. Welcome to the Government Committee.

**IAN FOLKERS:** Thank you for having me. My name is Ian Folkers, I-a-n F-o-l-k-e-r-s. I am here speaking in favor of LB228 and LB230 and opposition of LB675. This whole thing is based off of trust. If we don't have trust, we don't have anything. We have a bunch of insecurity and people not trusting their neighbor. We should be trusted with the responsibility of hand counting ballots at the precinct level. I feel that that would increase trust in our elections because it is conducted by the people. Most of my peers and seemingly more and more of the public are not, not trustwor-- or not trusting of these election results. There's no, no paper trail, no information to

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back up these results. It's all encrypted and coded into these computer machines that nobody can understand. It needs to go back to the people. We have to trust the people to handle their business. That, that's all I have.

**BREWER:** All right, Ian. I guess, a quick question for you. If the result of going to hand counting meant that you had to wait longer for the results, you're, you're OK with that?

**IAN FOLKERS:** I think I would be OK with that as long as it was done in a timely manner. How long did it take this last go around? Three weeks, if not more. That, that's unacceptable, especially with all this talk of streamlining with technology and computers that's-- it does not add up to me.

**BREWER:** OK. Proponent LB228, LB230, opponent LB675. Just confirming. That is correct?

**IAN FOLKERS:** Yes, sir.

**BREWER:** OK. All right. Questions? Any questions? All right. Thank you for your testimony.

**IAN FOLKERS:** Thank you, sir.

**BREWER:** All right. Next testifier. All right, now we're going to, we're going to make an adjustment in the room so we can-- well, for one shift everybody forward. So if you can keep in your rows and just move forward, we'll try and make this easy here.

**HALLORAN:** This ought to be interesting. [LAUGHTER]

**BREWER:** And, and, yeah, and yeah, bring him up because he's been patiently waiting and I don't want him to lose a spot in line here. All right, we're good. What I would like to do is start filling in some of them from the, the other room. All right, this may have been a little bigger exercise than I thought.

**LOWE:** Break?

**BREWER:** Not yet, not yet. Let's hang out a little bit longer here.

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**HALLORAN:** Got a better bladder than I've got.

**BREWER:** The next shift, we'll, we'll take the break. All right, let's, let's get a, let's get a seat here so we get started because I don't want to-- yeah, it seemed like a good idea but-- well, I got them now. All right, let's take our seats. Last warning. All right, that looks better. OK. Welcome to the Government Committee. You may begin whenever you're ready.

**DEAN KLEINSCHMIT:** Hello, my name is Dean Kleinschmit, D-e-a-n K-l-e-i-n-s-c-h-m-i-t. I'm from Crofton, Nebraska, in Knox County. I came to speak today in favor of, I think it's LB228 and LB230, and I'm opposed against LB675. I guess, I'm going to keep this short and sweet. I kind of always shoot from the hip when I talk. I, too, have become very involved in civics in the last few years just because I kind of realized that I had to start paying attention. And, you know, I'm an independent businessman and time is money to me too. And I, I just never thought that I needed to take the time to ensure that I could go on being an independent businessman but it costs me money, too, and nobody's paying for this and I, I, I am kind of getting off track on that but we all need to do our civic duty. And I do believe that going back to precinct voting and having poll workers and hand counting at the precinct level would encourage civic duty. I think we all need to realize that we need to appreciate our country and we all need to participate. I think that the way our juror system is, if we felt we couldn't get enough workers, I've heard this idea spread around that we could have an election holiday and have certain people that are picked just like you pick jurors to work at polls and we could come up with enough people. They probably should be repaid for their time and I know that's probably an expense. We're all talking about money here but as somebody else said before, you get what you pay for. And right now what I found being involved in my little political realm that I've been in this last year vetting issues and candidates through the GOP, the number one issue everybody has is trying to have faith in our election system. Because without knowing that the proper people are sitting here, all these other issues that we have are irrelevant unless we know that we have the right people. And I believe God is in all of us and, and to not count each one of our votes as one via these over votes is what we've pretty much sure is going on, that dilutes our votes. And it also puts the hands of all

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these decisions and a few people at the county courthouse and, and I, I feel sorry for actually all of them, they-- they're actually being burdened a lot with all of this responsibility and a lot of mistrust. If you spread that out amongst others and had faith in your fellow man, our fellow American citizens, I think the system would go back to being people trusting because they're part of it and they-- there's fewer people that would make a difference in a cheat. You know, you're not going to get everybody to team up and cheat, whereas one person could easily be swayed and cause some inaccuracy. I think the more people involved, the better. And I, I like getting back to basics with LB230. I, I really do. And that's all I have to say.

**BREWER:** All right, hang on for a second I've got a couple questions. OK. So you're from Crofton?

**DEAN KLEINSCHMIT:** Yes.

**BREWER:** What do you do in Crofton?

**DEAN KLEINSCHMIT:** My wife and I and our family, we've always had a dream of being, you know, involved with farming. And we also run an ag diesel repair shop, you know, because we only have 500 acres and we also custom farm 500 acres for neighbors to pay for the machinery because the depreciation rate on equipment is pretty high and it's in our favor to be our own maintenance on our equipment. Everybody needs an edge in agriculture right now. So we run basically three businesses, just production agriculture, we do custom machine hire, and then we do ag diesel repair. So that's-- it's my wife and we have five children, two boys are actively involved in our operation.

**BREWER:** So, well, the, the second house is exactly what you're here for today. So I know it took a day to come here. I know that's a day without work, a day away from the family but we, we thank you for that. Now, how long have you went from just kind of being a regular Joe out there to being someone who's a regular Joe that all of a sudden has a keen interest in how elections are run and, and things happen in your county and in the state?

**DEAN KLEINSCHMIT:** Well, I guess, I guess I am somebody and I didn't get that good of grades in math, advanced math in high school, like

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algebra and stuff. I did pretty good until I got into algebra, but I kind of-- I believe God is in numbers. And a lot of the ideas that you get have this many registered voters and then 100 percent or better of them can participate. I know that odds are against that. Perfection is hard to achieve and having over that 100 percent voters involved in an election, even if it was mail-in balloting is beyond possible. It's, it's kind of irrefutable that some-- something went on and we don't quite know and it's some type of an over vote and that's why I got involved. Keep that short.

**BREWER:** And how long have you been involved from-- or how long have you been concerned?

**DEAN KLEINSCHMIT:** I-- with-- I mean, this past year-- basically since the 2020 election is when I became aware that it was the largest participation in American history. And I'm not just talking about Nebraska, I'm talking about in the United States. I don't even know if anybody really did the calculations on how many registered voters were in the United States. I know we know the total population of the United States, but that doesn't mean they were all registered voters. And if people are just going to focus on in the media that it's this many voters instead of, well, was it actually registered voters that participated, nobody wants to determine whether you're a registered voter or a citizen. And a lot of that got overlooked and, and the possibility of that many United States citizens voting and then-- cheating comes from an over vote and I feel there was an over vote. Odds are against it.

**BREWER:** Understand that. The piece of it that hopefully we're able to influence here is the Nebraska piece of it.

**DEAN KLEINSCHMIT:** Yep.

**BREWER:** And so part of, part of what we're going to do here is figure out what the vote of the people will actually look like in law and so your, your participation here is appreciated. So thank you.

**DEAN KLEINSCHMIT:** Well, I appreciate you allowing me to participate.

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**BREWER:** All right. Thank you. All right. Next testifier. I was hoping you didn't lose your place in line because I saw you over there and I didn't know if they were going to--

**JEFFREY POKORNY:** I held my place in line.

**BREWER:** --push you out of the way or not. Let's see, we're going to need to get your green sheet to the, to the page there.

**JEFFREY POKORNY:** Can you copy this for me?

**BREWER:** All right.

**JEFFREY POKORNY:** Jeffrey Pokorny, Omaha, Nebraska, P-o-k-o-r-n-y. You, folks, are tasked with an impossible job. The state constitution says there should be no hindrance, no impediment to voting, period. Then they pass the voter identification and tack that on to it. It's kind of like saying, OK, you got to take your battalion over there and attack point A, and then you get take your battalion over there and attack point B and you can't do it simultaneously. Maybe you can do it today and then tomorrow. You, folks, have an impossible job. And I hear a lot of propaganda stuff before me. They're talking about over votes and there are only so many registered voters and they have 164 percent. That's baloney. It's propaganda. And, and you're having to deal with that. It's a shame. It really is a shame. If they come in and say, I've got a study here, I've got facts and figures from Sarpy County and it says they had too many voters-- too many votes and not enough voters, that'd be one thing. But it's all propaganda. And I would like to get my statement back here. But at any rate, there's an article by the Secretary of State Gale in the World-Herald and--

**BREWER:** I think they are making copies of it.

**JEFFREY POKORNY:** --I don't know if you folks get time to read the World-Herald but he sums it up much better than me. The one thing he says he's not absolute. The constitution is absolute. No impediments, no hindrance. That's it. No impediments, no hindrance. All these folks that have testified before me that are for LB228 come up with impediment and hindrance. That's all there is to it. And I've, I've got a couple seconds here. My background, I'm almost 80 years old. I've been voting for a long, long time. I helped my father's election

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to mayor in Schuyler when I was 16 or 17, stuffed envelopes, that was my first actual participation and then I ran for mayor 20 years later and served for four years. I ran for the Legislature when it was, was involved in a recount. Talk about-- you could ask me a question about that. We hand recounted 6,000 votes. It was really, really a process. I've been through a lot, a lot of the process. But the big thing is I've never come in actual contact with more votes than voters. In all my experiences from Colfax County and Schuyler to Omaha and now I'm in Sarpy County, it's just not a fact. But you guys have got an impossible task. You're dealing with a constitution that's got conflicting information in it. I'm open to questions.

**BREWER:** OK. Jeff, on-- as far as your positions on the bill so we get it in the record correctly, LB675, you're opponent, proponent, or neutral?

**JEFFREY POKORNY:** The thing is whether I'm opponent or proponent, LB228 puts you in an impossible situation. You're dealing with a constitution that says no impediments, no hindrance to voting. And then on the second sentence it says you got to have a voter ID and it doesn't say how you do it. It just says you got to have a voter ID, doesn't say on how, when, where, or how. It's an, it's an impossible task.

**BREWER:** We're going to put you down as opponent to LB228.

**JEFFREY POKORNY:** But the main thing I'm here is saying that you have an impossible task, and I don't know how you're going to get out of it. I wish I had a solution for you.

**BREWER:** Yeah. Well, I wish we had a solution too. As far as the question had been asked earlier, how do you deal with mail-in ballots as far as the combination of needing a voter ID and needing a, a mail-in ballot?

**JEFFREY POKORNY:** I have a theory that, especially for you folks, if you've got a problem, a state problem, you go to the five states that you think you're doing the best job with the prisons or childcare or whatever, and that you duplicate their system, their process. With voting, I've got a son-in-law who's from Australia, and I've become

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familiar with Australia. Australia's got a wonderful system voting. Matter of fact, it's the law that you have to vote in Australia. There is no ifs, ands, or buts about it. You have to vote. Go to Australia. I'm sure that there is a way of-- for you folks on this committee to see how they do it in Australia. How do they manage it? Oregon has got a supposedly successful system on mail-in ballots. Colorado is basically a mail-in state now. You've got the wherewithal, you've got people working for you, your staff. I know you're not working for very much money, but you've got people that do and you're able to task those people with going, how do we make this the best system in the United States? Nebraska, year after year after year, we're the gold standard for voting.

**BREWER:** OK. Thank you, Jeff. Let's see--

**JEFFREY POKORNY:** OK.

**BREWER:** --if we got any questions for you. All right.

**JEFFREY POKORNY:** I'm, I'm submitting that World-Herald article with the--

**BREWER:** And were the pages making copies of that for you?

**JEFFREY POKORNY:** I hope so.

\_\_\_\_\_: Yeah,--

**BREWER:** Yeah, I think they are.

\_\_\_\_\_: --we'll pass them out to everybody.

**BREWER:** So we'll get them out.

**JEFFREY POKORNY:** Thank you.

**BREWER:** Thank you, sir. OK. Let's see, next testifier. Welcome to the Government Committee.

**PEGGY CICMANEC:** Thank you. My name is Peggy Cicmanec. That's P-e-g-g-y C-i-c-m-a-n-e-c. Thank you for allowing me to speak today in support of LB228 and LB230. I'm going to talk about my journey through all of

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this, and I don't think I have a lot of solutions so sorry. I began my journey after the 2020 presidential election and I believe that there were many problems in that election, but I thought they were mainly in the swing states and not-- I wasn't really sure that there was any fraud that was evident in Nebraska so I decided to become a canvasser with the Nebraska Voter Accuracy Project in Lancaster County. And after canvassing for from October to February and going out every day that we went out we had problems. I found out that Nebraska had severe problems with our voter rolls. In continuing my journey, I became a neighborhood captain in my precinct, which is 10A here in Lincoln, and I have now canvassed my precinct three separate times and I found a lot of people in my neighborhood that shared my concerns. They didn't trust our elections. They didn't like the fact that there was no ID requirement. It took too many days to count ballots. And we, in my district, had the recent Russ Barger/George Dungan. I don't remember now how many days that even took, but it took way more days than it should have for the amount of votes that they had to count. And the concern over the machines not being trustworthy and the money from "zuckerbucks" were some of the issues that people in my precinct told me about. And then I, along with many of the people that I associate with, began to educate ourselves by listening to experts in the field. And some of these were Dr. Douglas Frank, Seth Keshel, Professor David Clements, Colonel Shawn Smith. All of these people came to Lincoln, Nebraska. I heard them speak. They were all reporting on our captured elections and they talked about algorithms and the problems that there were with our voter rolls and problems with our machines. And they talked about additional votes, the number of voters in some counties exceeded the number of registered vote-- voters that there were. So it seemed like there were major problems. In pursuit of the truth, I also got a job as a poll worker in my precinct for the last three elections, and I saw firsthand that many people wanted to present their ID even though they weren't asked for it. They just walk up to you, and I've been the clerk every time, and they walk up and they just hand you their ID and they say now you can see that I am who I say I am. And so, OK. You know, people want to show that, you know, they are a legitimate voter. My mom, who lives in central Nebraska, she knew I had connections with the Nebraska Voter Accuracy Project and she shared with me that she received multiple ballots through the mail, even though she had not requested them. And she's always voted

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in person, so she kept throwing them away. And I didn't ever see them, but it kind of made me start questioning mailed ballots. I believe for these reasons, these bills are a step in the right direction. However, I don't think that they maybe even go far enough. I don't know how many of you are aware of, of the explosive allegations that surfaced just last week in the state of Arizona regarding fraud, bribery, money laundering, all with ties to election fraud and the cartels. And statement from the lawyers involved that they are investigating this in 20 other states. And so I-- it begs the question, is Nebraska one of those states? In closing, I want to emphasize my belief--

**BREWER:** OK, ma'am,--

**PEGGY CICMANEC:** --about truth.

**BREWER:** --going to have to cut you off there. Once we get the alarm there, that's kind of the end of the line. OK. Let's see if we have any questions for you. All right. Questions for Peggy? Yes.

**LOWE:** Could you quickly finish?

**PEGGY CICMANEC:** Yeah, it's my quote about truth: Truth is like a lion. Let it loose. You will not have to defend it. It will defend itself.

**LOWE:** Thank you.

**BREWER:** All right. There you go.

**PEGGY CICMANEC:** Any other?

**BREWER:** All right. Thank you, Peggy.

**PEGGY CICMANEC:** OK. Thank you.

**BREWER:** OK. Next testifier. Let's see. There we go. Yeah, that chair is going to make you feel really short, but we all feel that way in that chair so don't, don't feel bad. All right. Welcome to the Government Committee.

**SARA FREEOUF:** Thank you, Senator Brewer. I'm glad to be here. My name is Sara, S-a-r-a, Freeouf, F-r-e-e-o-u-f. I live in Crete, Nebraska. I'm coming here today to say that I support LB228 and LB230, but I

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oppose LB675. Last Friday, on the first anniversary of the declaration of war in Ukraine, I turned 77. I voted my whole life. The 2020 election was a wake-up call. Recorded history, if it's truthful, will continue to record for us how a Chinese bioweapon, a ton of laundered money, the 2,000 meals, and a whole lot of China made voting machine parts, all were used to orchestrate a plot to take down this great nation. We are living the results of the 2020 voting catastrophe. Here in Nebraska, good legislation like LB228 and LB230 could totally change the fraudulent outcome to an honest and verifiable one at our polling places. As I stated in my testimony against LB390, five things must happen to straight out-- straighten out the voting mess we have statewide in Nebraska. We must require a legal photo, photo ID in order to vote, a voting day holiday, no early voting or absentee voting except for military stationed elsewhere or people living in facilities-- I don't know how you're going to deal with college students, that's something I hadn't thought about, there, there are some exceptions-- precinct counting of votes, no carrying ballots somewhere else to be counted. Use paper ballots only, no more machines. Please see my attached letter. We must have local county precinct-by-precinct control of our elections, not a statewide ES&S controlled monstrosity. There were 4,001 phantom voters in the 2020 election verified in Nebraska. This is unacceptable. Please do all you can to make sure LB228 and LB230 get voted out of committee and voted in as law in Nebraska. We cannot allow our elections to become the disgrace that our state's education system has become over the last six decades. We foolishly believed that small schools must go because, quote, the state can do it better. Let's keep the integrity of our local voting precincts alive and do the other four that I've listed. Please watch the Ricketts' video. I enclosed again the link to what I-- the kerfuffle I had with Governor Ricketts. So I encourage you to watch that. The IT man in there is just excellent, the way he explains what happens inside those ES&S machines.

**BREWER:** All right.

**SARA FREEOUF:** Thank you for listening.

**BREWER:** Thank you for your testimony and let's see if we have questions for you. Any questions for Sara? All right, Sara, thank you

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for your testimony. All right. Next testifier. Welcome to the Government Committee.

**AMBER PARKER:** A-m-b-e-r P-a-r-k-e-r, Amber Parker. No on LB675. Yes on LB228, LB230. I have two affidavits I'm going to focus on. Lindsay hadn't lived at this address for 15 years, both in Nebraska, never registered at this address, yet received three ballots for the November 2020 election. Prior to the 2020 election, we received three ballots for Lindsay at our address. Lindsay is a daughter but has not lived at this address for more than 15 years. Additionally, Lindsay's name changed to Lindsay S. Lindsay was 16 years of age when she last resided at our address and was never a registered voter while living at this address. When we contacted Lindsay, she said at no time did she request a mail-in ballot. She further stated that she is a registered voter Democrat, but has never been registered at our address. She also stated that she did not vote in the 2020 election. This took place in Lancaster County. Sam Bankman-Fried of FTX's connection to our excessive ballot requests. Biden's second biggest donor, cryptocurrency billionaire wunderkind Sam Bankman-Fried, aka SBF, saw his business file for bankruptcy days after the election, but not before pumping \$40 million into the Democratic Party to spend on "get-out-the-vote" and other shadowy ballot-harvesting mechanics for the midterms. Sam Bankman-Fried's mother, Stanford law professor Barbara Fried, also is cofounder of left-wing political action committee Mind the Gap, which has raised a reported \$140 million to help Democrats win elections through the same get-out-the-vote grift. Credit New York Post by Miranda Devine and note that she has stepped down as chair on, I believe it is, Mind the Gap. The United States gave money to Ukraine. Ukraine gave money to FTX Sam Bankman-Fried. FTX gave to political campaigns in America. It was reported of six who voted to impeach Donald Trump-- had-- excuse me, who voted to impeach Donald Trump received money from FTX. Also to note, FTX balance sheet contained investment called Trump Lose, T-r-u-m-p L-o-s-e, shared Gateway Pundit Anthony Scott November 15, 2022. I want to bring to your attention on the second page, you will notice addresses. These envelopes are here in the state of Nebraska and you will notice on the left-hand corner it says: The Center for Voter Information. I believe it's on three of them. So we need to look at this. I also want to note that Nebraska-- or Civic Nebraska State Senator Adam Morfeld, or

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former Senator Adam Morfeld's organization, had mentioned that they didn't need to do what they needed to be doing, not in those words, but you can reference them. And I had also encouraged to ask the Secretary of State what is he-- why hasn't this been investigated where there's been multiple ballots of people across the state of Nebraska receiving them, as well as an affidavit, I believe, or testimony that shared that the paper of the ballot that was received in one instance did not even match what the regular ballots are. As well as Thayer County, I encourage you there is a testimony on Thayer County that shows that the county clerk in that conversation, the person received multiple ballots and the county clerk reassured him, we did not send this. I-- I'm-- you'll have to look at that. I would encourage you to ask Thayer County if they had received-- if they did not send those ballots, where are these ballots coming from?

**BREWER:** All right. Just for clarification. So these that you have-- this, this stuff has all been provided to the Secretary of State and you haven't gotten a response back or--

**AMBER PARKER:** I will say this, that the Secretary of State-- I was at the last hearing and where he was talking about that as current law sets in the state of Nebraska, one person could hand in 100 ballots. Ballot harvesting is not illegal as well as the third party. So to answer, Senator Brewer, when we look at the Center for Voter Information, the way current law is and the Secretary of State or Wayne Bena had addressed this, the third party, those ballot requests would go back to the third parties. And there's proposed legislation this year that was heard in the Government Committee very recently to stop that third party from receiving those first and it going and staying, my understanding is, within the state. So the Secretary of State has not and he-- and, and, and through that recent hearing, he never once mentioned in what I had mentioned here. He just kept reassuring people that elections are secure, there's no fraud, and that is not the case. And the people's voices across the state and counties are being shut off. And these are just areas-- these are just some affidavits like this-- I just listed a couple.

**BREWER:** OK. But understand my question is for the Secretary of State to know there's a problem and to fix it, someone has to take the

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evidence and say, hey, we have a problem, this is our problem, deal with it, and, and then they investigate and come back with results.

**AMBER PARKER:** Oh, yes, they have reached out to the Secretary of State. They actually wanted to meet with him in other areas because there were canvassing efforts and these-- and the source, I would refer you guys to the Nebraska Voter Accuracy Project and look at these affidavits and see the legitimacy as well as there was troubling information, too, as another Lancaster County. There's, there's several in Lancaster County. There's another conversation of one who received ballots and they, too, were a registered Democrat and they said they never had requested for a ballot. And that's another testimony, but I, I didn't read that here. I just read two affidavits.

**BREWER:** OK. Thank you.

**AMBER PARKER:** Thank you.

**BREWER:** All right. Any questions for Amber?

**AMBER PARKER:** Or excuse me, one affidavit. My apologies, I addressed one affidavit today.

**BREWER:** All right. Thank you.

**AMBER PARKER:** Thank you.

**BREWER:** OK. Next testifier. Welcome to the Government Committee.

**SHERYL BAKER:** Thank you so much. Hello, Chairman Brewer and committee. Thank you for your time. My name is Sheryl Baker, S-h-e-r-y-l. I'm from-- or B-a-k-e-r. I'm from Antelope County and I'm representing myself. I oppose LB675 and I stand in support of LB228 and LB230. I thank Senator Erdman for introducing these bills. We Antelope County Patriots briefly looked over our May 2022 primary election voter rolls and discovered all the same issues that the other counties have been reporting. Corrupt voter rolls are windows of opportunity for bad actors, both foreign and domestic. We've met with our county clerk and commissioners several times over the past year about making changes to our election process and we've made five FOIA requests for CVRs, source codes, and USB drives, all which were denied. We also attempted

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to speak with our sheriff about these concerns, but he refuses to speak with us. He doesn't want to discuss it. September 20 of 2020 KETV interviewed our Secretary of State, Mr. Evnen, concerning the issues with mail-in ballots. Mr. Evnen stated voters are being bombarded with third-party communications. He was referring to fliers that resemble a ballot. Mr. Evnen believes this potential confusion is just one of the concerns he has about mail-in ballots. He states the question is, did the voter receive it or did someone else receive it? If the voter received it, have they been subjected to undue influence by third parties about how to fill out and cast their ballot? Have they given their ballot to a third party to deliver back? Later on in the interview, Mr. Evnen states when you go to the polls, your ballot is under control at all times. This clearly shows that our Secretary of State doesn't trust a mail-in ballot-- the mail-in ballot procedure. Thank you for your attention to this matter. I pray you do the right thing because one day we all have to answer to our Heavenly Father. We are asking you to make the right changes, too.

**BREWER:** All right. Thank you. OK. See if we have any questions for you. Any questions on the right? Questions on the left? All right. You're good to go. Thank you for your testimony. OK. Next testifier. All right. And just as a reminder, we need a green copy on each bill that you want an opinion on. So if you just have one bill you want to speak on, fine. But if you're speaking on three, then you should have three green sheets. All right. You may begin whenever you're ready, sir.

**JANET FRANK:** My name is Janet Frank, J-a-n-e-t F-r-a-n-k. I am, I am for LB228 and LB230. I live in Knox County, which has 5,200-plus registered voters. It's a mail-in only county. This was a decision solely made by the county clerk with no regards to what the people wanted. We canvased about half the county in one day that had voter registrations of five or more at that same address, almost everyone said they hated mail-in voting. It was rot with fraud. Last summer, I organized the Knox County Patriots consisting of about 15 people. We met with the county clerk to get answers to questions so we were knowledgeable about the election process. We also did a great deal of research on the Internet. We then went to four board of supervisor meetings educating them on the possibility of election fraud and hoping to get resolutions passed to end mail-in voting and drop boxes,

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allow only in-person voting at the precinct and only with valid voter ID, do hand counting only, no electronic machines, retain the 2020 general election documents beyond the 22-month federal mandate time, allow election audits and allow hand tallying during the scanning process if we had to use machines. The board wanted nothing to do with us and told us to go to the state level. We were told that we need to get more people to represent us at the county supervisor meetings. We had anywhere from 8 to 11 at each meeting. We know with inflation and gas prices, people can't just take time off from their jobs in the middle of a Thursday so we distributed a petition that read: We, the undersigned, believe our election system is flawed. We have no confidence in voting machines, electronic ballot tabulators transferring voting tallies via USB devices, mail-in ballots, or drop boxes. Within ten days, three people collected signatures on these petitions in Verdigre, Niobrara and Center and part of Creighton and we had over 250 signatures from those people that wanted, wanted the same thing we did. This was just before the last board meeting before the '22 midterm election. Once the election was over, we stopped collecting signatures. It was obvious the Knox County Board was unwilling to support us. So I am here in front of you, one person, but I am not alone. I have in my hand 250 signatures on those petitions who are here with me by signature on the petition. We are a small percentage of the people of Knox County who I know would have signed the petition. I think that we could have probably had 3,000 signatures if we would have hit every voter in every town. I'm asking you to please pass Nebraska laws to end mail-in voting, do hand counting only, use no electronic machines, allow election audits at any time by any person or party, allow hand tallying during the scanning process if we have to use machines and pay election workers for their hours of service on Election Day. And by that I mean I'm not expecting government to pay for those election workers, I think that should be up to the employers. That's only two days every other year. I think that they can probably afford that.

**BREWER:** OK. Quick question here for you.

**JANET FRANK:** Sure.

**BREWER:** So your county does all mail-in--

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**JANET FRANK:** Yes.

**BREWER:** --and your, your issue is that this wasn't a vote of the people that caused this to become mail-in only, that it was a decision of the court?

**JANET FRANK:** That's exactly right.

**BREWER:** And how long has the county been that way?

**JANET FRANK:** I think they started mail-in voting in 2020.

**BREWER:** So the only way to fix this in your county is for your county commissioners to agree that that's the right course of action or what, what are they telling you is how you could change it back if you wanted it?

**JANET FRANK:** Well, we, we brought that question to our, our county clerk and she's adamant that it is better to do mail-in voting. She didn't ask any of the people of Knox County. That was her decision alone, just to her, her thinking. And she said that she has no control, she has no authority. And she says Bob Evnen, the Secretary of State, has told her that he has full authority. We were not able to do-- get any CVR records. We were not able to do any audits. It was all because she didn't have any authority. She said it's all at the state, you'd have to go to Bob Evnen.

**BREWER:** So the clerk is elected--

**JANET FRANK:** Yes.

**BREWER:** --and you have literally more than enough people to, I guess, make sure the clerk doesn't get elected again, but the point is that the clerk is not what you perceive as the root of the problem, the--

**JANET FRANK:** Right.

**BREWER:** --problem is it's the state's venue?

**JANET FRANK:** Yes, we trust our clerk implicitly. We think that she is up and up, honest, and never would, never would tell a lie. But on the other hand, we think that she is also naive. I think she can be taken

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advantage of easily. And she-- when somebody tells her a promise, she takes them for their word. She doesn't get any proof. She doesn't--she didn't-- I, I think the clerks are supposed to review the source code of these election machines. She didn't even know what the source code was.

**BREWER:** Well, it is getting a little bit technical, but in the job she has that probably needs to be a skill. I mean, there a lot of--

**JANET FRANK:** And she's been there a long, long time and I think she's probably about ready to retire. But who knows,--

**BREWER:** OK.

**JANET FRANK:** --you know, who's going to come into that position and what kind of decision they're going to make for the entire county. I don't-- it's really to me, it ought to be a decision that the entire county should vote on. It's we the people. Right?

**BREWER:** Yeah, I would have thought this was a decision of the county commissioners on how it should be done, but. All right, let's see if we've got some questions for you. John-- over here. Yes, go ahead.

**CONRAD:** Thank you, Chairman Brewer. I just wanted to say thanks for not only your testimony but bringing the petition signatures as well. I know that sometimes the hearings aren't accessible to people who have to travel great distances or work or childcare, transportation, and--

**JANET FRANK:** Yeah, and that's what we ran into when we went to the commissioner meetings. They wanted to see more people. People had to work, they could not-- I mean, and we knew that we had them thinking like us and wanting the same things we wanted so we went out and got them. And it's an unofficial petition,--

**CONRAD:** Sure.

**JANET FRANK:** --it's just in Knox County. But we were-- we got these petitions basically at a football game, a man's business, a car dealer business. And I did canvas the entire town of Center Nebraska, which is, I don't know, a hundred and something people. So we didn't hit

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most of the county, but we stopped it because we thought we had at that point proven that we do have a following. We, we aren't just 8 to 11 people.

**CONRAD:** Yeah, well, I, I commend your organizing it.

**JANET FRANK:** Thank you.

**CONRAD:** So thank you very much.

**JANET FRANK:** Thank you very much.

**CONRAD:** Yeah.

**BREWER:** All right. I've been sent a message here. It says once the county goes all mail, only the clerk can reverse this and that's under current law. So--

**JANET FRANK:** And so it is the county clerk that can change that.

**BREWER:** Yeah, it's the law. I guess if, if you want to talk more about that when these meetings are over you can call the office and we'll set you up with where that part of the law is and so you can [INAUDIBLE].

**JANET FRANK:** I have seen that law--

**BREWER:** All right.

**JANET FRANK:** --and we showed that law to the county clerk, but she is adamant that she is under the thumb of the Secretary of State.

**BREWER:** I believe she's under the thumb of the people that elected her, but that's my opinion, so. All right. Thank you for your testimony. OK.

**JANET FRANK:** Also, I have a copy of this if you want it.

**BREWER:** Yeah, actually, if you have one we'll take it. And if you don't have enough copies, we got that capability.

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**JANET FRANK:** And in fact, I had more stuff that I couldn't present because I didn't have time so I'll give you that too.

**BREWER:** Well, then we can have it in the record. All right. Next testifier, please. Welcome to the Government Committee.

**PENG XIAO:** Dear Senators, my name is Peng Xiao, P-e-n-g X-i-a-o. I strongly oppose LB675 and support LB228 and LB230. I'm a naturalized American, American citizen who was raised in communist party government-- governed mainland China. I was born and lived there for 24 years before I came to Omaha. After working very hard for 17 years, I eventually became a U.S. citizen in 20-- 2019 and voted for the first time in the 2020 election. With a Ph.D. in human statistical genetics and a university faculty member, I teach and research bioinformatics and biostatistics. I'm an expert in analyzing computational biology data using methods of computer science and statistics. Therefore, I can stand-- I can understand voter machine issues and election data statistics. After I heard of election fraud in the 2020 election, I volunteered as a poll watcher in my precinct for the 2022 midterm election. During my poll watcher training and poll watching, I was able to identify many pitfalls that could lead to fraud and mail-in ballots, voting machine, no voter ID, and ballot transfers all look ripe for fraudulent activities. In addition, I studied the online presentation about fraud from the Nebraska Voter Accuracy Project, which showed solid data to prove Nebraska election fraud in the 2020 election. Many of my friends in the Nebraska Chinese immigrant community and I have been concerned about election fraud since 2020. When I personally understood all of the evidence of fraud in Nebraska, I was shocked. It pained my heart. My family worked hard to get out of mainland China, a country of a dictatorship, and entered America, a country of democracy and liberty to fulfill our American dream. We do this not only for ourselves, but for our descendants. Since the 2020 election fraud, I feel our basic citizen rights of voting, as defined by the constitution, have been substantially damaged. I was particularly disappointed when I found legislators, judges, government officials, and media in Nebraska and across the United States denied the evidence, no matter which experts would explaining it. I was constantly asking myself, am I in China? It smelled of the same bureaucracy I've escaped from. America is one Nation under God on the solid foundation of the constitution. America

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can only be saved from communism and globalism by God through us. Let us start from Nebraska, the heartland of America, by passing the election integrity bills of LB228 and LB230, as well as LB455-- LB457, LB764, and LB808. Thank you.

**BREWER:** Thank you. All right. Questions? Senator Lowe.

**LOWE:** That was the quickest I've ever heard anything read in my life.

**PENG XIAO:** Because I only have three minutes.

**LOWE:** You got it all done. Thank you very much. And I'm not sure who wins the distance award today, you or Ms. Vermooten, but I think it's a close call. Where did you come from in China?

**PENG XIAO:** Hunan.

**LOWE:** Which is about where in the country?

**PENG XIAO:** It's in central, central south. Yeah.

**LOWE:** Central south. OK.

**PENG XIAO:** Yeah.

**LOWE:** So you teach bioformatics [SIC]--

**PENG XIAO:** Um-hum.

**LOWE:** --and biostatistics--

**PENG XIAO:** Um-hum, statistics.

**LOWE:** --biostatistics, excuse me, and you think there is some problems with the statistical information?

**PENG XIAO:** Yeah, because according to those, you know, the voter roll, registered voters, the number, and also the actual voters, that actually-- that's very obvious, statistical. I mean, the curve when you see those and also the pattern like Dr. Frank also showed that not only, but I think that's for other states but I just specifically just looking for the data and from the Nebraska Accuracy Project, you know,

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those data online and then in the website, I found those. That's really shocking. And also during my poll watcher, I found-- you know, I asked them about the machine, whether they have IT and software engineering to protect-- to, to, to, to prove that, that machine is not connected with a line or just wireless, but they don't have any people to, to monitor that. And also for the mail-in ballots as to whether there are any poll watcher or just like if they scan those ballots in the, in the machine if any people can monitor that, no. So all the things and also during the, the ballot transfer and at the time the, the, the poll inspector just by himself he just using the, like, Amazon, a paper box and for the ballots at the 2:00 at the time I was in his shift and then they just sealed the label-- with the handwrite label on one side. But actually there was three open side and then just by one person, no one, just a, a, a monitor and custody for that transfer to Boys Town and then Boys Town to Douglas Commission-- Election Commission. So no one just monitor. So I just found all the-- and also provisional ballots and mixed with the-- with actual normal ballots in the same box so a lot of defects. Yeah. I don't have time to, to mention a lot of things. Yeah.

**LOWE:** Thank you. Thank you very much for that information and thank you for coming to America.

**PENG XIAO:** Thank you.

**LOWE:** Anybody-- wait, wait.

**BREWER:** Let me see if there's any-- anybody else? Did you have--

**HALLORAN:** Again, repeating Senator Lowe's congratulations for coming here and defending this country, not wanting it to turn into what you came from. And you-- this is a compliment to you, not to me, obviously, you talk a lot faster than I can think.

**PENG XIAO:** Thank you.

**HALLORAN:** Very good testimony.

**PENG XIAO:** Thank you.

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**BREWER:** All right. Thank you for your testimony. OK. Next testifier. Welcome to the Government Committee.

**ROSE KOHL:** Thank you very much. Greetings, honorable senators. My name is Rose Kohl, R-o-s-e K-o-h-l. I have a degree in computer science and I work as a data analyst in Omaha. I support the bills, LB228, LB230, and oppose LB675. When I was in college, one of my homework assignments was to create a vote counting algorithm that would skew the election towards a certain candidate. Make it close, but B always wins. The assignment was a lot of fun and, you know, it was easy for me to put multiple different things into the code that would flip votes here and there and my program didn't even need Election Day input or Internet, anything other than ballots. And it's important to note that, like, logging in records only write down what the programmer wants it to write down. It's as easy to put in true things as false. And there's a lot of ways to change the numbers and leave zero trace. Therefore, I support LB228 and human counting of ballots. Using machines and computers puts a lot of power in the hands of possibly one developer or a small team of developers and you don't know who they are if they're not elected. As long as the program code is secret and not open source, there's potential for the programming team to alter the results. So counting is better for security. I also support the bill, LB230, photo IDs are required as gatekeeping for so much of everyday life. Students are required to show an ID before taking a test, especially if wanted to test out of a class, they wanted to prove it was me. I needed it to get employed. Every day when I go to work, I need my photo ID to get into the building and when we provide free ID cards to those who don't have driver's licenses, that's going to be good for them to get around everyday life because it'll be useful for them elsewhere. Since our society applies basic identity checks for small but important activities every day, why would we not have gatekeeping and check IDs for something that's very important for national security? And we, we change the world. Our country kind of touches the world so we need to "gatekeep" for our elections. And we also had testimony earlier that it be hard for college students to vote if we require in person. I went to college twice. Each time, it was a different city. That never stopped me from voting in person. When you move to a new dorm, you register there. And in election years there's a person with a clipboard on every street

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corner to help you change. It's pretty easy to vote in person. So finally, senators, in the words of Solomon, whose face is on the south face of this building, "The Lord detests the use of dishonest scales, but he delights in accurate weights." So one vote for each citizen. No person or group should have the power to get more. Thank you.

**BREWER:** All right. Thank you, Rose. Let's see if we got questions. Senator Aguilar.

**AGUILAR:** Thank you, Chair. Wouldn't the programmer have to have access to the voting machine to install his program?

**ROSE KOHL:** Well, the-- there's code running on it, like whoever develops it, like they say right now it's ESS. Like, there's code on it already that somebody wrote so the code is written by someone. So the first programmers who sold it to us, it could just take one person that's in that company puts in their code and they do it with crafty language that doesn't get noticed. For me, in my company, whenever I push code to "prod" someone supposed to sign it off. And it usually takes, like, 30 seconds to a minute for them to review, which tells me for almost everything in my company that's on my team nobody looks at it, they just sign because they trust me. So the original developer has access. If they push code changes by Internet, that's also access. You could also use a device about this size, you know, plug it in and not to, like, run a script that would change things. But the original software company that wrote it has all the access they need to put something malicious on it. It's as easy to count truthfully or skim a few here or there. There's, you know, there's code running.

**AGUILAR:** Thank you.

**ROSE KOHL:** Um-hum.

**BREWER:** Senator Halloran.

**HALLORAN:** Thank you, Mr. Chairman. So good to have you here.

**ROSE KOHL:** Thank you.

**HALLORAN:** So what's your feelings about the hardware and whether or not it's accessible to the Internet? Could there be a chip implanted

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by the original designer that would allow it to be accessible on an iPhone, whatever means?

**ROSE KOHL:** It's very possible, and especially when you have this cover that you're not taken off like a wireless card to insert is, you know, often smaller than that. And if people aren't taking the machine apart, it'd be pretty easy to put in, you know, a wireless something. Whoever built it can build a back door.

**HALLORAN:** And they'd have to-- you'd have to know what you're looking for, right? I mean, to the--

**ROSE KOHL:** Yeah.

**HALLORAN:** --untrained eye, that could be part of the hardware that--

**ROSE KOHL:** The whole thing's-- like, if you open it up and see a motherboard, it's like all these wires going all over it. Like, even someone with a degree you might not even notice, you know, because computer stuff looks like computer stuff. Like, yeah, it could be hidden, be hard to--

**HALLORAN:** So it's kind of important where we get the hardware for these [INAUDIBLE].

**ROSE KOHL:** Oh, absolutely. Absolutely. Yeah, and I'm advocating hand counting because I don't trust my industry.

**HALLORAN:** OK. Thank you.

**ROSE KOHL:** Um-hum.

**BREWER:** All right.

**LOWE:** Senator.

**ROSE KOHL:** Yeah.

**BREWER:** Yes, Senator Lowe.

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**LOWE:** Thank you. Thank you, Chairman. Thank you for being here today and, and your expertise in this mission that we're on. You were assigned this--

**ROSE KOHL:** Homework.

**LOWE:** --assignment to create a program and was it ever used anywhere?

**ROSE KOHL:** Not that I know of. I graduated in 2015 and every student in the class had that same assignment to do the homework. You know, I think the teacher was teaching us something. So, yeah, not that I-- I don't think it was.

**LOWE:** My, my, my other question was, was there another student in the class that was assigned or another class that was assigned to counter your assignment so they could find it?

**ROSE KOHL:** Well, the, the teacher told us, you know, I'm going to be running my test data through it. You know, make sure B always wins, but it's going to be close. And I passed. So no, no one was looking for trouble. And actually, when I, when I submitted my code, I put comments to the teacher, like, here's where I did something, here's why I did something because it's so easy to change, like, two letters or something that I didn't think you'd even see. You know, I wanted to draw his attention because it would be easy for me to hide it.

**LOWE:** OK. And what university or college was this at?

**ROSE KOHL:** Dakota State University, which that school, I think, is a feeder for NSA. Like, I have recruiters from the government all the time, but maybe other schools teach it, too.

**LOWE:** Thank you very much.

**ROSE KOHL:** Um-hum.

**BREWER:** Senator Aguilar.

**AGUILAR:** Just a quick question. Can you write me a program to lower the price of gas? [LAUGHTER]

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**ROSE KOHL:** Well, you know, there was that gas station that had, like, the low price and people, you know,--

**AGUILAR:** Thank you.

**ROSE KOHL:** --you'd get caught.

**BREWER:** OK. Any other-- Senator Halloran.

**HALLORAN:** Thank you, Mr. Chairman. Quickly. So I misunder-- I wasn't clear, was that a class assignment or did you choose--

**ROSE KOHL:** It, it was homework for everyone that was in that algorithm class that the teacher chose. I did not choose it, the teacher assigned it to everyone which was fun.

**HALLORAN:** To everyone?

**ROSE KOHL:** Um-hum.

**HALLORAN:** Could you share, could you share, maybe directly, with Chairman Brewer who that professor was--

**ROSE KOHL:** I believe his--

**HALLORAN:** --in private?

**ROSE KOHL:** Yeah.

**HALLORAN:** You don't have to say it here.

**ROSE KOHL:** Yeah, I'll find that. Do you want me to email it to you, Senator Brewer?

**BREWER:** Oh, yeah, we'll, we'll get you an address to sent it to then.

**ROSE KOHL:** OK.

**BREWER:** All right?

**ROSE KOHL:** All right.

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**HALLORAN:** Thank you.

**BREWER:** OK. Any other questions? All right. Thank you for your testimony.

**ROSE KOHL:** All right.

**BREWER:** You got grilled a little more than most, you survived it. All right. Next testifier, please. Welcome to the Government Committee.

**ARLO HETTLE:** Thank you. Hi there, Chairman Brewer, members of the committee. My name is Arlo Hettle. That's spelled A-r-l-o H-e-t-t-l-e, and I'm the Grassroots Advocacy Coordinator with the Nebraska Civic Engagement Table. We come today in support of aspects of LB675 and in opposition to LB228 and LB230. I will discuss the benefits and pitfalls of the various proposals for public education and training in these voter ID bills. Our organization works with around 70 nonprofit members across the state to help increase voter turnout, which gives us a firsthand understanding of how difficult it can be for voters to find accessible and accurate information about elections. While we're fortunate in Nebraska to have many good resources from both state and local governments and nonprofit organizations, it is important to consider how voters will navigate the transition to a voter ID system and how we can give this transition the resources it needs to be successful. For instance, a report from Wisconsin shows that when they implemented voter ID ahead of the 2016 election, a coalition of nonprofit organizations was largely responsible for filling the gaps in information about when and where to get IDs, as well as providing transportation for nondrivers to access DMVs rather than the state itself. While the Nebraska Table is prepared to work with our members to help educate the public about any changes to our voting laws, we hope to see a more robust and well-funded publicity campaign from the state of Nebraska. We appreciate the specificity of language in LB675, which provides for the creation of a website, social media and television and print advertisements that explain the process for registering to vote, the process to vote in person, and the process to vote early. LB535, on the other hand, is vague on what this public awareness campaign would be, only indicating that it should have multiple mediums. Specificity around a public education campaign will be critical to successful implementation and robust participation in

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future elections. This is a priority area of focus for us and our members. While reaching people online and through traditional forms of media is a great step in order to reach community members where they're, where they are, we would also like to see printed materials created in multiple languages that could be placed in high traffic and impacted areas of the community, like governmental offices, libraries, universities, licensed care facilities, domestic violence, and homeless shelters. The Nebraska Table each year prints off citizens guides to voting, which are handouts for our members to display in their offices or to give to canvassers to distribute and we would welcome similar materials on requirements around voter ID from the state of Nebraska. Just as important as educating the public about changes and requirements, is providing for the training of staff at all levels of implementation, including DMV workers, poll workers, election commissioners, and their staff. Before any training can take place, a curriculum and resources for how to train these staff needs to be created. Research out of states like New Mexico and Missouri shows that poll workers can have widely varying interpretations of voter ID laws and can sometimes exercise their power in discriminatory ways. So a final voter ID law must provide for robust training for election staff at all levels. We have already seen shortages of poll workers in recent elections, and it's likely that more will decide not to continue on when additional burdens and requirements are put in place. One of the best ways to support voters in understanding the required documents with enough notice to acquire these documents and election staff and having the training they need is to set a fair and reasonable implementation time. LB675 would set the first elections with new ID requirements in 2026. This will give the necessary time for voters and election officials to prepare for the new requirements and will allow for plenty of time for community education. We hope you take into consideration the necessity of a robust public education campaign, training for election workers at all levels, and a responsible implementation time when advancing a voter ID bill out of committee. Thank you very much.

**BREWER:** Outstanding. You did two and a half pages in less than three minutes. Well done and it was very clear so must have rehearsed it because--

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**ARLO HETTLE:** Theater kid.

**BREWER:** --really good work. Fortunately, a good one, so. OK. Questions for Arlo? All right. Thank you for your testimony.

**ARLO HETTLE:** Thank you.

**BREWER:** All right. Next testifier. Welcome to the Government Committee.

**OLIVIA LARSON:** Thank you. Good afternoon, Chairman Brewer and members of the Government Committee. My name is Olivia Larson, O-l-i-v-a L-a-r-s-o-n, and I'm the policy fellow with RISE. I request my testimony be included as part of the record that shows RISE is here in support of LB675 and opposition to LB228 and LB230. In my role with RISE, my focus is building pathways to civic engagement for people in the criminal justice system. Much of this work surrounds the right to vote. Voting rights in Nebraska are very confusing and cause many barriers for people who've been just as impacted. As current law stands, anyone who does not have a felony conviction is still eligible to vote even if they are in jail. Let me be clear, in Nebraska, people with misdemeanor convictions and those who have not been convicted of a crime but are in jail still have the right to vote. I've previously testified that the annual jail population in Nebraska was over 4,000 individuals in 2020 across 63 county jails, while the number of those who are booked every year is at least 30,000 people due to the nature of people going in and out of jails. The majority of people in jail are held pretrial, which means they haven't been convicted of any crime, only charged so they're not serving a sentence. The other portion of individuals are serving out time for misdemeanors of less than a year. For those in jail during elections, the process to vote requires requesting an early voting ballot to be mailed to the jail if there are no efforts to set up polling options. LB675 presents the opportunity for these individuals to vote. It allows that in the case that voters do not have one of the qualifying forms of ID, they could sign a declaration attesting to their identity and acknowledging the penalty for voter impersonation. This is uniquely important as many people who've been charged or are serving time in jail for a misdemeanor do not have access to their state identification number or a copy of their state issued identification. Similarly, LB230

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disenfranchises anyone with the misfortune of being held in jail on Election Day. LB228 would require in-person voting with very few exceptions. None of these exceptions accommodate people in jails on Election Day, effectively disenfranchising every one of them. For those who've been released from jails, they face several key obstacles to civic participation. People who have been incarcerated are ten times more likely to be unhoused, which makes the process of getting an ID near impossible. LB675 would require IDs are accessible at the election office, libraries, nonprofits, and mobile units, as well as expand acceptable forms of ID to documents that would levy the burdens posed to the unhoused population. For similar reasons, LB228 and LB230 would create even more barriers that uniquely complicate justice impacted people's experiences accessing the ballot as definitions of what qualifies as an ID and the ways to obtain one are very limited. Extra barriers such as strict voter ID complicate the process of eligibility much more and further disenfranchise those who still have the right to vote. The communities my organization serves are already at a disadvantage accessing the ballot box. They need more accessibility, not less. For these reasons, RISE supports LB675 and opposes LB228 and LB230. Thank you for your time and consideration.

**BREWER:** OK. Thank you, Olivia. Let's see if we have any questions for you. All right,--

**OLIVIA LARSON:** Thank you.

**BREWER:** --you're going to get out of here unscathed. Welcome to the Government Committee.

**AMY BENNETT:** Good afternoon, Chairman Brewer and members of the Government Committee. My name is Amy Bennett, A-m-y B-e-n-n-e-t-t, and I am the executive director of YWCA Grand Island, which serves Hall, Hamilton, Howard, and Merrick Counties. And we are here today to support LB675. One of the reasons we support LB675 is because it requires the DMV to provide expanded hours and staffing prior to in-person voting. This is a very important element of this bill because currently rural communities have limited access to their DMV. The DMVs in Hamilton, Howard, and Merrick Counties are only open one day a week. In Howard and Merrick Counties, neither DMV is open over the noon hour. And in Hamilton County, it doesn't even open until

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9:45. We also know that transportation for those who do not have a driver's license in all four of the counties we serve is very difficult. By requiring expanded hours and staffing one evening per week and one Saturday per month, two months prior to in-person voting, would allow for those we serve the opportunity to access the DMV without having to take time off work and hopefully more easily arrange transportation to the location. We further support LB675 because it allows additional locations within a community where qualifying IDs may be obtained for voting, such as libraries and nonprofit organizations. And this is important for many that we serve. The people we work with every day already have access to our building, or if it's a homeless shelter or domestic violence shelter, it is a place that they trust and they're already coming. Organizations like ours have the ability to provide those qualified IDs to the population who otherwise would have barriers to obtaining IDs. YWCA Grand Island believes that all people in our community should be enabled to exercise their right to vote. We also understand a majority of voters in Nebraska use that right to pass the voter ID law. It is our belief that LB675 is the best possible answer between requiring a voter ID and ensuring all Nebraskans have the ability to exercise their vote in a free and fair election. Thank you.

**BREWER:** Thank you, Amy. When I read LB675, I was trying to visualize exactly what the mobile part of this was going to look like. And I mean, I think if we look realistically at who can make-- say, we call it a voter ID card, you know, a Nebraska ID card, we, we can it whatever we want. It's a picture with a name that you can use to vote, however, however that comes out, and it has to be mobile. And I don't want to give away my age here, but I went to a, a one-room school and they used to have a bookmobile that came by and then the bookmobile would come by and that was the, the only exciting thing we had for a month. But you know something along those lines, it would be mobile that could go to locations. The machine might have to be portable where you actually take it out and go in the facility and, and do it there. The only ones that have the machines is the Department of Motor Vehicles. And that's why when I heard LB575 [SIC--LB675] and in there they had Secretary of State, you know, you know, that, that really isn't in their wheelhouse. I mean, we would have to go and buy all of these machines and then find someone motivated to want to work them.

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So, you know, it is going to put quite a burden on Department of Motor Vehicles. But unfortunately, I believe they're the best source, but because you're out in the counties, is there-- am I tracking right there?

**AMY BENNETT:** I mean, I think that you will have to purchase the equipment for those mobile units, right, like we know that.

**BREWER:** Right, not take them out of the courthouses,--

**AMY BENNETT:** Right.

**BREWER:** --but, but the data is going to have to be able to link up somehow--

**AMY BENNETT:** Yeah.

**BREWER:** --so it all talks to each other.

**AMY BENNETT:** Right. Yeah, so I think that is like an investment piece. I think that if, if you're not looking at that, like taking it out into the community or mobile units, then you are really going to have to expand those DMV hours because, you know, as previously I testified in LB535, you know, it's one day a week, it's Tuesday in one county, Wednesday in another, Friday in another. And so if you're thinking people-- people who don't have state IDs or driver's license, obviously they're not driving, it's not easy for them to get, get to the DMV, especially if you're already talking about a compact amount of time. So-- and I am not sure, that's not my wheelhouse in terms of what it would cost for, like, mobile printing of IDs. But, you know, looking at what is the cost, is it cheaper to do that and how's that at organizations like ours? I don't know.

**BREWER:** Well, and the people have spoke, so I don't, I don't think it really matters within reason what the cost is. We need to do it.

**AMY BENNETT:** Yeah.

**BREWER:** We're going to do it. Let's do it right.

**AMY BENNETT:** Right.

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**BREWER:** What does right look like? So these are kind of these steps we're--

**AMY BENNETT:** Right.

**BREWER:** --going through and you're kind of at the operator level that's going to have to manage some of--

**AMY BENNETT:** Right.

**BREWER:** --figuring out where these people are that need special care and, and how we get to them and--

**AMY BENNETT:** Yeah, and organizations like ours already, you know, like we provide rides to the polls already. And so we know that transportation to the DMV might be something we have to add for people to get that. It's something that a lot of our organizations, we're going to have to step up to make sure that the people we serve do have access to vote. And so what that looks like, I mean, ideally for us would be, be able to have that on-site. But if it's not, how do we get people to where they need to go to get them in an easier manner?

**BREWER:** Well, I would imagine the, the DMV director has probably got a voodoo doll stabbing pencils in me right now or something. You know, I think if, if-- what we did in the military is we had machines, we make what's called a CAC card, which is our official card. When you would have remote bases and places that would go there and you would go to where the people are. Now, we probably can't get to the individuals. But I think, you know, these small towns, you can go to the community center, you can go to the senior home where, where you have people that you can't move.

**AMY BENNETT:** Right. Right.

**BREWER:** And, and-- but that's going to require a massive operation to do that across the state. So it goes back to this burden we've got on us to figure out, you know, if we, if we make this requirement, we can't magically expect DMV to have all these machines and go to all these places and have all is done in too tight of a timeline.

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**AMY BENNETT:** Right.

**BREWER:** So all of that has to kind of all work together.

**AMY BENNETT:** Right.

**BREWER:** So back to some of the things that other people said, maybe an impossible task. Senator Lowe.

**LOWE:** Thank you. And thank you for coming all the way from Grand Island. I'm sure Ray appreciates that.

**AMY BENNETT:** I feel like I'm seeing a lot of Senator Aguilar these days.

**AGUILAR:** Yes.

**LOWE:** We all do. You know, I, I was just thinking as, as this conversation was going along, that we have our senator cards with our pictures on them. And, and you can check into any motel now and they, they run a card through and it can change the data on that card. It could either wipe it out or change it. And maybe even a county clerk could be able to do this. And every county has a clerk, something like that where there would be a, a, a card accessible through your county courthouse.

**AMY BENNETT:** Yeah, and, you know, and if they are mobile, even if that county clerk can come and be at the library and say, I'm going to, you know, this person is-- we take our programs to the library. I'm going to be at the library for this amount of time. I know populations we serve at-- you know, I think about in Grand Island that the library is actually generally within walking distance where a lot of the people that we serve or-- so I think those are really thinking those, what are the things we can do just to make it easier. And we've also talked a lot about registered voters, but there are also those who aren't registered that we want to, you know, our goal is to make sure everyone is. So how do we make sure that's not a barrier to those who are already-- or who are not currently registered as well?

**LOWE:** Thank you.

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**AMY BENNETT:** Thank you.

**BREWER:** All right. Well, I think Department of Motor Vehicles is probably going to look at having a lot more machines and some more people working for them and we're going to get all this done, but. All right. Well, thank you for your testimony.

**AMY BENNETT:** Thank you.

**BREWER:** All right. Next testifier.

**ELLIE BATT:** I don't have copies.

**BREWER:** Welcome to the Government Committee.

**ELLIE BATT:** Thank you. Good afternoon. My name is Ellie Batt, E-l-l-i-e B-a-t-t, and I'm testifying today on behalf of the Jewish Community Relations Council of Omaha in support of LB675. The Jewish Community Relations Council, known as the JCRC, is the public affairs voice of the Jewish Federation of Omaha. We are dedicated to working in common cause with other religious, racial, ethnic, and civic groups to foster a just democratic and pluralistic society, as well as promote the security of Israel and Jews everywhere. Voting is the most basic right in any democracy. American Jews have long stood with disenfranchised communities in support of voting rights. We support efforts at every level of government to fight voter suppression and ensure access to the ballot box for every American. This includes increasing voter registration, educating voters about key political issues, assisting those who need help in getting to the polls, and fighting state legislative efforts that make it harder for people to vote. We are grateful to Senator Day for introducing LB675 regarding implementation of the voter ID ballot initiative passed by the voters in November. LB675 strikes the appropriate balance of implementing the will of the people of Nebraska while providing important and essential voting protections for some of Nebraska's most vulnerable citizens. For example, the bill includes a robust public awareness campaign to ensure that voters are aware of the new requirements for casting their ballots. LB675 includes increased access for individuals for whom obtaining a driver's license might be a barrier due to transportation, poverty, or disability status. Some of these means of improved access

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include mobile units, extended DMV hours, and additional location-- locations where IDs can be obtained, such as libraries and nonprofit organizations. We strongly urge members of the committee to consider how crucial these voting protections are for the most vulnera-- the most vulnerable citizens among us. We appreciate Senator Day's attention to this important issue and encourage the Government Committee to advance LB675 to General File.

**BREWER:** All right. Thank you, Ellie. Let's see if we have any questions. Questions for Ellie? All right. Thanks for your testimony. OK. OK. Welcome to the Government Committee.

**THOMAS K. MORGAN II:** You want me to keep waiting?

**JULIE CONDON:** We don't have a page right now, they went to--

**BREWER:** Oh.

**JULIE CONDON:** --make copies.

**BREWER:** OK. Well, what we'll do is, is when pages get back, we'll just go ahead and distribute the copies, but you can go ahead and do your testimony. You're fine.

**THOMAS K. MORGAN II:** Awesome. Well, let's see. Senator Brewer, greetings. Members of the committee, greetings. My name is Thomas, T-h-o-m-a-s, K. Morgan, M-o-r-g-a-n II. In my military capacity, I'm 100 percent service-disabled veteran, permanent and total, sergeant, United States Marine Corps. And I feel it's my duty with everything that's going on, all the information that's being broadcast to the masses and we're trying to get to the bottom of things and figure out what's really going on. Obviously, with Arizona coming out recently, there's a lot going on and people are, are standing up in their capacity, their individual capacity, and other capacities as well. So it's my duty to remind this committee, this body, about Executive Order 13848. Executive Order 13848: Imposing certain sanctions in the event of foreign interference in the United States election. Captain Keshel messaged me awhile ago and asked me to say something on his behalf. And it's-- and I quote, Captain Keshel believes the presidential margin in Nebraska is off by nearly 7 percent, thanks to 51,000 fraudulent votes in the states, and that the electoral vote of

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the state's 2nd District within Douglas and Sarpy Counties was allocated to Biden as a result. Foreign is defined as that which belongs to or operates in accordance with another nation, territory, state or jurisdiction, as in the case of nonresident trustees, corporations, or persons. That's West's, West's Encyclopedia of American Law, Edition 2. It's copy written 2008, the Gale Groups, Inc. All rights reserved. So I went to a law dictionary that was adapted to the Constitution and the laws of the United States by John Bouvier, published in 1856. Law foreign: By foreign laws are understood the laws of a foreign country. The states of the American Union are for some purposes foreign to each other, and the laws of each are foreign in others. And it says see foreign laws. Event Date for Executive Order 13848 was September 12, 2018, signed by the Commander in Chief, the President of the United States of America, Donald J. Trump. That was published into the Federal Register on September 14. I have a little bit more stuff from Captain K. He asked about for-- as speaking for him on behalf of House Bill 228, the one-day vote. Super quick, it's attached to this which will be entered into the record. But his, his-- the eighth point for curing chronic "electile" dysfunction is by far the simplest solution and explanation yet. It is one that disarms nearly every other argument aimed at preventing true election integrity measures from being introduced, especially arguments that require people to put in actual effort to turn out and vote and prove beyond a shadow of a doubt that they are indeed the individual checking in to vote. You've certainly heard it said that requiring identification is racist, and banning or curtailing mail-in or early voting discriminates against the elderly. Precinct sizes in major metro areas are too large to allow for people to avoid long lines on Election Day, so I have already included the substantial reduction of precinct sizes in his ten-step plan. If that is implemented, the whining children who don't want to stand in line have little to, to complain about, especially after a key national decision is announced.

**BREWER:** OK. I'm going to have to cut you off there just because we're, we're out of time.

**THOMAS K. MORGAN II:** Understood, sir.

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**BREWER:** All right, Thomas, on, on-- so for the, for the formal record--

**THOMAS K. MORGAN II:** That's for the record. It's got other stuff behind it.

**BREWER:** OK.

**THOMAS K. MORGAN II:** Everything else is just so they can read it.

**BREWER:** And those, those are copies to have made?

**THOMAS K. MORGAN II:** The copies-- she can, she can make copies, right, if you guys need it.

**BREWER:** Yeah.

**THOMAS K. MORGAN II:** But the, the copy of my statement that signed and notarized is--

**BREWER:** Now for the record--

**THOMAS K. MORGAN II:** Yes.

**BREWER:** --on, on LB675, what is your position on that?

**THOMAS K. MORGAN II:** I'm here as a traveler and in my military position I must remain neutral.

**BREWER:** OK. So you are neutral on all three?

**THOMAS K. MORGAN II:** That's correct.

**BREWER:** OK. That's what I needed. Thank you.

**THOMAS K. MORGAN II:** Yes, sir.

**BREWER:** OK. Questions for Tom? Yes, Senator Lowe.

**LOWE:** You, you mentioned a captain. What was the name of that captain again?

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**THOMAS K. MORGAN II:** Army Captain Seth Keshel.

**LOWE:** Seth Keshel. OK. And how does he pertain to this again?

**THOMAS K. MORGAN II:** We work together and he asked me to submit some stuff for the record in my capacity speaking on his behalf while I'm here.

**LOWE:** All right. Thank you.

**THOMAS K. MORGAN II:** Yes, sir.

**BREWER:** And that's the stuff that they're going to be making copies?

**THOMAS K. MORGAN II:** Yes, sir.

**BREWER:** OK. All right. Any other questions? All right, Thomas, thank you for your testimony.

**THOMAS K. MORGAN II:** Thank you all.

**BREWER:** And thank you for your service.

**THOMAS K. MORGAN II:** Semper fi. Thank you.

**BREWER:** OK. Yeah, if you're, you're next jump--

**DANNA SEEVERS:** So I meant to hand this to you to pass out. Is there usually a person?

**BREWER:** Yeah, there is normally.

**DANNA SEEVERS:** OK, give it to you?

**BREWER:** We're, we're, we're short pages so we'll--

**CONRAD:** Here they are.

**BREWER:** --just have to kind of work through it.

**THOMAS K. MORGAN II:** You need one?

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**LOWE:** He's coming now.

**BREWER:** Oh, there we are. He's coming up behind you there.

**DANNA SEEVERS:** You can take it and just pass it down.

**BREWER:** Oh, there-- there we go.

**DANNA SEEVERS:** Make sure that everybody gets that, please. OK. Thank you.

**BREWER:** OK. Welcome to the Government Committee.

**DANNA SEEVERS:** Good afternoon. My name is Danna Seevers, spelled D-a-n-n-a, Seevers, S-e-e-v-e-r-s. I oppose LB675, mostly because it's unconstitutional on several counts and I am for LB228 and LB230. I am a Seward County Republican Party chairwoman, and today I also represent citizens all across Nebraska who have signed the Nebraska election reform petition. Started just four weeks ago, my unfunded petition has now garnered over 1,230 signatures, which I've provided to you today, along with citizen comments. On December 22, 2001, a man boarded an American Airlines flight from Paris to Miami. He was wearing shoes packed with explosives, which he unsuccessfully tried to detonate. Passengers were able to subdue him on the plane until they could make an emergency landing in Boston. Nothing exploded and no one was injured. But after the incident, and to this day, travelers the world over are required to remove their shoes before boarding a flight. Our country took extreme and swift action to prevent something that could happen because there was proof of a threat. So thinking about issues of election integrity, depending on which news channel you watch and who's President at the time, you'll hear that we have issues ranging from dirty voter rolls to ballot harvesting to full on cyber interference in our elections. Some people say it's all a big lie and our elections are completely safe and secure, while others are certain China is actively trying to take down our country in acts of unrestricted warfare. I'm not going to try to prove anything to you today, but I will ask you to consider if there's even a threat of cyber interference, why wouldn't we eliminate the machines and go back to hand counting? And if there's even a threat of unlawful ballot harvesting, why wouldn't we stop the mail-in voting? Nebraskans have

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already taken steps to address threats by voting to require voter ID. So I think it's fair to say that a majority of Nebraskans believe there is at least sufficient proof of threats. And that's why we are demanding additional election reform to guarantee Nebraska has secure, transparent, and fair elections. I was asked to participate in the spot check audit for Seward County after the November '22 election. Two Republicans and two Democrats were asked to hand count just three races from one small precinct in our county. Just like the old days, we sat at a table together. We talked. We counted. We caught each other's mistakes. We had a few laughs. And dare I say, we even got to know a little about each other. Senator Conrad, your own mother sat right next to me and looked over my shoulder as I called out the votes to the tally markers, and we worked together until the job was done. All four of us walked away that day feeling 100 percent confident that the results were accurate. At a time when Americans are so fiercely divided, just imagine what it would do for communities if that scenario happened in precincts all across Nebraska. I just don't understand all the opposition to this. We've done it before, surely we can do it again. There is no shortage of proof of threats. And I've provided you with just a small sample on a flash drive today. Because of these threats, issues of election integrity should really be the one thing that unites all Americans. I believe that no voting system can stand without the backing and confidence of the people it serves and voter ID is just the beginning. Thank you and I'm happy to answer any questions.

**BREWER:** All right. Thank you for your testimony. Now, just for the record, the thumb drive has what on it?

**DANNA SEEVERS:** It has a collection of articles and papers and also some videos and they are all proofs of threats to our election systems.

**BREWER:** OK. And then we have your, your testimony, and then we have the attached sheet. These are the individuals that you have--

**DANNA SEEVERS:** Yes, when I was here before I gave you that and we kept the, the petition open, obviously. And so now it's up to 1,230, so it's updated now with--

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**BREWER:** That's why it's bigger. OK.

**DANNA SEEVERS:** All the-- yeah, it's longer.

**BREWER:** Gotcha.

**DANNA SEEVERS:** Yes.

**BREWER:** OK. Let's see if we have some questions for you.

**CONRAD:** I do.

**BREWER:** You're waving or--

**CONRAD:** Well, I-- yes, trying to get attention. Not really a question, more of a comment.

**BREWER:** OK. Go ahead.

**CONRAD:** Thank you, Chairman Brewer. Thank you, Ms. Seevers, for being here. I did have a chance to visit with my mom about her experience that she had in Seward County and she found it very meaningful and enjoyable as well. So thank you for your service in that regard and thanks to the county clerk for organizing it.

**DANNA SEEVERS:** Yeah, thank you.

**CONRAD:** Thanks.

**BREWER:** OK. Any other questions? All right. Thank you for everything. Welcome to the Government Committee.

**MELISSA SAUDER:** Thank you. Good afternoon. My name is Melissa Sauder, M-e-l-i-s-s-a S-a-u-d-e-r. I am from western Nebraska. We are here today because two-thirds of Nebraskans are concerned that the votes being cast in our elections are vulnerable. We want to know that every vote cast was done so under constitutional authority. Voter ID must verify under the constitution our United States citizenship, that we're a Nebraska resident, and that we are of age. We must all qualify. Only legitimate reasons need to be allowed for any exemptions or accommodations. The only way to verify our elections is with in-person voting. The constitution is clear. No one that is qualified

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shall be refused the right to vote. How can you verify a voter is qualified and the one marking the ballot if it, if it is not done before witnesses? Just as important as allowing the vote is protecting the vote from being defeated by an illegitimate vote. Those two issues are of equal importance and we must prioritize that. Each one of us makes decisions. There's a lot of conversation about how we need to make sure voting is convenient. We prioritize what's most important to us. If you can make it to Walmart, you can make it to the polls on Election Day. It's pretty simple. As I've thought about, as I've thought about my own experience, I used to vote absentee. I'll never do it again. I feel that I have dishonored those who have served in our country so that I have the honor and privilege to vote. And when I don't show up at the polls and I use an excuse of convenience to vote absentee or by mail, that's unacceptable. I need to honor their service and their sacrifice and that of their families. We have former and current elected representatives claiming that our elections are safe and secure. They provide no proof, only claims. We're supposed to trust them. How can we trust them when they won't show us what is happening in our elections? They brag about the numbers of voters in an election and call it a success because more people voted. If you've never verified who is actually voting that ballot, how legitimate is that election? It's similar to claiming you have \$1 million while waving Monopoly money in your hand. Some individuals believe that the only way to impersonate someone is to do so in person, claiming that Nebraskans only care about in-person cheating. That's ridiculous. How are your credit cards hacked or your bank account? It's offensive to think that voters aren't wise enough to see this risk. If we are honest, we all have to agree that there is some level of fraud occurring in our elections. It's not a partisan issue. If one side can cheat, so can the other. It only benefits dishonest and corrupt-- the dishonest and the corrupt to have elections wide open to cheating. Where's the proof? I had someone tell me that she knew her children weren't going to vote-- take the time to vote, so she went to the election office, got her ballot and theirs and voted them for them. Our postal carrier has described to me how she hates mail-in ballots. In her words: Do you have any idea how easy it would be for me to mess with someone's ballot? It's so wrong. A close friend of mine who visited her mother every single day, seven days a week until she passed. She was living in a nursing home. She walked in on the nursing

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staff assisting her mother. Have several more examples, if you'd like to allow me to finish.

**BREWER:** Well, we've got your testimony, but just a couple of things. Now we need to get into the record again, as far as LB228 and LB230, you are a opponent?

**MELISSA SAUDER:** Opponent. Yes.

**BREWER:** OK. No,--

**MELISSA SAUDER:** Proponent.

**BREWER:** --opponent or proponent?

**MELISSA SAUDER:** Proponent.

**BREWER:** Proponent. OK.

**MELISSA SAUDER:** I oppose--

**BREWER:** And then LB675?

**MELISSA SAUDER:** Oppose.

**BREWER:** OK. Just got to make sure we get all that in the record.

**MELISSA SAUDER:** Correct. Sorry.

**BREWER:** All right. And where in western Nebraska?

**MELISSA SAUDER:** Perkins County.

**BREWER:** So you're also my district. All right. Let's see if we have any questions. Questions? Questions? All right. Thank you for your testimony.

**MELISSA SAUDER:** Thank you.

**BREWER:** OK, now, come on up. You've been waiting a long time, so--

**HEIDI UHING:** So patiently.

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**BREWER:** All right, now, for the ones that have filtered in so that we have some rhyme or reason to the, to the craziness here, as we were going by row and, and you were to hold your position and then we would just simply go down the line and we'd start back at the end, and that way we got everybody taken care of. So as you come in, you should be filling in to the back because the ones in the front are in line. So I haven't been policing that so we're going to have to trust that that's kind of what's been happening but I'm trying to focus on the testifier here so work with me. OK. Welcome to the Government Committee.

**HEIDI UHING:** Happy to be here. Thank you, Senator Brewer and Government Committee members. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g, and I'm here as public policy director for Civic Nebraska. I'm here in support of LB675 and in opposition to LB228 and LB230. Civic Nebraska is taking an unusual position on voter ID today. We are testifying in support of LB675 because we believe it to be the most comprehensive set of policies possible to implement such consequential legislation in our state. We will always testify on the side of voters' civil rights. And while we believe that voter ID-- while we believe voter ID to be unnecessary, the recently passed ballot measure calls for a bill and we believe this is the least onerous version possible. If we're going to tamper with Nebraskans' civil rights, the least we can do is build in as many accommodations as possible to keep elections running smoothly and turn away as few voters as possible from the polls. So I'd like to talk about the undue burdens that voter ID bills bring to Nebraska voters and poll workers alike. LB228 and LB230 essentially kill voting by mail. And you've heard other stats today where 40 percent of Nebraskans are, are voting in that way. I would expect those numbers to increase over time. That's still a fairly early practice here. And 20 years from now, I would expect that number to be much higher. So that's cutting that off at the knees with, with these two bills. LB230 is unclear on how one is qualified as a disabled person and the requirement for them to submit a photo-- a color photocopy both when they request an absentee ballot and when they turn in the ballot seems like overkill to me and the fact that they would have to qualify and then do that at every election two times is a lot to ask of a voter. I will address the notary requirement in the white copy amendment that we heard of in our last hearing. I had time to review that briefly. And that notary

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requirement is very unusual, particularly for a no excuse state like Nebraska. So the three states I could find that do use a notary have a very limited set of policies for voting by mail because you have to qualify in those states in order to do it. So the notaries in those states can probably accommodate those numbers. Here, they would be overrun. Conversely, there are several things in LB675 that we see as improvements to elections that would counterbalance a lot of the inconveniences presented by a voter ID bill that have been mentioned here before. We feel like this is an opportunity to consider elections as a whole. It can't-- it doesn't have to just be a voter ID bill. It can be an election improvement bill, an election security bill, an election accessibility bill. And that's why we included things like the ADA compliance, which is long overdue. I'd like to talk a little to the, the mobile units, if, if I could have a few more minutes. I've got some thoughts on that.

**BREWER:** We'll let the alarm go off here and then I'm going to ask you questions so--

**HEIDI UHING:** OK.

**BREWER:** --we're going to, we're going to interrupt you to do it.

**HEIDI UHING:** Thanks, Senator.

**BREWER:** Part of why I'm doing this is, is I feel bad, you were helping with the, the, the ADA testifiers and actually lost your spot in line so you ended up waiting hours. So for waiting hours--

**HEIDI UHING:** I've enjoyed every minute of it.

**BREWER:** --we'll let you finish. OK?

**HEIDI UHING:** Thank you. You asked some really great questions about the mobile unit and I just wanted to draw to your attention that there are several states that have accommodated the nursing home requirement or accommodation for nursing homes in a variety of ways. Mobile units are one of them. Other states have decided to just exempt people in nursing homes from, from needing to provide ID. Others have created kind of a complicated balance of requiring a, a nursing home administrator to show their own ID and get the ballots and return

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those ballots for the people living in their nursing homes so, essentially, they're vouching for the identities of their residents. As far as the mobile units, the, the way that I envision those is that, like you said, it's very cumbersome to move equipment into each of these facilities. So it seems to me that you need a photographer to go into these facilities, into people's individual rooms so we're not shuffling folks around. And a lot of that information, including the image, can be transferred digitally. So I would imagine that there would be a machine in the vehicle and, and it would stay there.

**BREWER:** OK. So I think I see what you are saying, is actually all you need do is get the information and the photo, then you can take that to where the main machine is and actually get the, the end product of that ID, however it works.

**HEIDI UHING:** Yeah, it would be a shame to send a mobile unit out to these people and then make them come out to the parking lot.

**BREWER:** Yeah, well--

**HEIDI UHING:** Like, if we're that close, we might as well.

**BREWER:** I'm old school, I didn't think that far ahead. All right, thank you. Let's see if we don't have some questions. Again, I'm sorry about making you wait all that time. I, I didn't realize that you lost your place in line until I saw you way back and then if I--

**HEIDI UHING:** It's all right with me.

**BREWER:** --plucked you out, they'd say I was--

**HEIDI UHING:** I'd be here regardless so it doesn't--

**BREWER:** --taking special care of you or something. All right. Questions for Heidi? Questions? All right. Thank you.

**HEIDI UHING:** Thanks.

**CONRAD:** Thank you.

**DAVID KOHRELL:** Thank you.

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**BREWER:** Welcome to the Government Committee.

**DAVID KOHRELL:** Government Committee, it is good to be here and thank you. Senators, my name is David Kohrell, D-a-v-i-d K-o-h-r-e-l-l. Live in Legislative District 27, Lincoln, Nebraska. I'm a proponent for LB228 and LB230, opponent for LB675. Shared some of my comments online, will repeat some of those here. The Nebraska Initiative 432 was passed by an overwhelming majority of Nebraskans. It's our law. It's part of our constitution. The debate over voter ID is over. In fact, 432,000 Nebraskans voted for it. So we're talking about possibly disenfranchising those Nebraskans, all Nebraskans, if we don't act quickly. And I was looking at the actual amendment and it says any election, not just state or federal. There is a little election going on here in Lincoln and voting begins in 19 days so I'm concerned about potentially disenfranchising "Lincolnites". We don't have until 2026 or '24, so I'm curious to see what we can do to get this quickly. As a certified information systems auditor and a certified risk and information control from ISACA, this bill, in terms of LB228 and LB230, provide adequate control. I've been in IT and cybersecurity for 30 years, both from programming, hardware, delivery, program management and financials, banking and pharma. Some companies you all probably have heard of like First Data and Bank of the West. So we have the essential controls and we need to fulfill them. I'm against LB675 because essentially undoes-- it just removes or rips apart everything. The Initiative 432 passed. I mean, I don't see how that can be done. So happy to entertain any questions. I know that LB228 and LB230 go far beyond voter ID, but there's some essential elements in each of those to improve our election process. Be happy to answer any questions.

**BREWER:** All right. On, on your, your point about the elections, I, I think where we're on some of the clock is that it's statewide elections. So the city of Lincoln election in, in a few days won't be the one that's our, our near target that we've got to be most concerned about. The other thing that we're going to have with challenge as we go through this is we have to follow that 432 wording in what we do. So our bill shouldn't be a, a complete elections reform. It should be focused on voter ID and how we do that and then make sure that the parts and pieces that come with that is to make sure that, you know, those who need to vote should vote and, and how

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we make all that happen. And that when they come that, you know, they either have the ID or they have-- we have a process to make sure that they are who they are. So, you know, that's-- I think there are some folks that have this grand perception that we're going to have this end-all-be-all voter election mega bill and, and we can't do that--

**DAVID KOHRELL:** Sure.

**BREWER:** --and, and follow the directive we really have with voter ID. Does that make sense?

**DAVID KOHRELL:** Absolutely. And if, if you zero in-- don't know if that's a question, but if you zero in on--

**BREWER:** Well, I, I guess--

**DAVID KOHRELL:** --voter ID, that's the control, right?

**BREWER:** Yeah.

**DAVID KOHRELL:** So what, what 432 does is it sets up that control. The vulnerability there is we have one vote. Right? We want to secure that vote. That's a right of our republic. If someone gets to vote twice or if there's a fraudulent vote, I'm disenfranchised. If you hinder my ability to vote, I'm disenfranchised. So this is a, this is a natural check in control. For example, I extended a bank account today. Opened up another account. I presented my driver's license. Last week, my friendly IRS wanted to get identification from me for a return. I took a picture of my driver's license and they wanted a selfie. And I'm thinking, wow, selfies of me. When my kids were teenagers, they never wanted to be in a picture with me, let alone a selfie. But it's, it's a voter ID and it, it's a photograph, so that's where LB675 goes off the rails.

**BREWER:** All right. Well, thank you for your testimony. Let me double check. Any questions? All right. Thank you for your time.

**DAVID KOHRELL:** OK. Thank you.

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**BREWER:** Thank you for your testimony. Welcome the Government Committee.

**ALLIE FRENCH:** Good afternoon. I do want to point out I was in the front row, but I had to run to Omaha to get my kids real quick so I wasn't--

**BREWER:** Well, you're doing good.

**ALLIE FRENCH:** I returned to my position.

**CONRAD:** We've [INAUDIBLE].

**ALLIE FRENCH:** All right. My name is Allie French, A-l-l-i-e F-r-e-n-c-h. I'm representing Nebraskans Against Government Overreach in support of LB228 and LB230. And to just dive in here. How much do you care about voting? Are you unwilling to go get a free ID card? Are you unwilling to drive to vote to get a ride to coordinate with your loved ones or service to participate in what's most important? You know, when election is coming. What does this concept of early mail-in voting making it easier for informed voting? Election Day comes latest, providing the most time for research. The counties already provide provisional ballots that you can sit down with and study. This is a nonissue and a manipulative argument. If we can't implement a secure process of verifying IDs for mail-in voting, then mail-in voting has to go. I personally still like my idea of ATM-style ballot receptacles that could verify a state ID card. Voting isn't new. Money, lack of machines, creating more work. Who freaking cares? We waste millions everywhere else, but we don't care enough about our elections to buck up and secure them. I did also want to mention an appreciation for Erdman's amendment that would remove the section creating a holiday. As much as I think Election Day should be treated as a holiday, I find it honorable that he took into consideration the business owners and the financial impact a state holiday would have on them. I also wanted to bring up from April 8 of 2021, right after the primary elections that it was reported that there were 20,000 mail-in ballots picked up. All of 12,000 of those in a 27-hour period from one drop box. It's mathematically impossible. Once doing the math, math, we discovered that there would have had to have been approximately 40 people every minute dropping off a ballot to account for each of the

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ballots that they had received at the end of that day. While polling places only saw 30 to 90 people in total. With the added volume of traffic, it would have been-- the Election Commissioner's Office in Douglas County would have been backed up down the street and miles long. It never happened. Those people were not there. So where did those mail-in ballots really come from? The last thing I wanted to point out was in 1993, they presented LB76, which was written into law in 1994. It was our most recent elections act passed. And during the public testimony, the leader of the Democrat-- Democratic Party stated: Maybe they'll learn next time if they don't get it done right this time. In this instance, he was referring to the registration voter rolls. And if people couldn't manage to get themselves registered in that year time, well, maybe they'd learn next time because voting is a responsibility. And if you care, you're going to get your butt there. If it's important to you, you're going to get it coordinated so that you can get your vote in. Nobody's being disenfranchised. Do you care or not? Are you going to take the time to do it right or not? I do appreciate and you know, in LB230-- in LB228, actually, it gives free ID cards so people can go get their state ID or their driver's license. A DMV being open only one day, OK, you've got 364 other days of the year to get down to the DMV and get that coordinated to get your state ID. Thank you.

**BREWER:** Thank you. And a good job keeping your hands full there and--

**ALLIE FRENCH:** Yeah.

**BREWER:** --everybody, everybody working together.

**ALLIE FRENCH:** Oh, that's a mom for you, always multitasking.

**CONRAD:** You got it.

**BREWER:** You are a multitasker there. All right. Questions for Allie? All right. Thank you for your patience and everything.

**ALLIE FRENCH:** Absolutely. Thanks, guys.

**BREWER:** All right, well, let's figure it out. OK. Welcome to the Government Committee.

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**BRAD MEURRENS:** Good afternoon, Senator Brewer and members of the committee. For the record, my name is Brad, B-r-a-d, Meurrens, M-e-u-r-r-e-n-s, and I am the public policy director at Disability Rights Nebraska. We are the designated protection and advocacy organization for persons with disabilities in Nebraska, and I'm here today in support of LB675. We thank Senator Day for introducing this bill as it is the most comprehensive and accessible implementation of voter ID, especially for voters with disabilities or other functional needs. People with disabilities comprise about 13 percent of our state's population, just shy of 250,000 people. And there are Nebraskans with disabilities in every single county. The need for a broader list of identification is particularly important for persons with disabilities. There are voters of disabilities who lack a driver's license or state ID card for various reasons. More restrictive definitions of valid ID disenfranchise people with disabilities. For people with disabilities, it is not as easy to get a driver's license or state ID card as one might assume. The exact same offices that provide the documents to register, acquire ID, or vote are often physically inaccessible for people with disabilities, ultimately extinguishing their ability to exercise their constitutional rights. Last year, our organization conducted an in-person survey of the Election Commission and DMV offices in over 20 counties. We checked to see whether a voter with disabilities could easily access those public spaces to register to vote, to cast an early vote, or simply to obtain a photo ID. Unfortunately, our survey revealed that many election offices and DMV satellite locations have significant barriers for persons with disabilities in Nebraska, eliminating their ability to obtain a valid ID. At that point it is moot if a birth certificate or a valid photo state ID is itself free, although that's a good idea. Some counties had broken concrete all along the route to enter the building. Broken concrete is a minefield for a person who uses a wheelchair or crutches. Counties had automated doors that were out of order. Counties had a high lip on the door threshold, which created a dangerous trip hazard for persons using a walker or crutches and would be a physical barrier for a person in a wheelchair. We have produced a short YouTube video, which I suggest you watch. It's about 7 to 10 minutes, but it will demonstrate to you, clearly, some of these and other unforeseen accessibility issues that people with disabilities in Nebraska face when voting. Compliance with

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ADA standards isn't just a list of bureaucratic requirements in a vacuum. Rather, the precise measurements contained in that law are designed to ensure access for all of us. This committee should advance LB675. I'd be happy to answer any questions you have.

**BREWER:** OK. Let me, again, make sure I get it all on the record right. You are a proponent for LB675. Did you do green slips on LB228 or LB230?

**BRAD MEURENS:** No. We will be, we will be-- we'll be sending letters on those bills separately, subsequently.

**BREWER:** Just want to make sure I got all that right.

**BRAD MEURENS:** Nope, Just LB675. Just-- that's the only one.

**BREWER:** Gotcha. All right, let's see if we don't have questions for you. Questions, questions. All right. Thank you for your testimony.

**BRAD MEURENS:** Thank you.

**CONRAD:** Thank you.

**BREWER:** Welcome to the Government Committee.

**SUZAN DeCAMP:** Thank you. Good afternoon, Chair Brewer and members of the committee. My name is Suzan DeCamp, S-u-z-a-n D-e-C-a-m-p, and I am here today as the AARP Nebraska volunteer state president, in opposition to LB675, LB228 and LB230. AARP has been fighting to protect the rights of all Americans, age 50-plus, to vote freely, easily and safely for more than 35 years. We have a long history of nonpartisan voter education and engagement. AARP recognizes that Nebraska voters approved Initiative 432 to require a valid photo ID in order to vote. However, we have some concerns that legislation in response could cause unnecessary barriers for many voters, particularly the older population. We believe that any changes to the voter verification process should ensure increased access, fairness and simplicity. While we are in opposition to all three bills being heard today, we agree with several of the provisions in LB675 and believe that LB675 would be the least restrictive legislation and a step in the right direction. We're concerned with any provisions that

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require voters to present an unexpired photo ID to vote and we hope that the committee would consider exemptions that would allow older voters who no longer drive to use an expired driver's license, rather than require them to get new ID. We encourage the committee to allow various forms of acceptable ID and to consider options to making obtaining the required ID as inexpensive and accessible as possible. While eliminating the fee for identification documents will help achieve this, other barriers should be addressed, such as transportation costs and time away from work and families. We would also encourage the committee to consider exemptions or other accommodations for individuals in congregate settings, like long-term care and those with disabilities. Any legislation implemented should also include provisions for a public awareness campaign conducted in multiple languages, including Spanish and conducted through radio and TV ads, as well as a dedicated website. Voting by mail is the option many older voters use to cast their ballots, eliminating the need to find transportation to the polls and standing in long lines to vote. Over 77 percent of Nebraska voters, age 65-plus, voted by mail or early in-person in the 2020 election. Voting by mail should not be eliminated or made more difficult. However, we find that requiring voters who vote by mail to send personally identifiable information through the mail or electronically could lead to voters having their identity stolen and requiring voters to have their signature or a proof of ID be notarized would be an additional burden, with the time and cost of trying to locate a notary and traveling to the notary's location during business hours. We encourage you to adopt rules that minimize the burden on voters. Thank you for the opportunity to comment and thank you for the work you're doing on this committee. And I would be happy to answer any questions.

**BREWER:** All right. Thank you. Now, did you guys take a position on LB575?

**SUZAN DeCAMP:** LB535?

**BREWER:** LB535. Whatever Slama's is.

**SUZAN DeCAMP:** Yes, we did. And I testified on that and we were in opposition.

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**BREWER:** Opposition. OK. So you kind of got me boxed in. You're opposing every bill I got. If if, if you were king for a day, how do we solve the problem of voter ID with those, say, in the senior homes or, you know, the care facilities that we have limited ability to physically move them. Now, they might have and like my mom's in a, in a home and she probably has her old driver's license. She, to this day, has jet black hair because she goes to the beautician once a week. I told her, I said, mom, when your son has gray hair, maybe you should have gray hair. But-- so I'm pretty sure her picture hasn't changed a terrible lot. Yeah. Do we have a limit on how expired we let the licenses be or if the name and the image match? We're pretty much there, you think, as long as the ID is one that's, you know, expired driver's license, whatever?

**SUZAN DeCAMP:** I think within reason. I mean-- and, and, and that is the task. Like the gentleman said before, you guys are tasked, you know, this, this is a huge undertaking for you. All we're asking is for reasonable, you know, and to make it as, as less burdensome as possible for, for the older population, in particular and for those with disabilities.

**BREWER:** Well, I have a hunch that my mother will be bending my ear if I don't do this right. So. All right. Any questions? All right. Thank you for your testimony.

**SUZAN DeCAMP:** OK. Thank you.

**BREWER:** OK, Let's see. Are we at-- we got one more in the line and then we switch back to the back row. Is that where we're at?

**CONRAD:** Yeah. Maybe we should take a break and reset and see where we're at.

**BREWER:** OK. We're going to let you testify and then I'll sort all this out. OK. Welcome to the Government Committee.

**MARY GLOYSTEIN:** Thank you all for sharing your time with us. Most of the things I'm going to say have probably already been addressed. Just to back it up a little bit, so thank you again. I'm Mary, M-a-r-y Gloystein, G-l-o-y-s as in Sam-t-e-i-n. Sorry about my voice. I'm from York, Nebraska, and I'm here testifying and asking for you to support

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LB228 and LB230. And after listening to all these people today, we do have concerns going different ways, so I understand that. But we do need to have ID. We, as Nebraskans of the United States of America, need changes to protect our republic. We show our, our ID for almost everything we do, from flying on a plane, reg-- registering in a hotel, writing a bank check, and etcetera. So please require voter ID to protect those that live here. Have Election Day possibly be a holiday. You'd have people step up to help. You know, it's a possibility. I guess that's something we need to sort through so that all people can vote. If they don't vote, it's their problem, as it is now anyway. Have limited mail-in voting only for the military and those who live in places like the nursing homes or that are in handicapped facilities or in their homes handicapped, allow present ballot counting, ballots to be counted on Election Day. Also, no more machine counting. We want truth and honesty. Please vote to support LB228 and LB230 and I oppose LB675.

**BREWER:** All right. Thank you. And this is-- at least we know that it came from the heart. Your hand-wrote it all out for us. And, and you put exactly your position: please vote for. And so, thank you for this. It's a good reference to go, for the record, in case we got any questions. Do we have any questions? Any questions. All right.

**MARY GLOYSTEIN:** Thanks for your service.

**BREWER:** I think my crew is wearing down on me here. All right. Anybody else in that row? All right. Just one second, Larry. Korby, are you testifying?

**KORBY GILBERTSON:** Yes.

**BREWER:** Why don't you come up?

**KORBY GILBERTSON:** But I'm happy to sit here all day. I just need to move.

**BREWER:** I-- it's, it's causing me stress to see--

**KORBY GILBERTSON:** Stress.

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**BREWER:** --I'm trying to clean rows out and it's my military mind doesn't let me do that if I don't have--

**KORBY GILBERTSON:** I've been here since before the hearing started. Sorry to cause the distress.

**BREWER:** That's all right.

**KORBY GILBERTSON:** I just needed to--

**BREWER:** We'll, we'll get through it.

**KORBY GILBERTSON:** --vacate the seat I was in.

**BREWER:** Welcome. Welcome to the Government Committee.

**KORBY GILBERTSON:** Good evening, Chairman Brewer and members of the committee. For the record, my name is Korby Gilbertson, it's K-o-r-b-y G-i-l-b-e-r-t-s-o-n. I'm appearing today as a registered lobbyist on behalf of the Nebraska Health Care Association. So hopefully, I can answer those nursing home questions for you. The Nebraska Health Care Association represents 418 nonprofit and proprietary skilled nursing facilities and assisted living community members and the Nebraskans they serve. I'm here today to testify in support of LB675 and LB228. So Senator Erdman, we've broken the, the cast of me always opposing everything. And unfortunately, in opposition to LB230. Our opposition is somewhat unique, in that skilled nursing facilities and assisted living communities are required, under state and federal law, to ensure that residents are able to exercise their constitutional rights to vote without interference. As we've heard all of the testimony today, we've-- all view the world through our own unique experiences. And unfortunately, this is not a black and white issue that can be solved in all one way. Obviously, there are people that cannot get to the polls. There are people that will have a very difficult time getting an ID if they haven't had one, don't have a birth certificate, don't have access to that-- those records. So I want to remind you all this morning, you listened to a great deal of debate regarding the Constitution and constitutional rights we all enjoy. Voting is yet another right enumerated in both the United States and Nebraska Constitutions. And voters in Nebraska adopted the amendment which has given rise to the bills you're hearing today. But I want to point out

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the specific language in Article I, Section 22 of the Nebraska Constitution. All elections shall be free and there should be no hindrance or impediment to the right of the qualified voter to exercise the elective franchise. Before casting a ballot in any election, a qualified voter shall present a valid photographic identification in a manner specified by the Legislature to ensure the preservation of an individual's right under this Constitution and the Constitution of the United States. We've identified two issues with-- to being able to do the ID part of the constitutional requirement. Number one is to have a valid photographic ID. All residents inside assisted living and nursing facilities have a photographic record as part of their record that is used for transfers to hospitals, for working with first responders, for disasters, things like that. Secondly, is the ability to actually cast that ballot. There is existing statute in place that provides for that stat-- for that process. And so, I'd be happy to go on and talk in detail about that, but it's Section 32-944. It sets up the process that's currently used. I'd be happy to answer any questions.

**BREWER:** I guess I-- could I throw a quick one at her? Are we going to break any HIPAA rules by going into--

**KORBY GILBERTSON:** No.

**BREWER:** --a facility like that? OK.

**KORBY GILBERTSON:** No.

**BREWER:** OK. That's it. Go ahead.

**RAYBOULD:** So thank you, Ms. Gilbertson, for testifying. Do the majority of the residents in nursing homes-- just going to throw it out there-- they probably vote by mail.

**KORBY GILBERTSON:** Yes, they do. They-- in two ways. The majority do vote by, by mail. But then, they also, under 39-944, nursing facilities are also able to-- what happens is the county clerk or the election commissioner actually train two staff members, one from each party so that there is not any misleading going on during the process, to then administer the, the ballots to the-- to residents. That's all set out in the statute. So in my opinion, it would be fairly easy to

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expand that statute a little bit to cover the ID issue, as well and make that part of whatever moves forward to the floor.

**BREWER:** Yes. Go ahead.

**RAYBOULD:** I'm, I'm, I'm very curious. Do you have like, the policies-- you said it's in statute 32-something?

**KORBY GILBERTSON:** Um-hum.

**RAYBOULD:** Could you send that to our committee? Because then that would be--

**KORBY GILBERTSON:** Yeah. I'm sure-- yeah. I'm sure Dick has it, but--

**RAYBOULD:** Oh, Dick-- Dick has it already? OK.

**KORBY GILBERTSON:** I'd be happy-- there's a lot-- I mean-- and, and we kind of get off the track a lot, talking about legislation, but there are a lot of different election laws already in place in Chapter 32. And so, those are things that you'll have to keep in mind. And, and Chairman Brewer is very smart to point out the fact that the job right now is to deal with the very specific issue that was, you know, voted on by the voters. But I'd also caution you to take the time and get it done. It does not have to be done this year. The Legislature took many years before it enacted Medicaid waivers, which were also adopted by the voters.

**RAYBOULD:** OK.

**BREWER:** OK. Any other questions? Thank you.

**KORBY GILBERTSON:** Thank you.

**BREWER:** All right. Larry, come on up. While you're coming up, at 18:00, we're going to take a break. I've been sitting in this chair for five and a half hours. I'm going to need a bathroom break at some point here. I'm in a situation. So. But only 10 minutes. If you don't need to go outside, just hold in place. It's just a chance for us to take a breather here because, you know, it's, it's a bit of a challenge. All right, Larry. Whenever you're ready.

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**LARRY STORER:** Good evening, Larry Storer, 5015 Lafayette Avenue, Omaha. 68132. I'm not going to read a bunch of stuff. I'm going to kind of go off the cuff, as I usually do. But here's the thing. People you've heard here this afternoon mostly are not the election deniers. These are people that have paid attention to what's been going on and have listened to people that made presentations about what was going on. And there's just a few machine companies that control the market. They have contracts with Nebraska, ES&S. Shortly, I left school. After a few years in sales, I went to Northwestern Bell and sold for them for a while and then I went into programming. That was when we still used punch cards. And you remember the hanging chads in Georgia, I think. A computer is only as good as the data that is put into it. And it only works as well as the guy that designed, today, you call it the circuit card. When I was in the business, it was punch cards. And I remember writing the Omaha World-Herald, about 1972, that we would be one day voting by computer and sure enough, we are. But I didn't think we would have an election stolen by a computer. And this is what a lot of people are saying today. But our government officials, whether they be federal or state or county, have denied that there was any [INAUDIBLE] possible problem. But they never listened to any, they never looked at any of the actual evidence. That is a revolution, gentlemen-- ladies and gentlemen, because they denied the Constitution and they turned it around to us being the bad guys. That needs to change. And it can't wait till '26. It's got to get changed now, because there may not be an election in '26 if you don't. That's how bad it really is. I think I told you I was for two of them and against one. The one I'm against is LB625 and LB675. Entirely too long. And most of that needs to be amended. That's your jobs to restore our republic. And I'm just about done. I really am tired of Nebraska saying we're nonpartisan. Everything's partisan in this state, just as anywhere else. So let's go back to a constitutional, republican forum, where we have two houses. Oh, excuse me. Common sense says that this is not going to happen and that the people here are the second house, then we actually run the show instead of you guys.

**BREWER:** All right, Larry.

**LARRY STORER:** So, thank you.

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**BREWER:** Just just to make sure--

**LARRY STORER:** Thank you.

**BREWER:** LB228 and LB230, you are a proponent of; two-- LB675, you're an opponent.

**LARRY STORER:** I'm an opponent of LB675. I'm a proponent of the other two.

**BREWER:** Gotcha.

**LARRY STORER:** LB228 and LB230.

**BREWER:** Any questions for Larry? All right. Thank you, sir, for your testimony.

**LARRY STORER:** Thank you.

**BREWER:** Welcome to the Government Committee.

**LINA STOVER:** Thank you. All right. Hello. My name is Lina Traslavina Stover. I am the executive director for the Heartland Worker Center, a statewide nonprofit. And I need to spell my name. Thank you. Yeah. L-i-n-a, last name Stover, S-t-o-v-e-r. Traslavina is my middle name. Identity won't let it go. I think that there is-- something that I've appreciated in the conversation today is the, the delineation of the scope of the work that you all have in front of you, in that we're talking about it, an ID to go vote. I should, I should mention that I'm a sociologist, as well. Therefore, I, I am interested in the history of using voter ID in the United States. And I, I also talk about the context of the United States, because any other country, it's outside of the context of what we need to do. The constitutional right to vote is to all citizens new and old. So even though I've been a citizen already for a couple of years, that doesn't make me a second-class citizen. My right to vote is the same as a person that was born here in the United States. The purpose of this valid ID is to verify the identity of the voter, not necessarily the eligibility to vote. And I say that because, for example, putting a flag into my driver's license would put me in a position where other people can take that flag and do other things with that piece of information.

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Discrimination can happen based on seeing a flag on my driver's license, because the assumption is that people that don't have a flag, then what kind of status do they have? I want to acknowledge that the labor force in Nebraska, we need to bring new people to the state of Nebraska and that sometimes means people from other states and also people from other countries like myself. So we need to bring-- build a framework where civic participation is not hindered by-- to, to some people. So for people that are born outside of Nebraska, the idea that they can use their ID, their photo ID, whether it's current or not, as it is stated in bill, LB675-- oh, now I just missed my-- yes, LB675. It's a very positive contribution, so I will state right now that I am in support of LB675, in opposition of LB228 and LB230. But the issues on the cost of getting the documents to get an ID from other states is still on the table. If a person does not have an ID, elderly person that was born in Texas, how are they going to get the birth certificate or for many women, their marriage license?

**BREWER:** OK. That's, that's an issue that we're going to have to hash out here is if they're a resident of Nebraska-- so they moved here, but they haven't reset their identification. That's part of what we're going to have to make sure is included in this is a way for them to have that. And so, again, notes for the discussion that we need to have amongst the committee for the, the committee amendment. Was there anything else on your list before?

**LINA STOVER:** I will say that perhaps, the Office of Vital Records is the office that will request the birth certificates from other states. But I'll mention, once again, the change of names for people that aren't married, because no longer-- it's no longer the birth certificate alone, but now we need the marriage license, as well. And I'm not sure if the Vital Records Office will be able to obtain that as well. But I'll just put it out there.

**BREWER:** No, no, it's something that we need to make sure is addressed. All right. Any questions? All right. Thank you for your testimony.

**CONRAD:** Thank you.

**LINA STOVER:** Thank you.

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**BREWER:** OK. Let's see. All right. You guys, are you jumping line or moving forward or what's happening here?

\_\_\_\_\_ : [INAUDIBLE]

**BREWER:** All right. [INAUDIBLE]. All right. As long as the State Trooper says it's good, you're good. All right, so who's, who's first of the two here? All right. Come on up. Welcome to the Government Committee.

**GEORGE BOLL:** Thank you very much. Good afternoon or good evening. We're getting right on the cusp there. My name is George Boll, G-e-o-r-g-e B-o-l-l. I am in support of, of LB228 and LB230. I think they're the best of all the bills or the best ones that you guys can use to tweak and, and fulfill your constitutional duty to get us some legislation. I am opposed to LB675 and I have a, a copy here of the Nebraska Constitution, page 1. Article, Section 1, Section-- or Article I, Section 22, I am sure you are well aware that there has been an addition to the language since November of last year. At that time, the people of Nebraska, the second House, spoke through Initiative 432. It did not pass by one vote. It passed by 204,000 votes; 432,000-228,000. A large majority of Nebraska wants this. The new language plainly says that a qualified voter shall present valid voter-- photographic identification in a manner specified by the Legislature. I've heard many a people referring this to voter ID. Well, we're, we're in a new era now, where we're talking about valid photo ID, not valid ID anymore. Please note also that the Supreme Court, Court made comments on this section in 1963. They actually said that holding an election shortly after a blizzard did not operate as a hindrance or impediment to the right to vote. So today, we have a lot of people saying this is too difficult or that is too difficult. And I'm-- they're all worth listening to. But one lady pointed out that if I care enough to vote, I'll even go shortly after a blizzard. That's what our Supreme Court ruled. Please keep this in mind as you guys proceed. Page number two of my-- of this has 18 qualifying identi-fake-- identifications that one can present when voting in person, according to LB675. Most of these 18 do not include a photograph. I have four of those IDs: a social security card, a medicaid card, a birth certificate and a fishing license. None of them have my photo on them. For people who want to vote early, LB675 says

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this: a voter voting not-- a voter voting pursuant to this section shall not be required to present qualifying identification. What a stab in the back this bill is to the great Nebraska second house. Sometimes, it is most effective to whisper than to shout "unconstitutional". I have some other comments on the rest of that page that, that I think you guys can read if you care to, as I think you could-- should deal with this in the future.

**BREWER:** All right. Thank you for your testimony. All right. Questions? Senator Lowe.

**LOWE:** Thank you, Mr. Boll, for being here and testifying today. When your hunting and fishing license expire, do you turn it back into the state? Do you--

**GEORGE BOLL:** No.

**LOWE:** --what do you do with it?

**GEORGE BOLL:** I, I tear it up and I have to get a new one.

**LOWE:** OK.

**GEORGE BOLL:** And I--

**LOWE:** At least you tear it up and just don't throw it away.

**GEORGE BOLL:** --you know, I don't really pay-- it goes in the trash can.

**LOWE:** OK. So somebody else could acquire that?

**GEORGE BOLL:** Not, you know, not unless they're digging through the trash. And, and they, and they want it, you know.

**LOWE:** All right. Thank you.

**BREWER:** All right. Any other questions? Thank you for your testimony. All right. One more and then we're taking a break. Come on up.

**GEORGE MEIERS:** All right.

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**BREWER:** OK. Green sheet is handed in. Welcome to the Government Committee.

**GEORGE MEIERS:** All right. Thank you. First time ever doing this. My name's George Meiers, from Omaha, G-e-o-r-g-e M-e-i-e-r-s. So, thank you for hearing me in the committee. I know it's been a long day. Election integrity does bring us together. I think that there's a reason for that. I think if people thought things were fine, we probably wouldn't be here. Things would be good. So when I look at election stuff, you look at voter-- whether you have the qualified voters on the rolls, whether the qualified voters can get the ballots and whether they're tabulated correctly. So I am, for reasons previously stated, for LB675, I'm opposed. I don't think that it goes in the right direction for what we need to verify that the voters are the right people. LB228 and LB230, I do approve of. I think they're-- I'm a proponent of. I think it's a step in the right direction. I think that there's-- who knows what will come later, after some experience. So, counting at a precinct level is one of the things I, I, I think is a good idea. I think we need to have our own tea party and throw those machines in the Platte River, personally. You know, what they do, they scan the ballots, the images are interpreted and the results are published. You know, a lot of things happen that we're just not aware of. I have personally been in information technology, as a programmer, since 1985. That was kind of before the Internet. Many of you know that time. You know how difficult it is to determine whether a dot is in a box or circle or not? You have to tell the machine exactly what to look for. You know, a, a programmer, who speaks a different language, has to do that. So a human being with even my vision can tell in an instant, whether there is a dot filled in or not. So I suppose a high school kid could be trained to count ballots. A first grader could probably be trained to count ballots. Very simple, very good operation. So there's less speculation that the results that we see in our elections do not represent the votes. So quickly wrap up here. The votes, they're essentially counted. It'll only take a few people to interfere with the election process. At a precinct level, this would take a lot more people. You think it would lend to a more secure election. You know, and I, and I-- I'll just say 3 minutes goes pretty fast. So the-- in 1985, when I was working in computers, I guarantee you we had a way into these computers before

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the Internet. So when they say that these machines aren't connected to the Internet, doesn't mean they don't have a way in. If there's opportunities for people to nefariously mess with these things, there's a lot of reasons that they would want to do that. I think they can get in there and do things without us even knowing. As a programmer, as a database administrator by trade, I can tell you that things can be changed and nobody knows. And I'm out of time, so.

**BREWER:** All right. Thank you, George, for your testimony. Let's see if we have any questions. Questions. All right. All right. Take a look at the clock up there. It is 5 minutes after; at 15 minutes after we're back in our seats ready to go, Yes, please. Go ahead.

[BREAK]

**BREWER:** On down the line. Welcome to the Government Committee.

**JAMELL COLLINS:** Good evening. Dear Chairperson Brewer and committee members, my name is Jamell Collins, J-a-m-e-l-l C-o-l-l-i-n-s, and I am testifying in my personal capacity in opposition to LB230. I'm opposing LB230 for a few reasons. First, additional voter ID requirements are redundant and create financial obstacles to voting. When a Nebraska citizen registered to vote, the current voter registration rules already requires information from their driver's license, state ID or other valid documents. Since LB230 requires every Nebraska license to include an image of a flag, all Nebraska voters will need to obtain new licenses prior to voting in the next election, even those who have valid licenses and state IDs. Requiring eligible voters to obtain these new ID cards is an unnecessary, additional road-- roadblock that will suppress, disproportionately, voting and communities of color, rural counties and among the elderly. Although LB230 creates a process to vote provisionally, we should be concerned about the effectiveness of that strategy. I know personally about the struggles and pitfalls of trying to vote because I am an Air Force veteran. I have lived in a few different states and I understand, firsthand, both how important voting is and how rigid ID requirements risk excluding eligible voters. This bill may have been favorable, favorable to me as a military member, which accounts for less than 1 percent of the U.S. population. However, as a veteran, I am a part of the 99 percent of the U.S. citizens that-- or Nebraska citizens that

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would be affected by the LB230. The third reason I'm opposing LB230 is the intentional burden it will place on working class Nebraska citizens, requiring them to take a day off-- an additional day off work that's already in place with voting. They have to go to the DMV, which will be overwhelmed by everybody, even people with valid licenses, IDs having to obtain their new ID cards with the flags on it. They may lose out on money for that day that they desperately need to contribute to their families and I share the concern that other testifiers have mentioned about limited DMV capacity. And additionally, students will be affected and the elderly. Students have attendance, attendance requirements that they must meet each semester and if they already taking days off because of sickness, extenuating circumstances, they won't be able to tell administration, hey, I need another day. They will simply-- won't be able to take the final and will have to pay to take the course again. Nebraska's democracy is strongest when the voice of every eligible voter is heard on Election Day. We should not sacrifice that principle when there continues to be no evidence of voter fraud in Nebraska. For these reasons, I oppose LB230.

**BREWER:** All right. And again, just so we get on the record right, you are opposing on LB230 and you didn't have a green sheet or an opinion on the other bills? You were just focused on LB230?

**JAMELL COLLINS:** Yes, I was just focusing on that one, LB230.

**BREWER:** All right. That's what I needed to make sure of. OK. Any questions? Any questions? All right. Well, thank you for your testimony.

**JAMELL COLLINS:** Thank you.

**BREWER:** OK. Look at that. That people are just coming off in order, so it makes me all happy. Welcome to the Government Committee.

**NICK GRANDGENETT:** Thank you. Good afternoon. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm a staff attorney with Nebraska Appleseed, testifying in opposition to LB230 and in support of LB675. So we do support LB675 because of all the bills that have been introduced this session, it's the least

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restrictive. Today, I want to focus my comments on DMV access. DMV access is a critical consideration for the committee, because many of the ideas proposed by LB230 and LB535 can only be accessed through a DMV. LB675 is the only bill that navigates or states limited DMV infrastructure. So if you look at my testimony on the very last page of the graphic, I was hoping to just quickly talk us through. Of our state's 93 counties, only 11 host a DMV office that is open for more than three days per week. These are the green counties in your map. Forty-seven counties, which are colored dark red, have a satellite office that is open for 1-2 days per week. Finally, 35 counties host a DMV office that is open for less than one day per week. That means counties in the western and the southern part of the state, which are represented by the lightest shade of red, may only have access to a DMV, DMV for as little as ten days per year. In all of Nebraska's 93 counties, Adams County, which is highlighted in blue, is the only county with a DMV office that is open until 5 p.m.. Additionally, 61 counties close their DMV during the lunch hour. Please note that the included map only indicates the scheduled hours of operation. There are additional staffing shortages that cause additional closures, which further limit the accessibility of IDs. In Burt County, for example, their 7,000 residents can only get access to state issued ID on Tuesdays, in Tekamah, from 10 a.m. until 4 p.m. This February, staffing shortages cut that already limited capacity at-- in half. This March, there'll be similar shortages that will cause similar problems in Hamilton, Dodge, Phelps, Burt, Washington and Keith Counties. So LB675 navigates this limited infrastructure for three primary reasons. First, it includes a definition of a valid photo ID that is broader than the government-issued ID as contemplated by LB535 or LB230. These include employment IDs, university IDs and other IDs of similar quality. LB675 aids DMVs by statutorily guaranteeing additional staffing and hours of operation in the months that precede an election, particularly during evenings and weekends. And finally, it ensures that a qualifying voter ID can be created at a polling place on Election Day, or like Alabama has done, by creating mobile ID units that can go out to nursing facilities or rural counties. So for all of those reasons, we support LB675 and I'm happy to answer any questions.

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**BREWER:** All right. Thank you. And thanks for the map. There's nothing we've gotten so far that, that breaks this out. So that's good to see.

**NICK GRANDGENETT:** Sure.

**BREWER:** Although six of my 11 counties are the lightest-colored ones that are one day a week. But oh, well.

**NICK GRANDGENETT:** Sure.

**BREWER:** We gotta work through that. Now, do you know much about the Alabama mobile capability they have there?

**NICK GRANDGENETT:** So it's my understanding that it's like a "by request" type thing. So if they have rural counties or nursing facilities, they can work for the secretary of state's office to request the mobile ID unit and then they will go out to that location. And I have some additional information, too, I can share on that if you'd like.

**BREWER:** What I'm trying to figure out here is we're going to have to have the secretary of state's office and DMV woven pretty close together on this to make this work or else we're going to have some challenges. So that's, that's ultimately, kind of, one of the barriers we gotta to get by here. But, you know, there's, there's a requirement for both offices. One's going to need the other. But unfortunately, sometimes in state government, we tend to-- everybody works in a pillar and they don't tend to mesh and work very well. So that's part of what we're going to have to make sure and write in the legislation, I guess. But, all right. Any questions? Any questions? Oh, yes. Sorry. Senator Raybould.

**RAYBOULD:** Thank you. Mr. Grandgenett, for being here. Did Nebraska Appleseed have a position on vote by mail or anything like that?

**NICK GRANDGENETT:** So we, we wrote comments on LB228 and LB230 and submitted those online. So we do oppose those and we are very supportive of mail in voting. We think it, it improves election accessibility and ensures that everyone can participate in our democracy.

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**RAYBOULD:** OK. Thank you very much.

**NICK GRANDGENETT:** Sure.

**BREWER:** All right. Any additional questions? OK. Thanks for the testimony.

**NICK GRANDGENETT:** Thank you.

**BREWER:** OK. Next testifier. Welcome to the Government Committee.

**RICHARD JOST:** Thank you. I am Richard Jost from Bellevue, R-i-c-h-a-r-d J-o-s-t. We have been trying for decades to secure our elections. For example, Jimmy Carter and James Baker co-chaired the National Commission on Federal Election Reform back in 2005. Fifteen years later, when the 2020 general election was so completely and obviously stolen with 30 million, that's right, 30 million excess votes, patriots came to life and continued to fight. Today, I'm going to talk about counting ballots at the precinct level. And of note, I am a precinct inspector in Sarpy County and I fully recognize that there is a ton of work to be done on all these bills, as Senator Brewer suggested. I oppose LB675; I am for LB228 and for LB230. A year ago, during a hearing for LB1121, which was require inspection of vote counting devices under the Election Act, Senator John Lowe was asking Bob Evnen some questions about his testimony. In my opinion, he was rude, defensive and condescending to Senator Lowe. Senator Lowe was simply trying to get to how many voters were in each precinct, thus, how many ballots might need to be counted. The number 1,200 was thrown out, then 1,500 and then 1,700. And, and Bob tried to make that look like that was an impossible thing to be able to count. He went on to say that there were so many ballot types that he implied that only his \$14 million machines could handle this. Evnen went on to indicate that it didn't matter how the votes were counted as cheating was certain to occur, yet he says he can't find any fraud. He conjectured about this poor working single parent with two kids who could barely make ends meet but got this part time job to count votes in order, in order to buy some clothes for his kids. He was very concerned that she would, she or he, would take the \$1,000 bribe to transpose a couple of numbers. So if being paid is an issue and we get volunteers, well, forget that. He says the Zuckerbucks will flood us with volunteers to

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fraudulently count their votes. This is his argument to allow ES&S to do the counting versus we the people at the precinct level. He wants to save this poor single parent's honor. What about his honor? Instead of Evnen fighting, fighting us, why not have the Attorney General and the sheriff find out who it is that would pay that thousand dollar bribe, or which group would arrange to flood us with fraudulent vote counters? How about we spend some time going over all that and then none of this would be required. During that same hearing, Evnen heard the expert mathematician talk about 30,000 excess voter registrations and we have, and we have counties with actually more votes counted than citizens registered to vote. The data was derived from the Secretary of State website. I also attended an NEGOP meeting where Evnen said the 17,000 mail-in ballots were mailed but never returned. Who was mailing these ballots, ballots which, which weren't specifically requested and what happened to these ballots? Concerning LB230, I'm a precinct inspector in Sarpy County and look forward to seeing my neighbors come into my polling site and, and not trusting these drop boxes in post office, which both have critical issues. Voting ID and counting on Election Day, even if it takes until Easter, as Evnen suggested in his testimony, is OK with me, as fairness and accuracy are the only things that matter.

**BREWER:** All right. Thank you.

**RICHARD JOST:** You're welcome.

**BREWER:** Questions? Questions. All right. Thank you for your testimony.

**RICHARD JOST:** You're welcome.

**BREWER:** OK. Next testifier. We're getting all our green copies straightened up. Welcome to the Government Committee.

**WILLIAM FEELY:** Thank you, Chairman Brewer and members of the committee. Thank you for taking your time today and listening to each of our testimonies. It's been a long day for you, I'm sure. I want to talk-- I am in favor of LB228 and LB230. I am opposed to LB675. I'm not going to speak too much on LB230. I think there's been an appropriate--

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**BREWER:** Can, can we have you pronounce your name and then spell it?

**WILLIAM FEELY:** William Feely, first name W-i-l-l-i-a-m, last name F as in Frank, e-e-l-y. I am a noncompensated lobbyist for the NEGOP as the legislative director. However, I am here on my own accord and speaking for myself. So as I said, I will not touch too much on LB230. A lot have been said about that. I want to speak about to LB228, Election Day holiday and in-person voting. And I know that may change with the Election Day because of the cost, but in my thoughts and I know the 4th of July is a national holiday, but let's call it the state of Nebraska's Independence Day. Because as I see it, a country or a state without free and fair elections has either lost or never had its independence, despite those who have fought for it and continue to fight for our freedom. Just to go over a, a few things that have been said earlier about it being-- voting in person being time consuming, I can't find a way. No, I'm not going to say this is every, every occurrence, but the ones that truly can't get out are probably very, very minuscule. For the ones that are just stating that and maybe attend church every week, maybe go get groceries, maybe not by their own accord, but maybe somebody takes them; I think they need to have the same importance for their, for their voting. It's been said that Nebraska is the gold standard for the state-- for the country. I'm sorry, any state that has mail-in ballots is more like the central bank with fiat money, where the money isn't-- doesn't have any weight without the backing of voter integrity measures. And also speaking about the importance of voting, the time it takes: a long time ago, there was a man and his wife, nine months pregnant she was. They traveled for six or seven days. He walked and she rode a donkey. They were returning home for a census. You may know them, Joseph and Mary. Thank you.

**BREWER:** All right. Thank you. Let's see if we don't have questions. Questions. Senator Aguilar.

**AGUILAR:** Not a question. I want to say thank you for taking your hat off. That's very respectful.

**WILLIAM FEELY:** Thank you.

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**BREWER:** All right. Any other questions or comments? All right. Thank you for your testimony. Welcome to the Government Committee.

**GREGG KREMER:** Thank you, sir. My name is Gregg Kremer, G-r-e-g-g K-r-e-m-e-r, from Aurora. There's a story about Ben Franklin that after they got done putting the Constitution together, a lady stopped him on the sidewalk and said, sir, what kind of a government do we have? And he said, it's a republic, ma'am, if you can keep it. And that's kind of been what I've been thinking about a little bit the last several years, because it seems like, since about 2016, we've been losing, as Americans, faith in our institutions and at a very rapid pace. And I think that might have been the kind of thing he was talking about. And everybody's talking about 2020, but if you might recall, 2016, the other side was claiming that the election was stolen. So we've got 12 years now of half the country, one half or the other, thinking that the election was stolen. And I just don't believe that we can sustain a country like that and we have to do something about it. And we had the election commissioners here today, and they don't like the LB228 or LB230. They, they want status quo. And I think it was Evnen that's been calling the election, Nebraska's elections, the gold standard. But what they're missing is, is that the-- if the citizens don't trust our voting system, how can it be the gold standard? Nationally, a CNN poll in 2022, 56 percent of Americans have little or no confidence: 74 percent Republican, 59 percent Independent, 32 (percent) Democrat. And if you would have done that prior to 2020, it would have probably been flipped. Nebraska's primary election, our, our incumbent Secretary of State, Bob Evnen, was running against two guys that had no name and no money. The only thing they had, they was running on election integrity, period. He got 44 percent of the vote, Evnen. He got beat. He got beat bad. Nebraska-- the people of Nebraska want an-- need an election-- want and need an election that we can trust. So in Hamilton County, a few of us got together last summer. You know what? We, we kind of feel helpless. We see our country going downhill and what can we do? And so, we came up with the idea to have a petition that we would turn in. And I'll read it to you. It says, we are current-- whereas our current election systems lack transparency, causing our citizens to question the accuracy of our election results, which divides the country. And whereas election integrity supersedes voter turnout and ease of

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voting, we, the undersigned residents of Hamilton County, respectfully demand the Hamilton County Clerk Elections Commissioner--

**BREWER:** Go ahead and finish up.

**GREGG KREMER:** --discontinue the usage of election tabulating machines and return to hand-counting ballots, discontinue all mail-in precincts, and return to in-person voting at polling sites. And we, we got 675 signatures. And it took a lot of time because that's a lot of conversations. I mean, there's 5,000 voters in Hamilton County, and we used to have time to get them all, but-- so.

**BREWER:** All right. Any questions for Gregg? All right. Thank you for your testimony.

**GREGG KREMER:** Thank you.

**BREWER:** Now, I've got a note here to remind everybody that if you're speaking on three, as far as your position, that you should have three green sheets. So just remember when you come up. If you don't, you're wrong and then it causes problems here. So if you need a green sheet, the captain's got them there. Come on up. You're next. All right. Welcome to the Government Committee.

**STEVEN JESSEN:** Thank you. Senator Brewer, Committee, my name is Steve Jessen, S-t-e-v-e J-e-s-s-e-n, and I'm from Norfolk, Nebraska. I got to tell you, I've been listening all day, so I ain't going to repeat anything to you, so. But here is my take on this. Just so you know, I have-- I got into politics or basically, got woken up and started coming to the Capitol here, first time in 2021, in regards to convention of states. And I spent a lot of time on the road lobbying or whatever you want to call what I do. I'm a-- strictly a volunteer. I don't get paid for nothing. OK. But from one state-- end of the state to the other, voter ID, same thing, from one end of the state to the other. And I'm currently working on another petition initiative for Epic Option. And I can tell you that this is not a small thing to Nebraskans. This is very important. And voter ID was very important and it passed overwhelmingly. And they're not going to accept for anything less than voter-- photo ID, period. That's it. So what I'm recommending and I would encourage you as a Government Committee, to

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make LB230 the priority bill and then add LB228, Erdman's election holiday. I understand that, that it can be amended, counting at the precincts and all those type of things. Also, Senator Holdcroft's, Holdcroft's LB457, Halloran's LB808. With all, all four of those bills, you put them together and, and, and create a bill that will meet the needs of the Nebraskans.

**BREWER:** OK. So you-- on your green sheet, did you do one on LB675 or just on two--

**STEVEN JESSEN:** I did and I oppose LB675--

**BREWER:** OK.

**STEVEN JESSEN:** --because it's, it's not a photo ID bill.

**BREWER:** And support on LB228 and LB230.

**STEVEN JESSEN:** Yes, sir.

**BREWER:** All right. Just making sure we get that on the record. All right. Any questions for Steve? All right. Thanks for--

**STEVEN JESSEN:** Yep.

**BREWER:** --hanging in all day and sharing with us.

**STEVEN JESSEN:** I'll see you again.

**BREWER:** All right. OK. We're done with the front row, so we can wrap back around and start back over here. Welcome to the-- I'm telling you--

**CARISSA CHRISTENSEN:** Thank you. My first time here and it's very long.

**BREWER:** Well--

**CARISSA CHRISTENSEN:** But thank you for, you know, opening the Capitol to us and letting us do all this.

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**BREWER:** No, no. Thanks for coming and welcome to the Government Committee.

**CARISSA CHRISTENSEN:** Yeah, we even took a bus and here we go. I am Carissa Christensen, C-a-r-i-s-s-a Christensen, C-h-r-i-s-t-e-n-s-e-n. I'm just a mom and I've got-- I just wanted to-- out of all the things that have been said, I'm for the voter ID, you know, LB228 and is it LB230-- only because it kind of surprised me. 2020, we moved our house in 2019, in Knox County, and then 2020, I get ballots in the mail. First of all, we were not-- I found out later after talking to my neighbors, Knox County was not agreeing. They didn't, they didn't tell the commissioner, hey, we want to be on mail-in ballots. Yeah. And so, not happy about the mail-in ballots. And I'll do some more talking to our-- Joanne Fischer's our representative [SIC]. She's really nice, but she basically said, well, you know that-- we're such a small county and we just-- we don't have enough workers. Well, that's not true. I mean, so. There's a couple in my family that would work, you know, especially if we made it a holiday where like, my husband didn't have to go to work or something, you know. And so, but anyway, I had a little, I had a little shock, too, even when I registered Zachary [PHONETIC], he's 18. Some-- my son, I said, OK, you know, let's get you going on this. And I said, what do we have to do? Come to find out [INAUDIBLE] I could get his ID and send it to them, or I could send in a piece of mail. What is that? It didn't-- it kind of surprised me. I'm like, oh, so he could vote on mail, you know, with a piece of mail. I mean-- it kind of-- I didn't, I didn't like that. So that kind of-- but it didn't deter my son. He's, he's a voter now. So I have him and, and my 16-year-old's here today and getting him involved and just saying, yeah, we need to take care of these important issues. Like I said, there was a lot of good things thrown around today. Don't have any real good ideas for mail-in ballots, other than, you know, I would request a ballot. I'm the requester, say, OK, I want a mail-in ballot. Maybe I have to show an ID or I have to go down there sometime in that-- you know, you got a several year time frame where you can-- and have an ID on file maybe. But there should be some accountability that says, you know, I requested a ballot. I get it. I bring it back, you know or mail it back. But like right now we're on the mail-in ballots and it's 38 miles to my county seats for me to have to-- I don't want to mail my ballot back. I don't want to not have control of my ballot.

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That's not-- I want to have that ballot in my hand and put it in myself. And right now, they're kind of taking that away from us. So yet, I go down, I drive the 38 miles, one way, down to my county seat and say you know, here's my ballot. But I would like to get off of that mail-- you know, unrequested, unsolicited mail-in ballots. You know, if, if you request it and you have a reasoning, that's fine, you know. But just to blanket and just-- that's not-- I don't like that. So anyway, I'm for both of those bills and I, you know, don't envy your jobs. Have fun with it. Good luck.

**BREWER:** All right. Thank you. Did you do a green sheet on LB675?

**CARISSA CHRISTENSEN:** No.

**BREWER:** OK. So LB228 and LB230--

**CARISSA CHRISTENSEN:** Yeah.

**BREWER:** --and you're a proponent.

**CARISSA CHRISTENSEN:** Yeah.

**BREWER:** Gotcha. OK. And your county seat is where?

**CARISSA CHRISTENSEN:** We're Knox County.

**BREWER:** Where is it? Where is the county seat for Knox?

**CARISSA CHRISTENSEN:** What?

**BREWER:** What-- where was the county seat for Knox?

**CARISSA CHRISTENSEN:** Oh, Center. Is that what you're asking? Where, where is it at?

**BREWER:** Is that where it's-- Center?

**CARISSA CHRISTENSEN:** It's in Center. Yeah. So we're up in the top corner. We're In Crofton and it's 38 miles to get down to Center. So it's, it's a little bit of a drive the-- one way to make sure, but I want to keep control of my ballot. That's my big thing. I want that in my hand, for me, just to have that. I don't want to mail it because

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for our mailing, we have to-- it goes to Omaha. Our mail goes to Omaha and then comes back up. So we can't even mail to Crofton without it going to Omaha and come back to Crofton. I had to-- our, our mail lady get after me. She's like, no, I can't, I can't just put it in a box. I'm like, so we can't mail-- nope. It has to go to Omaha and bounce back. So.

**BREWER:** Just for the record, we do not control the mail in Nebraska.

**CARISSA CHRISTENSEN:** No. So that's why I don't want to--

**BREWER:** OK.

**CARISSA CHRISTENSEN:** --that's why I don't want to lose track of it.

**BREWER:** Any, any questions? OK. No questions. Thank you for your testimony and we'll keep moving down the line. Welcome to the Government Committee.

**PEGGY HOFFMANN:** Well, I thank you. My name is Peggy Hoffmann. I live in Norfolk, Nebraska. My name is spelled P-e-g-g-y H-o-f-f-m-a-n-n. I was listening to some of our naturalized citizens who were here today and it reminded me of my mother, who was also a naturalized citizen. She was born in United Socialist States of Russia, in the Ukraine area. And they came to the United States-- well, not to the United States first. They had to stay in Mexico. They came here when she was two. They left Mexico when she was six because there weren't enough visas to get them into the United States. They had to have a sponsor. They had to have a place to live. My grandfather had to have a job. And so, I learned at the knee of my mother what socialism and communism is. And we were taught those lessons on end. My grandmother was in a wheelchair. She had rheumatoid arthritis. So when they came from Mexico, she was directly affected by the weather. My uncle, my mother's oldest brother, served in World War II in Normandy. He died on D-Day from his injuries. And he was not yet an American citizen, but he became one posthumously. So we're very proud of our family history. Glad to be here. But I want you to know, I think my mother is rolling over in her grave. I think the way our country has gone, it's not the way she taught us that America would be. They were proud to be here and they became American as quickly as they could, to fit in and

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be a part of the fabric of America. Now, my personal experience with mail-in ballots, if any of you ever look up the plus-4 zip code on the USPS post-- postal USPS dot com. I got a ballot with someone else's name, came to my box and you can look this up yourself, on the USPS.com. 510 Andy's, A-n-d-y-'-s, Lake Road, Norfolk, Nebraska. The first-five zip code is 68701. Put that in the USPS.com website, the zip code finder, you won't find that address. But it showed up in my mailbox. And so, I took it to our county clerk because we had just had a meeting about mail-in ballots. I took it to her and told her, this is, this is-- this address doesn't exist. And she said, well, we checked that against the DMV. It's got to be right. I said, well, it's not right, so her DMV must not be right either.

**BREWER:** OK. Well, we have to hold you up there. We have concerns in that the DMV is going to be a very big part of this process of getting IDs. So I guess I'm finding that a little bit troubling that the DMV and the U.S. mail somehow now having a-- yes, Senator Lowe.

**LOWE:** Thank you, Senator Brewer. And because I also live at an address that is not listed, could you finish your story?

**PEGGY HOFFMANN:** OK. Well, I took, I took the ballot back to the county clerk and told her, of course, that that address doesn't exist but somehow, it ended up in my mailbox. And she said, well, it can't be because we check it against the DMV. And I said, well, you need to check the DMV. Either that or someone's ordered the ballot for her and didn't know her address or she should know her own address. So I don't know. But had I not taken it back, if I had wanted to be unscrupulous, I certainly could have used it or I could have thrown it away and disenfranchised that voter. So mail-in ballots cause a lot of problems and how much fraud are we willing to withstand? A little bit? I mean, I would prefer we have no fraud. Now, I don't like the fact that ES&S ends up getting that's corporate control of our ballots. I don't like them counting it. I don't like them tabulating, I don't like any, any part of that. And I'm all for hand-counting. And as far as IDs are concerned, whatever happened to those fun photo booths that everybody used to go to at the dime store or the, the wedding receptions? You know, when they come to vote, take their picture. It's all done right there.

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**BREWER:** All right. Any other questions? OK. Thank you for your testimony. Next testifier. Welcome to the Government Committee.

**KAMI RILEY:** Thank you. I'm Kami Riley, K-a-m-i R-i-l-e-y, and I'm from Norfolk. And I had sent you my testimony, already, yesterday so you maybe have seen it, maybe not. But I'm going to go off of that a little bit. I'm a past small business owner and currently, a grandmother of 10 and I live in Norfolk. Two years ago, I never would have imagined I'd be going to Lincoln, sometimes twice a week to testify in front of senators. But what I realized is someone has to do it. And I have the time to do this in my life right now. So just know that I and all the other people here today, are speaking for all of those people at home that don't have the time to do this. I know there's a lot of smart people here today that have spoke. And I've heard from a lot of the people that were working in the position of the county clerks or, or whichever government position they were in. Talking about the gold standard, I think we need to be a little less proud. Pride can be good, but pride can be also very self-destructive. Maybe we need to humble ourselves, acknowledge things aren't the same as they once were. Maybe we do have problems in our elections. We heard today about Knox County Clerk being under the thumb of the Secretary of State. I can tell you that that has been a common feeling from people around-- in different counties throughout the state. Maybe it's time that you guys start asking all the Nebraska county clerks some serious questions. Why are they refusing to count, hand-count, ballots? We were at a case in Madison County and we went to watch a recount. There was a five-vote difference. So it's a very, very close race. I guess we were naive because we assumed that when we got to the recount that they'd probably hand-count. I mean, it's a close race. I, I guess I just thought the best way to find out is to hand count it. We questioned the clerk after they started using the machines. We realized they were going to use the machines. And, and she said, no, we, we can't hand-count. So we were kind of scrambling like, why? And she said it was against the rules. I don't know what rule that is right now. I don't have it with me. But we kind of-- we looked it up and we read it and it was, it was confusing, but we didn't believe that it said that you could not hand count those ballots. Something isn't right in our county clerk's offices in Nebraska. And I believe, as I think many here today do, that someone needs to be looking into

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this. I also was aware of-- I was born and raised in Boone County and I know they went to all mail-in ballots, because I have family there. I know that when they went to mail-in ballots, they asked their county clerk why? The poll workers were there going, hey, we're willing to do this. You know, we've done this forever. Let's keep going. And they were told the same thing as we've heard today. We don't have the people.

**BREWER:** OK. Thank you for your testimony. And, and I, I did start to look on your letter, but understand that between the three bills, we've got 577 letters. So trying to get to them sometimes is--

**KAMI RILEY:** Fine.

**BREWER:** --especially before the hearing. A little bit of a challenge. All right. Are there any questions for Kami? All right. Thank you for your testimony.

**KAMI RILEY:** Thank you.

**BREWER:** OK. Gradually checking them off here. Welcome to the Government Committee.

**RICH RILEY:** Thanks for having me. Hello, Senators. I'm Rich Riley, R-i-c-h R-i-l-e-y, from Norfolk, Nebraska, and I oppose LB675 and I'm a proponent for LB228 and LB230. I don't have a lot to say about any of it. I do know that I am a small business owner and I have two businesses in Nebraska and one in Iowa. And I'm trying to think of how it works, but I know in the state of Iowa I have to make time for my employees to go vote on voting day and I think it's a set amount of hours that they have to be allowed to go. So basically, I get to choose, but they have so many hours. So, example, they work an eight-hour shift, four of those hours they have-- so that day they only get to work four hours. Anyway, I don't remember exactly how it works, but now my general manager takes care of all that so I don't have to worry about it. But I just think that's something that, that you know, the voting holiday, that's-- to, to make voter integrity that much better. That's, that's something we really need to look at. As for photo IDs, you know what? I'm an employer. In order for me to hire somebody, I have to have photo ID to verify who they are. Can't

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just take their word. You know, the IRS requires it. Everybody requires it. So-- and then, like you, Senator Brewer, my mother's in a, in a nursing facility. And I-- it's not easy getting the elderly into a nursing facility with all the information that you have to get them. They want to know who this person is before they even get in there. They take pictures. Every time I take my mom to the doctor, there's a folder with her picture and all of her information on there. I think that's a simple solve. It's already done at the nursing home or the assisted living because she went from assisted to nursing home. It's, it's very simple. As for how, how they vote, well, I would drive my mom to drop her ballot off at the ballot box, but that's just what a son does. That's all I got.

**BREWER:** OK. On--

**RICH RILEY:** Thanks for having me.

**BREWER:** On your employment side of the house, if you hire someone, do you have to do E-Verify or is that not a requirement?

**RICH RILEY:** We do E-Verify, yes.

**BREWER:** OK. Senator Halloran, you had a question?

**HALLORAN:** Yeah. Thank you, Chairman. So as an employer, you're doing a really, very generous thing in letting your employees have a four-hour window, what have you, right, for voting. But is that--

**RICH RILEY:** It's not really a choice in Iowa.

**HALLORAN:** Oh, you're, you're talking in Iowa?

**RICH RILEY:** For our business in Iowa.

**HALLORAN:** OK. So they have a

**RICH RILEY:** That's, that's a requirement in the-- from the state of Iowa. And I remember the hours that it is. There's so many hours during the voting day that they have--

**HALLORAN:** OK.

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**RICH RILEY:** --they have to be allowed to be able to go vote.

**HALLORAN:** So it's not a-- in Iowa, it's not a full-day holiday for [INAUDIBLE].

**RICH RILEY:** Exactly. It's--

**HALLORAN:** But it is--

**RICH RILEY:** --so, so like-- I, I own restaurants. So--

**HALLORAN:** --God bless you.

**RICH RILEY:** Yeah, you have, you have a, a four-hour shift. If somebody comes in and works that day, they work the morning shift or the, the lunch shift. They go vote after that or vice versa. You know, it's still up to the individual to go vote, same as it is everywhere else.

**HALLORAN:** But that's in statute in Iowa.

**RICH RILEY:** Yes. And I don't remember what it is, to be honest. I honestly don't know.

**HALLORAN:** And--

**CONRAD:** There's, there's a Nebraska statute, isn't there? Sorry.

**BREWER:** Do you have to pay them while they're going to vote?

**RICH RILEY:** No.

**BREWER:** OK.

**RICH RILEY:** It's just all for-- it's scheduling for us. I mean, that's, that's all we do. We schedule and make sure that they're-- oops. Excuse me.

**BREWER:** All right. Any more questions? Yes, Senator Lowe.

**LOWE:** Thank you. And so, do you overstaff on Election Day then?

**RICH RILEY:** Not really

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**LOWE:** To kind of cover? You just--

**RICH RILEY:** No. You, you just have your, your day staff and your-- most of the people that work in the evening are kids, so they don't vote anyway. So we're kind of blessed in that aspect of it. But--

**LOWE:** What, what kind of restaurant is it?

**RICH RILEY:** Culver's.

**LOWE:** OK.

**BREWER:** All right. Any other questions?

**CONRAD:** Thank you, Chairman Brewer, and thanks for being here. Just wanted to note for the record, there is a Nebraska statute that applies equally and it sounds like the contours are a little bit different, maybe, than what they have in Iowa, but I think it's 32-922. And it basically just says if you don't have 2 hours consecutively off on E day that you have to be let off to go vote.

**RICH RILEY:** Yeah, I don't remember what the hours are, to be honest.

**CONRAD:** Yeah. Yeah. Yeah, it comes up-- I remember it's come up before some time for like, teachers. And they had conferences scheduled one night on Election Day. And so, it was kind of a confusing thing in Lincoln a couple of years ago but, appreciate it.

**RICH RILEY:** You bet.

**BREWER:** All right. Any other questions? All right Rich, thank you for testifying.

**RICH RILEY:** Thanks for everything you guys do.

**BREWER:** OK. Next testifier. Welcome to the Government Committee.

**SHIRLEY NIEMEYER:** Thank you. Honorable Senators, I oppose LB675, LB228 and LB230. But I do think LB675 is better than LB228 or LB230. I do not believe we need to take added measures to make voting more difficult.

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**BREWER:** Can we get your, can we get your name and the spelling?

**SHIRLEY NIEMEYER:** Oh, I'm sorry. Shirley Niemeyer, S-h-i-r-l-e-y N-i-e-m-e-y-e-r.

**BREWER:** Gotcha. Thank you.

**SHIRLEY NIEMEYER:** LB675, LB228 and LB230 appear to be addressing an issue of voter fraud that's not as-- not happening as much has been portrayed here, I, I don't think. Now I served as a voting-- in the voting and helping with the voting. What does research tell us about U.S. voting fraud? A sizable body of research on voting fraud has been conducted over the past two decades. The vast majority of studies concluded that voter fraud is rare. A-- the Brenner [SIC] Center for Justice at New York University, they investigated voter fraud at-- looking at newspaper stories. The author finds the fraud is much smaller than originally believed and mostly due to clerical or technical error. And these are some examples. You can read about Michigan; the secretary of state launched an investigation and found that the dead voters actually used absentee ballots. Of the thirty-- 132 problematic votes, 97 of the votes were never cast and 27 people voted by absentee ballots before they passed away. So some of this might be connected with the clerk and what they have for records. Columbia University, impersonation rates were between 0.0003 percent and .0025 percent. And it turned out to be related mostly to clerical errors, poor data-matching practices and voter error. In Georgia, in 2020, a former president personally interceded with the secretary of state to find more ballots for him. Three recounts that they did and one by hand revealed no major changes or any proof of widespread-- they found four out of millions of votes. Texas, same thing. Arizona, similar. Harvard University, study after study has shown voter fraud is incredibly rare. And they did a comprehensive between 2000 and 2014 and found 31 credible incidents. So I think it's an issue, but if people want to cheat, they're going to do it voting in person, too, by faking the driver's license, which is possible with our technology and colored printers. And, and if you don't look closely, you're not going to be able to tell that that driver's license had been faked. I do have some ideas of how you address the issue of mail-in ballots with--

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excuse me, with ways to secure that. If you want to ask me that question.

**BREWER:** All right. Again, I'm just trying to keep everything straight on the record. You are in support of LB675 or in opposition?

**SHIRLEY NIEMEYER:** You know, I think 65-- LB675 is the best of the three bills. I am opposed, definitely, to LB228 and LB230, because it restricts, so much, some people's ability to vote. And it--

**BREWER:** So if I was to look at what you wrote on the green slip, what would you have written on the green slip for six--

**SHIRLEY NIEMEYER:** I put opposed, I think.

**BREWER:** --OK. I just need to make everything match up.

**SHIRLEY NIEMEYER:** Yeah.

**BREWER:** But I understand.

**SHIRLEY NIEMEYER:** Yeah.

**BREWER:** OK. Questions? Yes, Senator Raybould.

**RAYBOULD:** You said you have some ideas or solutions for vote-by-mail?

**SHIRLEY NIEMEYER:** Thank you. Thank you. Yes. A form that goes along with the ballot and that form verifies this person is-- they have to sign it. And they have to either have somebody else sign, like a notary public who stamps it or maybe, the police or somebody that you designate is somebody that can say this person is who they are. And I think that's possible in every county. The most difficult would be Douglas and, you know, with large populations. I think the other way you could do it is one-to-one, where, you know, we can do Zoom. I could verify that Senator Hunt is who she is, showing me the ballot or whatever, by looking at her and then submit that picture with the ballot. And that would be separate from the ballot. But Zoom would work, too. We have so much technology, and I just think it's such a hindrance for some people, especially the low income, those in poverty, 12-hour workers like the nurses. It's, it's difficult. And I

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don't think we want to take-- 50 percent of Douglas County, 40/50, are voting by mail. That's a lot of people. And I think that would hinder them from voting. And I, I think somebody is going to cheat. They're going to cheat no matter what. But I just don't think it's to the point where we think it is, because the media's hyped it so much and people, people believe what's in the media.

**BREWER:** OK. Any additional questions? All right. Thank you for your testimony.

**SHIRLEY NIEMEYER:** Thank you for serving.

**JOHN BRAISTED:** Good afternoon.

**BREWER:** Good afternoon. Welcome to the Government Committee.

**JOHN BRAISTED:** Thank you, Senator Brewer. My name is John Braisted. I'm a resident of Lincoln, Nebraska. That's J-o-h-n B-r-a-i-s-t-e-d. I am coming today, I've been a voter since two-- 1972. And I've been an election board worker in Lancaster County since 1994. So I've completed 29 years of service, four as judge and the remainder of 25 years as an inspector. I do not support LB228 or LB230. I have taken no position on LB675. I believe that the two bills that I am discussing are not good as written. There could be many improvements made. As a board worker, I have to be up and at the polling place by 7 a.m., set up the polling place, have it ready to go by 8, work until the last voter has finished voting, no matter what the time. If they're in line at 8:00, the last person in line gets to vote. So if that's 8:10, 8:15, 8:30, that's what it is. Then we have to tear it down, return the ballots. One speaker today made the comment that provisional ballots were placed into the ballot return box and made it sound like that was an issue. As an inspector, there are three types of ballots that go into the ballot box, the ballot return box, hand-voted ballots, the ballots that are completed by the electronic voting machine, I call it the electronic pencil. The third are provisional ballots. Provisional ballots are very conspicuous because they're in a brown envelope. They're not hard to catch. The pencil ballots are a different size, so they're not hard to get. The one other thing, we do have a ballot and an ID card that works very well in this state. It's called the Nebraska driver's license. Several

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years ago, there was a federal act that said you have to prove, with a birth certificate, something, in order to get this little gold star up in the corner that means you are a U.S. citizen. If your license contains that star, you are a U.S. citizen. This card should be valid for voter ID. We don't need a separate card. We've got one. Handicapped voter ID-- handicapped ID cards, same way. Same card. So it's a simple process. We don't need to create a new wheel. Thank you.

**BREWER:** Thank you. All right. Questions? Senator Lowe.

**LOWE:** Thank you. And thank you, Mr. Braisted, for being here.

**JOHN BRAISTED:** Thank you.

**LOWE:** Is working at the polling place one of the most glorious things you've ever done to see the people come in?

**JOHN BRAISTED:** It is. And it's very refreshing when I see someone who is 18-years-old come in and vote for the very first time. I am also very impressed when voters come in with a sample ballot already filled out that they can take to the booth. They're in and out in record time. That said, election days get long. If, if I were to be faced with the prospect of sitting and assisting and counting four, five, 600 ballots-- and this coming election will probably have two ballot pages: front side, back side. We've had as many as four pages. That's two sheets of paper with voting on both sides. I already put in a 13-14 hour day. How accurate are we going to be putting in time to count those many sheets of paper in that many contests? I would be concerned about the accuracy of that count because I got to get sleep.

**LOWE:** Thank you very much.

**JOHN BRAISTED:** Thank you.

**BREWER:** All right. Any additional questions?

**CONRAD:** Thank you.

**BREWER:** All right. Thank you, John.

**EVELYN SPRINGER:** OK, I'm here. Where is it at? OK. That works.

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**BREWER:** Welcome to the Government Committee.

**EVELYN SPRINGER:** Well, let's put it this way. It's a committee. I used to work for the state in Nebraska for 52 years. I've been retired since July of '21. So it's-- I know about public service. The reason I'm here is everybody keeps whining about the ID part of things.

**BREWER:** Ma'am, can we have you go ahead and pronounce your name and spell it, please?

**EVELYN SPRINGER:** OK. My name is Evelyn, E-v-e-l-y-n S-p-r-i-n-g-e-r, and that is Springer. OK. But everyone is whining about this idea of the ID. I don't know of a place that I go that I don't get an ID for something. I have an ID for my present guide dog who isn't here because you would have heard opinions out of her, a lot. And I don't know that I could have interpreted them. But anyway, it's-- if it's this simple to put an ID card together, anyone and I don't care how disabled they're-- they are, at least in Lancaster County, there is a van service that can take people with a wheelchair. There is cab service that they can get reduced rates, because there are cards they can get from a couple of organizations. So getting an ID isn't a problem and I'm all in favor of IDs. As a matter of fact, I'm very especially proud of this one, because people don't necessarily want a dog in their business. They don't have a choice. The law is on the back for the state of Nebraska. But anyone who thinks that there isn't a way for them to get an ID, there is transportation. Oh, and if people in nursing homes would like to vote, most nursing homes have a van that they would take them to get an ID card. So there are solutions to this. It's a matter of what you've learned over the years or the context you may have. And as far as I had-- did not give any opinion on, necessarily, the bills. I have indifference on LB675. And the other two could use some good tweaking before you do anything with them. And that's all I have.

**BREWER:** OK, Evelyn. Before you go, let me, let me double check. On, on the three bills, then, as far as your, your green slip, were you opposition, neutral or proponent on?

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**EVELYN SPRINGER:** I'm basically neutral. I just think you need to fix a thing or two--

**BREWER:** OK.

**EVELYN SPRINGER:** --on some of them. And you would think as a, as a so-called disability person, that I'd be jumping up and down wanting LB675, but my point is this: if you want something badly enough, there's a solution to get it. And so, I'm a firm believer that if it's important for someone to vote, they'll find a way to get the ID so that if they need to do the absentee or whatever, if there's a provision for that for them, that is fine. But even we do absentee in order-- so that I get to vote and I feel secure, I don't have a stranger doing-- helping me with my ballot. And I don't like that machine that's at the election office. It drives my ears nuts. But anyway, if that were to be the case-- we always take ours down and put them in the box at the election office. So-- because I don't trust the U.S. mail that far. I don't care if they lose it and I have to get another one, but I'm-- once I fill it out, it's going to get it to the election office. And where there's a will, there's a way. And however you need to tweak bills or whatever you do with them, just know that they're not perfect. You guys know that. But I don't care either way. However you do that, I'll find a solution to get what I want.

**BREWER:** All righty. Well, thank you for your testimony.

**EVELYN SPRINGER:** And I think my shirt tells you.

**BREWER:** All right.

**LOWE:** Just a second here.

**BREWER:** Senator Lowe has a question.

**LOWE:** Thank you. Evelyn--

**EVELYN SPRINGER:** Yes.

**LOWE:** --Miss, Miss Springer. Evelyn.

**EVELYN SPRINGER:** Yep.

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**LOWE:** What department did you work for in the state?

**EVELYN SPRINGER:** OK. I originally started out in '69 with Department of Revenue. And in '73, I was sold to Administrative Services.

**LOWE:** OK. You're--

**EVELYN SPRINGER:** I had no choice. They, they combined the two agencies.

**LOWE:** --you're pretty plain speaking and I appreciate that. Thank you very much for testifying.

**EVELYN SPRINGER:** You bet.

**BREWER:** All right. Welcome to the Government Committee.

**ADELLE BURK:** Hello, Chairperson Brewer and members of the committee. My name is Adelle Burk. That's A-d-e-l-l-e B-u-r-k, and I am senior manager of public affairs for Planned Parenthood Advocates of Nebraska. I am testifying today in support of LB675 and opposition to LB228 and LB230. As the advocacy and political arm of Planned Parenthood North Central States in Nebraska, our 501(c)(4) organization mobilizes supporters of all parties to protect, promote and expand access to sexual and reproductive healthcare and fact-based, medically accurate sexuality education. We do our work in the community under the dome and at the ballot box. At PPAN, we know that without a voice in our democracy, we lack full freedom over our bodies and our futures. Unfortunately, our democracy and democratic norms that help give us that freedom, including accessibility to the ballot box, are under unprecedented threat, due to political pressures that seek to disenfranchise voters across our state and our country. In light of these attacks, PPAN opposes LB228 and LB230. In the 2022 general election, over 209,000 Nebraskans voted early, which breaks all previous records for early voting in midterm elections. And the majority of those voters used our simple vote-by-mail system to cast their ballots. Voters appreciate the flexibility, convenience and accessibility of the vote-by-mail system which LB228 and LB230 seeks to remove. Eliminating access to vote-by-mail affects the people who are already the most disenfranchised in our community, as including low-income people who may face logistical barriers to transportation

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or have difficulty taking off work hours to vote in person. Additionally, as we've heard, rural Nebraskans utilize vote-by-mail to ensure their votes-- voices are heard in our elections, despite geographic barriers. We should all have an interest in ensuring that Nebraskans can have their voices heard at the ballot box. By placing unnecessary restrictions on voting by mail, state senators are trying to solve a problem that doesn't exist, confuse voters and reduce the number of Nebraskans who can fully participate in our democracy. Finally, PPAN supports LB675, which strikes the right balance of protecting Nebraskans fundamental right to vote, while enacting voter ID requirements. LB675 provides the number of reasonable, common-sense accommodations for Nebraska voters, including a variety of qualifying ID types and expanded access to polling sites. And for those reasons, we urge the committee to support LB675 and oppose LB228 and LB230. And I can take any questions.

**BREWER:** All right. Thank you. See if we have questions for you. Questions right. Questions left. All right. Thank you for your testimony.

**ADELLE BURK:** Thank you.

**BREWER:** All right. Next testifier. Welcome to the Government Committee.

**STEVE DAVIES:** Thank you, Senator Brewer and Senators on the committee. My name is Steve Davies, S-t-e-v-e D-a-v-i-e-s, and my green sheets say I support LB228 and LB230 and oppose LB675. And I, I will try to summarize here because a lot of what I wanted to say has already been said, but LB675 is not strict enough on proving who the person is before they vote or, or get the idea-- ID. Like it doesn't require an ID to get an early ballot. And, and allowed IDs do not require a name or address match or a signature. So I, I think that obfuscates the voter ID idea. I did kind of like state holiday. That's a bold move. And I understand costs may prevent us to do it, but it's something that we can think about. We talk about costs. What's the cost of ES&S? Sixty-six million, If I remember right. I should have looked it up and written it down. But that costs the state a lot of money for those machines. So I do support LB228 and LB230. I, I like the idea of-- for those that need just a voter ID that it be at no cost. But if you can

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imagine how many people have driven a car, opened a bank account, stayed at a hotel or bought cigarette or tobacco in the last year or two, that makes it not a macro problem. It is significant micro problem. And-- but we can solve that. We can get IDs for those older people that no longer have it. But otherwise, there's as much of the population doesn't have it. I want to cover a couple of other things that, that have been talked about today. The biostatistician, statistician talked about fraud probability. I'm aware of one of the data sets that he talked about. I will get that and email it to you. It's all counties in Nebraska. It occurred on vote percentage by age. You could line those-- all those county curves up and there's not a change. The statistical probability of that happening is almost nil. So I'll, I'll send that data set to you. Also, about voting machines, there were some citizens this fall that were able to pick up a modem ping on their phone at the voting booth. I do have-- I, I am a county chair. I do find election judges and I've had several tell me they would like to hand-count. And I think if we want secure elections, there's where we go. Thank you, Senators.

**BREWER:** All right. Thank you. Let's real quick see if we have any questions. Questions.

**CONRAD:** Thank you.

**BREWER:** All right. Thank you for your testimony. Next, testifier, please. Welcome to the Government Committee.

**MARLIYN GOURE:** Thank you. Thank you for letting us stay and thank you for staying. My name is Marilyn Goure, that's M-a-r-i-l-y-n G-o-u-r-e. I am from Omaha, Nebraska. I'm in District 4. I am here for myself and my family. I'm not paid to be here. And this is probably the only bill I'm going to be able to be here for this year because this is more important to me, because if you don't have accurate, valid elections, it doesn't matter what every other bill gets passed. Because we need to act to make sure that our elections are correct. I was a vote-- a poll worker in 2020 and in 2022, and I will volunteer to be a poll worker, again, that counts, that hand-counts the ballots. All I think we need is just two more people, two people from different parties, just like we have now, for each position. We rotate them throughout the day, just like we do now. And we count-- and with those two

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positions, count the ballots. Nobody's going to have to stay late. Yes, I've been there 13 hours, too. Nobody has to stay late if you just add in two more positions. OK. And I'm-- the reason I think we need that is because we need checks and balances. We-- everybody who runs a business has a paper trail. We need checks and balances. We need to have-- and, and the IRS requires us to keep papers for seven years, of our records. So we need to have a check and balance against the election machines. And so, I support in-person voting because I know that the mail-in ballots are not verified. I know this because my own daughter was going to vote for-- with a Douglas County mail-in ballot when she just moved to Hall County. She just started her first position as a teacher. She-- it didn't even occur to me that she was breaking the law until I went through the training. And I said, if you turn that mail-in ballot, I'm going to report you. And she was like, mom. And I said, yeah, I'm a certified poll worker now. I will report you. And so she went and got a provisional ballot in Hall County. My son, when he went to go vote, I couldn't even read his handwriting and I'm his mother. And I could not read his handwriting. So, yes, we need to have valid IDs. And, and I know that nobody verifies signatures at the poll, poll precincts, because we were told not to do it. We were told not to do it and there was a sign that says you do not need to show your voter ID. Well, guess what? People did it anyway. And it was wonderful. I could see their name. I could find them really fast and it was-- people want to show their voter ID or a photo ID. My in-laws are 96 and 94 years old. They voted in 2020. They drove themselves to their own precinct. It was closer than their grocery store. They did not want to vote in 2022. So when they were at the Sarpy County courthouse, they went to the voter registration and took themselves off the voter polls. And they were very surprised to even see them do that. Nobody else does.

**BREWER:** OK. So I get my record straight here. LB228 and LB230, you are a proponent?

**MARLIYN GOURE:** I'm so sorry. Yes, I am for LB228 and LB230.

**BREWER:** OK.

**MARLIYN GOURE:** And I'm against LB675. Thank you, Senator Brewer.

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**BREWER:** No on LB675. OK. Gotcha. Thank you, Marilyn. OK.

**MARLIYN GOURE:** Oh, and I need to support this for my friend Greg Yuel [PHONETIC], who could not stay. This is on record.

**BREWER:** OK. All right. Any questions? No questions. Thank you for your testimony.

**MARLIYN GOURE:** Thank you.

**BREWER:** OK. Next testifier. Welcome to the Government Committee.

**DEWAYNE MAYS:** Thank you, Chairman Brewer and members of the committee. I am Dewayne Mays, D-e-w-a-y-n-e M-a-y-s, resident of Lincoln, Nebraska, and I'm representing the Lincoln Branch NAACP and in support of LB675 and in opposition to LB228 and LB230. LB675 is not as drastic and restrictive as other ID bills that have been proposed and it will cause us less confusion for voters because of the information and instructions that are provided. Therefore, LB675 is not as threatening to voters as LB228, LB230 and LB535. Nebraskans deserve the right to go to the polls without looking over their shoulders, wondering if they have violated some law by doing what they have always done in the free, in the free and fair elections. The feeling of hope and empowerment at the polls, for many Nebraskans who look like me, is being taken away in voter suppression bills like LB228, LB230 and LB535. We believe that the ultimate sacrifice paid by Dr. Martin Luther King, Jr. and many others of our forefathers is being limited, if not diminished, through voter suppression bills such as LB228 and LB230. While LB675 is not the ultimate of voter rights bill, it is the lesser of the evils. Therefore, the Lincoln Branch NAACP asks you to support LB675. Thank you in advance for your service and what you do for this state.

**BREWER:** Thank you for your testimony. Let's see if we have any questions.

**CONRAD:** Thank you.

**BREWER:** Questions, questions. All right. Thanks for your time. Next testifier. Welcome to the Government Committee.

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**ANGIE LAURITSEN:** Thank you for having me. Chairman Brewer, committee members, I thank you for this opportunity to speak in opposition of LB228 and LB230. My name is Angie Lauritsen, A-n-g-i-e L-a-u-r-i-t-s-e-n. I am a survivor of childhood sexual assault, domestic violence, physical, mental and financial abuse. My role here is to make sure that the survivor voice is front and center on policy. Domestic violence victims are disproportionately affected by the language within LB228 and LB230. Abusers use many different types of control over their victims. And one of those is confiscating the state-issued IDs, birth certificates and Social, Social Security cards of their victims. Many domestic violence victims must get themselves to safety at a moment's notice and trying to retrieve their identification may put them in real danger. Victims may suddenly find themselves homeless, in a shelter or couch surfing, without any type of legal ID or any way to replace it. There are many roadblocks currently in place to obtaining a replacement identification without a permanent address or any access to their bank accounts or other funding. They cannot obtain replacements. Shelters, by their nature, have undisclosed addresses and use P.O. boxes, which are not allowed to obtain a state ID. When replacement birth certificates and Social Security cards are needed, it takes up to four weeks and costs over \$65 for the documents. Service providers throughout the state have limited resources for helping to fund the replacement of identification for victims and provisional licenses do not have the photo identification that would be required by these bills. On a single day in 2019, Nebraska domestic violence programs served 597 adult and child survivors. Another 96 requests for services went unmet due to lack of resources. If you care about victims of domestic violence, I urge you to oppose or amend LB228 and LB230. I'd also like to add, I'm here trying to advocate for those that have identification, they're just not in possession of them at the time. So trying to find a solution for those I think is paramount. I don't want to leave out victims of violence and make sure that they're represented in whatever bill that we are-- put forth for consideration.

**BREWER:** OK. Thank you. Let's see if we have any questions. Questions? All right. Thank you for your time and thank you for your testimony. All right. Next testifier. Welcome to the Government Committee.

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**S. WAYNE SMITH:** Oh, thank you. I'm always amazed at your stamina. Oh, my name is S. Wayne Smith. That's S. Wayne, W-a-y-n-e, Smith, S-m-i-t-h, and I'm with the Nebraska Voter Accuracy Project. And I support LB228 and LB230, and I oppose LB675. Based on listening to several experts in cybersecurity, math and statistics, I'm convinced that the election machines are a major source of election fraud. There are advantages to hand counting: no equipment to test, maintain and secure; no equipment breakdowns; human eyes look at each vote on each ballot; the ability to read voter's intention when the mark is made outside the oval, such as an X or a check mark. Machines will kick those out, and then the ballots have to be copied so that they can be run through the machines. Colonel Shawn Smith, who was here last year, he said election machine parts are sourced overseas with chain-of-custody problems. The machines are very complex. You would have to start with the design of the circuits, monitor the fabricate-- fabrication of the electronic components and circuits going into the machines, including controlling access to the components. He said we are using systems that can't be secured. He said that voter registration rolls should be locally controlled with no outside access. Also, voter rolls should be rebuilt from the ground up. Someone else who was here last year, Dr. Douglas Frank, he said we have a recordkeeping system that cannot be secured because they are hacked to change the registration rolls; in other words, change who is registered, change who has received a ballot, change who was sent a ballot, which basically gives control to the bad guys. And those are-- those not voting are potential phantom voters. We had one county in Nebraska that had 114 percent of those eligible to vote, and they're registered, and of those registered, 80.5 percent voted. A high turnout in a county with dirty rules is a bad sign. On LB230, Section 27, subsection (2), line 14, says the county board shall review each returned identification envelope pursuant to verification procedures prescribed in subsections (3) and (4) of this section. And I have a friendly suggested amendment to subsections (3) and (4) to clarify and improve things, and they're down at the bottom of that list, down at the bottom of the sheet. And that's all I have.

**BREWER:** All right. Just double-checking, we've got two documents. The first one is on LB228. The second one is on LB230.

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**S. WAYNE SMITH:** Right.

**BREWER:** And then, for the record, you're in opposition on LB675.

**S. WAYNE SMITH:** Right.

**BREWER:** All right. Just want to make sure we're on the same sheet here. Any questions? Questions? All right. Thank you.

**S. WAYNE SMITH:** You're welcome.

**BREWER:** OK. Next testifier. Welcome to Government Committee.

**SAMUEL LYON:** Thank you. Good evening, Senator Brew-- Brewer and members of the Government Committee. My name is Samuel Lyon. I'm the chairman for the Lancaster County Republican Party. The reason for my appearance today is that, as part of my role with one of the major parties, this Legislature has given me special access to observe the election process from the inside, as it has given the other parties as well. Since I was recently elected to this position, one of my first priorities was to gain a first.

**BREWER:** Could we get the spelling?

**SAMUEL LYON:** Yes. S-a-m-u-e-l L-y-o-n.

**BREWER:** Thank you.

**SAMUEL LYON:** One of my first priorities was to observe the election process and get a firsthand observation for myself. I did this for the November 2022 election. Over the course of around ten days, I observed the election process, all aspects of it, or as many as I could. And my testimony tonight is based on what I witnessed in that role as an observer of the election process. I have so many things that I can say about the process and the workers that were amazing and good. But in the-- in the essence of time, I will focus on the few things that I witnessed that I feel are vulnerabilities to the process. The first is at the polling places I did see potential areas of election vulnerabilities related to voter ID, so I am a proponent of LB230 and LB228, and I believe that a strong voter ID law will eliminate essentially all but the vast, vast majority of voter ID issues. One

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thing that struck me, one of the first things that struck me was that every time ballots are unsealed, that there is a Democrat and a Republican handling them together. This is an attempt to ensure that no tampering of ballots are happening and to verify that they're accurate, but as I-- as I transitioned from the polling places to the election commission, the central counting location, I noticed that as the ballots were being tabulated, there-- there was no count, right? There was no-- the only count that was-- that was counted was the number being tabulated. No races were being tabulated. They-- they took them from the box. They verified the count, the hand count that had happened at the-- at the polling place, because they did hand count the ballots at the polling place, the number, and they wrote that on the box. And when the tabulator went through, they-- they verified that the number was the same as what was on the box. There's been a lot of different talk about machines versus hand counting. Machines are programmed and, therefore, susceptible to hacking, but election boards are much less susceptible to hacking, but more prone to error. Additional machine-- machines at the precinct level are not the answer to increase voter confidence. The answer, I believe, is hand counting at the precinct level, but verified by machine at the central counter. And I don't believe that every single race would have to be counted, but it would need to be randomized by the poll workers, maybe four or five of the races; and in addition to counting the number of ballots, count randomized selection of the races that could be verified by the tabulators and the election workers at the tabulation and observed by observers at the election commission.

**BREWER:** I let you go along because you're the only guy that's been in there that's told us everything going on. It's kind of-- kind of what we're here about, so it was good-- good to get the insider view. Any questions? All right. Thank you for your testimony.

**SAMUEL LYON:** Thank you.

**BREWER:** OK. Gavin, you have been patient.

**GAVIN GEIS:** Try to be.

**BREWER:** Welcome to the Government Committee.

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**GAVIN GEIS:** Chairman Brewer, members of the committee. My name is Gavin Geis; that is spelled G-a-v-i-n G-e-i-s, and I'm the executive director for Common Cause Nebraska. Today I am ta-- testifying in opposition to all three of the bills. Common Cause opposes voter ID no matter whether it's good or bad. We just have a broad policy against it, and so I have no-- no choice but to testify in opposition. I'm going to restrain my testimony today to just vote by mail, talk a little bit about the bills we've got, but also answer some of the questions that have come up. What you're getting right now, I hope, is just a hand-- a handy guide to how the bills that we've seen before us today and before would impact voter-- voting by mail, also how vote by mail currently works in Nebraska. I just want it to be a shorthand guide that you can go to quickly to look at those facts. A few things I do want to cover from that. I think it's important to restate that there are 225,000 Nebraskans that voted by mail in the last election cycle. So when we talk about doing away with vote by mail, that is a substantial portion of the electorate that would be impacted. I also want to point to our all-mail counties again. There are 11 counties that do all vote by mail and 11-- and 8 additional counties that use some precincts by all vote by mail. Changing over to a simple in-precinct voting would have major impacts on those counties. Looking at the reporting, we're-- just the news stories reporting from those counties when they switched over, there's a variety of reasons people switched over to vote by mail. Some of it's cost. Some of it's not being able to find poll workers. Some of it's just because it increased turnout and they liked that. But there are a variety of valid reasons county use-- counties use all vote by mail, and so I think we should be wary about doing away with a system that is working for 11 counties and those 8 additional counties. One question I want to address that was brought up today, and that is the question of how are we going to go about implementing this for vote-by-mail elections. How are we going to implement this requirement in vote-by-mail elections? Now, first, I want to point to how we currently do it in Nebraska. Right now, early ballots are sent to the registered address of voters. That's the same address we use in polling places. That's the same address we use to determine who represents you. So we use that address in various places. And then when those ballots are returned, the signatures on the ballots are verified against signatures on file with the Secretary of State. So there are multiple

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ways we're going about making sure this isn't-- that these are actually the voters we're talking about. Quickly, I will go through there are a variety of ways states have gone about handling this, and this is a page I wish I had included on my note here. Listening to today's debate, I thought, oh, no, I missed something important. Maybe I'll reach back out with more info. But quickly, there are a variety of ways we could do this. We could go about it just doing a signature. And these are-- I've looked at the states that do strict voter ID, so we're talking about states that require photo voter-- voter ID. So some of those states, Kansas, Indiana, Tennessee, they require only a signature. Now they verify that signature, but that's what they ask for. Mississippi and Missouri, they require notarization, and we've seen a bill or an amendment to a bill that does that. But I will note that neither of those states have no-excuse voting and neither of them conduct all-mail elections. There's more. I see my light and we are all tired.

**BREWER:** Yeah, well, you're kind of on a roll here and you've been waiting all dang day, so finish up here.

**GAVIN GEIS:** I will finish. OK, so we got Mississippi and Missouri, as I noted-- noted, a no-- a notarized signature. Arkansas requires a copy of an ID, and we have seen language in LB535 that would have used that as an option, so that's certainly a way we could go about it. Georgia asks for an ID number like LB535. Wisconsin requires the witness-- a signature of a witness. So in short, states that are implementing strict voter ID requirements have handled this, and they've done it without doing away with voter ID-- without-- with veil-- sorry, it's late-- with mail-in voting. They have done it in a way that has met the needs of their law, that has met the requirements of voter ID, without doing away with the whole thing and saying let's not vote by mail anymore. My ask here is just, please, let's not do away with a system that works for 200,000 Nebraskans and 11 counties. Let's not get rid of mail-in voting. Just implement this. Voters voted on an ID requirement and we would be blindsiding them, hundreds of thousands of Nebraskans, if we do away with mail-in voting entirely. I will end there. Thank you. I appreciate the time.

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**BREWER:** All right. Thank you, Gavin. Let's see if we've got questions. Questions?

**CONRAD:** Thank you. Thanks.

**BREWER:** All right. Thanks.

**GAVIN GEIS:** Thank you.

**BREWER:** I like the way that you break out each bill and the good and the bad and what might be of value to us, because--

**GAVIN GEIS:** Try to be helpful.

**BREWER:** --ultimately that is what we're going to have to figure out. OK. Next testifier. Welcome to the Government Committee. Yeah, I know, you feel short.

**MIA GARCIA:** Thank you. And good evening. My name is Mia Garcia; that's M-i-a G-a-r-c-i-a. I am a constituent of District 2 and an undergraduate psychology student at UNL. I would like to preface this by sharing that this is the first time I testify. And while my delivery may not perform the same as more seasoned testifiers, rest assured that my sentiment is just as equal. I became aware of this hearing last night and I made all the arrangements necessary to be here, which includes being absent from my calculus class, at least at 1:30 it was, to defend mine and others' freedom to vote, a freedom that is increasingly becoming less free. The first time that I came to the Capitol, what amazed me the most was not the colorful murals or the intricate carvings, but the open doors-- doors, excuse me, with which I was met. I learned that the reason there are no metal detectors, guards at the door, or even a requirement to show any ID is because we want any Nebraskan to be involved and up-front when decisions like this are being considered. But what good is a symbolic setup such as this if Nebraskans aren't actually being allowed the same courtesy when it comes to exercising their right to cast a ballot? There's a humorous narrative about college students being broke or stressed, if not both. Students are worried about how they're going to do next exam, if they should use their remainder of their paycheck for food or towards their loans, and many other experiences that are unique to the college life. We do not all have the time nor

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the energy to be worrying about gathering all the necessary documents and fees to go and vote. We shouldn't ha-- we should not have to choose between that or attending a lecture. The least we can grant populations like students, not to mention those who come from out of state, is to be one last thing they have to stress about when they are already busy trying to survive. On the topic of lobbying, I'd like to share that I have suffered physical limitations in the last couple of months that I am only recently recuperating from. These physical symptoms have led to needing an appointment with a rheumatologist to test for an autoim-- autoimmune disease, and I did get one, but it's in July, nearly half a year later. I consider myself very fortunate to not be severely limited to-- when it comes to what and when I can do things, and this is not something that hundreds of other Nebraskans with impairments or disabilities can say. I support LB675 because there are many more Nebraskans who belong to a population that are already at a disadvantage. The least we can do, since we now require an ID to vote, is to offer the appropriate accommodations and time for becoming aware and adjusting to new regulations about voting. I oppose LB228 and LB230 because I know that voter fraud is not an empirically proven issue for Nebraska. They say, if it isn't broken, don't fix it. By implementing these bills, we will be breaking something just to feel like we are fixing something. We will be scaring away constituents and put immense pressure on our poll workers, which can only result in mistakes and decline in constituent involvement. LB228 and LB230 will make the good life a hard life for so many Nebraskans. And thank you for your consideration.

**BREWER:** All right. Thank you. I got the LB228, LB230 opposition. All right. When you did the green slips, were you in support on LB675?

**MIA GARCIA:** Yes, correct.

**BREWER:** OK. Proponent. Got it. All right. Let's see if we've got any questions. Questions? Questions?

**CONRAD:** Thank you.

**MIA GARCIA:** Thank you.

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**BREWER:** All right. Sorry about making you miss calculus. All right. Next testifier, please. Welcome to the Government Committee.

**ROY ZACH:** Good evening, Senators. My name: Roy Zach, R-o-y Z-a-c-h. I'm going to go completely off script from the letter that's being handed out. I just want to talk briefly about what happened in the May primary last year in District 22, which saw three opponents vying for State Legislature. The incumbent was Mike Moser, who you know well, I'm sure. Mike Goos from Columbus was also running, and I was a third candidate in that primary. Going through election night, I was trying to find out the results from media or from other places, and the results were coming in very slow for some reason compared to the rest of the state. And so the next morning I went down to the Platte County Courthouse to inquire of the election officials what exactly happened that was taking so long. They were actually still hand-counting the ballots. They were doing that all night. And what the county commissioner at that time stated to me was the counting machines were not communicating properly with the state machines. And the reason I bring this up was it was very odd that the Secretary of State's website had me in the lead very early in the night in every single precinct in Platte County. So my initial thought was apparently the vote scanners or voting machines have been hacked because in nearly every precinct, the ratio kind of stayed the same. It had me at like about 20 votes, Moser at 10 votes, Goos at 5 or 6 votes, so I thought that was very odd. So eventually made my way down to Wayne Bena's office at the election division here in Lincoln, and his claim was that the election commissioner forgot to clear out the mock run data, so every county commissioner is supposed to check or run a mock election three times on that scanning machine. Well, apparently she forgot to clear out the second mock run. And so that was being reported on the Secretary of State's website. The last primary was mock data. So we need to make sure that our election commissioners are competent. And we probably need to make sure we get machines out of the voting process because they are hackable, especially with increases in AI technology. Thank you.

**BREWER:** All right. On-- again, we gotta double check these things-- LB228 and LB230, you are a proponent or an opponent?

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**ROY ZACH:** I am a proponent on LB228 and LB230, and I am not taking any stance on the third.

**BREWER:** And you didn't even do a green slip on LB675?

**ROY ZACH:** I'm not--

**BREWER:** You didn't even-- you didn't--

**ROY ZACH:** I'm not testifying on that one, so.

**BREWER:** OK, just-- just double-checking. All right. Any questions for Roy? Questions? Questions?

**CONRAD:** Thank you.

**BREWER:** I think the crew's wearing down on me.

**HUNT:** Thank you.

**BREWER:** Thank you for your testimony. Now, just out of curiosity, how many more testifiers do we have in the room? Five more. All right.

**ANDREW FARIAS:** Howdy, y'all.

**BREWER:** Welcome to the Government Committee.

**ANDREW FARIAS:** Thank you. Good evening, Chairperson Brewer and committee members. My name is Andrew Farias; that is A-n-d-r-e-w F-a-r-i-a-s, and I'm the policy fellow with the Asian Community and Cultural Center here in Lincoln and today we are testifying in support of LB675 and in opposition to LB228 and LB230. The Asian Center is a nonprofit organization that supports and empowers all immigrants and refugees through programs and services. For over 30 years, our organization has served the Lincoln area by increasing the stability of immigrant and refugee families who face economic and cultural barriers to self-sufficiency as new Americans. In 2022, we served 1,735 clients who spoke 31 native languages and were from 36 nationalities, including Vietnamese, Chinese, Karen, Latina, Sudanese, Yazidi, Afghan and Ukrainian populations, among others. This includes not only individuals who are second- and third immi-- generation immigrants, but also new arrivals who have escaped religious

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persecution, ethnic cleansing and war. These are folks who have sought better lives for themselves and their families because they have heard from other community members about how great it is to live in Nebraska. New American voters have worked diligently to obtain their naturalized citizenship status in the United States. This process takes years, requires extensive paperwork, learning the basics of the English language, studying for the citizenship exam, and, of course, bears a significant cost and time burden. In Nebraska, over one third of immigrants are eligible voters, but just because they're eligible to vote does not mean the voting process is accessible to them. Nationally, immigrant voter turnout rates have lagged behind those of people born in the United States. Language and accessibility, taking time off from work, transportation to the polls, and associated costs are barriers that already exist, so LB228 and LB230 are only going to further decrease voter participation rates by compelling Nebraskans to vote in person with strict voter ID requirements that go into effect immediately. With the additional burden of these bills, we can now add to the cost of an ID transportation to get an ID and, of course, wait times. And these bills fail to take into account the unique challenges that immigrant Nebraskans face if they lose their documents. LB675, on the other hand, allows for a wide variety of documentation to be provided for voter ID purposes. It covers the cost of an ID, expands voter accommodations, and allows voters who do not have one of the qualifying forms of ID to sign a declaration attesting to their identity and acknowledging the penalty of voter impersonation. As mentioned above, we have clients who speak 31 native languages, so we would really need time to translate voting materials to inform individuals of new voter ID requirements and their right to vote. New Americans in Nebraska have worked hard to exercise their right to vote, and they deserve to feel welcome here. Therefore, we urge the committee to advance LB675 to General File and to not advance LB228 and LB230. Thank you.

**BREWER:** All right. Thank you. See if we have any questions. Questions? Questions? All right. Thank you for your testimony.

**ANDREW FARIAS:** Thank you.

**BREWER:** Spike, do you get overtime?

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**SPIKE EICKHOLT:** Well, no. I need to review that contract. [INAUDIBLE] breach. Good evening, members of the community. My name is Spike, S-p-i-k-e; last name is Eickholt, E-i-c-k-h-o-l-t. I'm appearing on behalf of the ACLU of Nebraska. We are opposed to LB228, opposed to LB230, and we are neutral on LB675. I-- I had some prepared comments. You've been here for hours, and I've been in and out of the committee because I was in other committee hearings, so I think you've heard a lot of the same points that I was going to make. But what I'm passing out is a copy of a couple of pages from our Constitution, and I've kind of made a notation to Article I, Section 22, because I wanted to sort of mention something, because it's been interwoven with some of the testimony here today. If you look at the-- the thing that's being passed out, Article I, Section 22, sub (2), that is the language that the voters approved last fall, and it says: Before casting a ballot in any election, a qualified voter shall present vote-- valid photographic ID, quote, in a manner specified by the Legislature to ensure preservation of an individual's rights under this Constitution and the Constitution of the United States. Yes, voters did approve voter ID, but they directed the Legislature to create it in such a way that maintains the rights in this Constitution and the United States Constitution. If you look at Article I, Section 22, sub (1), it-- and what was amended and what was in the current constitution at the time the voters approved voter ID, it 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. So I say that because you do have a charge from the voters to create voter ID, but you've got to do it in such a way that does not provide a hindrance to it, that does make it accessible for them, not only under this Constitution, but the federal one as well. And with that, respectfully, we would submit that some components of LB228 and LB230 do provide some hindrances to the access of voting, and that would include, with LB228, the requirement of in-person voting. The holiday, the state holiday is good. I didn't hear the testimony earlier about the happening of a big fast fiscal [INAUDIBLE], but when I looked at the bill, I think that would only really apply to government employees. Senator Conrad's right. There is a statute that provides that there's a two-hour window that private employees get, but I don't think that the bill as written would apply to private employees. And the limitation on mail-in voting is also problematic, as you heard

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before. Similarly, LB230 has arguably a narrow definition of what a qualifying ID is, and the requirement of the vote in person also could be difficult and a hindrance to voters as well. We don't take any position really on LB675. I think Gavin Geis said some good things earlier and referred you to some other states that have had, implemented voter ID, that have made it work. I would just ask that the committee keep in mind that not only do the voters provide that you are to have some sort of voter-- photo ID for voting, but it's got to be done in such a manner that preserves the right to free access to take it to vote. I'll answer any questions if you have any.

**BREWER:** Well, of course, thanks for sending this out to us to have as a reminder, because I am sure this is exactly what the Attorney General was talking about when he's saying that you have to figure out how to craft this thing so that it's constitutional--

**SPIKE EICKHOLT:** Right.

**BREWER:** --and yet meets the intent. And it's-- you know, it may be one of these where I pull you aside and say, hey, what do you think about this, because we're going to have to come up with something and-- and, you know, we're gonna have to run it by a lot of good, brilliant folks that-- that know, you know, what we should be in that left and right boundary. And I don't think we can do it in a vacuum in this committee because, well, we do have brilliant lawyers, I'm sure, but we don't want to put that burden on any one person's back. We need to-- we need to work through that. But thank you for your testimony. Is there any questions for--

**CONRAD:** I just--

**BREWER:** --Spike? Yes, go ahead.

**CONRAD:** Thank you, Chairman Brewer. I-- I just had one technical question, if you given any thought to it, Spike-- Mr. Eickholt, sorry, slight in-- informal. So I know everybody cares deeply about effectuating the will of the people. I know that, you know, there's a measure in the Nebraska State Constitution that specifically indicates that the first power reserved to the people through initiative and

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then, second, through referendum, but those measures are self-executing.

**SPIKE EICKHOLT:** Right.

**CONRAD:** But the voter ID position-- petition that was circulated and then subsequently adopted by the Le-- by the-- by the vote of the people directs the Legislature to pass the implementation legislation or facilitating legislation.

**SPIKE EICKHOLT:** Right.

**CONRAD:** There's another provision in regards to kind of the constitutional framework for citizen initiative that requires a higher threshold for the Legislature to basically kind of open up that statute or-- or kind of start to tinker around with anything passed by the will of the people, for good reason--

**SPIKE EICKHOLT:** Right.

**CONRAD:** --to protect their right. Even if it's a positive implementation rather than perhaps a negative or an undercutting implementation, do you think that higher threshold for legislative action still applies?

**SPIKE EICKHOLT:** With voter ID?

**CONRAD:** I don't know. I'm just thinking about it as you were testifying here today.

**SPIKE EICKHOLT:** With voter ID? Is that your question?

**CONRAD:** Yes, for the implementation st-- for the statute--

**SPIKE EICKHOLT:** I don't--

**CONRAD:** --implementing the measure.

**SPIKE EICKHOLT:** I don't--

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**CONRAD:** I don't know. I'm just thinking of it as we're sitting here and--

**SPIKE EICKHOLT:** Well, I'm going to answer because I think it [INAUDIBLE]--

**CONRAD:** OK.

**SPIKE EICKHOLT:** --issue. But Article III, Section 2, of our Constitution is what you talked about, the second house. And that's the ability--

**CONRAD:** Right.

**SPIKE EICKHOLT:** --of the people, if they want to write a law--

**CONRAD:** Yes.

**SPIKE EICKHOLT:** --like if they have a voter ID, and I talked about this with Senator Raybould a couple of times already--

**CONRAD:** Yes.

**SPIKE EICKHOLT:** --if they want to write a law where they open up, and I think it's Section 48, whatever that voter-- minimum wage was, they put it in statute. Article III, Section 2, says that if the Legislature wants to modify or alter that, they need a supermajority; they need 33 votes, not to cloture. I'm saying 33 votes to get the thing through, because that's in our Constitution to protect the second house, right? That way, the legislature is-- just can't come in and undo. I think this is a little different because this is a charge--

**CONRAD:** Yeah.

**SPIKE EICKHOLT:** --from the people that says we want voter ID and we want the Legislature to figure out to do it and we want it done in such a way that we don't have any real hindrances to it, at least that's my take on it, but I think that's what the language says. And I don't-- I think that would not necessarily take a supermajority. Now, practically speaking, maybe with the rules of the Legislature, you

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might need 30 or 33 votes, depending what the forum is. But that's my thought. And it does say Legislature, so no pressure, but if you don't do it, I don't think secretary could just do it themselves, right? And I don't think the election commissions can do it sort of ad hoc, figure out some way to do it. It's the Legislature is directed to do it.

**CONRAD:** No, that-- that's helpful, and it might be good for us to put our thinking caps on in that regard and check in with the SOS and the AG's Office, because, you know, if it does indeed trigger that higher threshold, it's really important that we find a consensus solution--

**SPIKE EICKHOLT:** Right.

**CONRAD:** --more important than if we're looking for a straight majority. Back to your point, practically, maybe it might pop up in the cloture rule anyway. But still, I was just trying to think through the-- kind of how that came into play in this regard. Thank-- thank you.

**BREWER:** All right. Any other questions for Spike? All right. Thanks. OK. Next testifier. Welcome to the Government Committee.

**CINDY MAXWELL-OSTDIEK:** Thank you. Good evening. Chairperson Brewer and members of the Government, Military and Veterans Affairs Committee, I'm Cindy Maxwell-Ostdiek, and my name is spelled C-i-n-d-y M-a-x-w-e-l-l, hyphen, O-s-t-d-i-e-k. I am a mom and a small business owner and a volunteer and co-founder of the Nebraska Legislative Study Group. And I know it's been a long day. I wanted to thank you all for holding this hearing open for anyone who would come to testify. That has unfortunately not been the case for all of the hearings here in the session, and we want to make sure and call attention to this important privilege and responsibility as members of the second house. We want to register our support for LB675 and opposition against LB228 and LB230. We listened earlier, much earlier today, to the first people testifying with the election commissioners, and most Nebraskans are happy with our election procedures. Adding additional barriers to that process will take election turnout and access to the wrong direction. We want to take this opportunity and ask you to please protect our right to vote and help facilitate this voter ID process so

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that everyone can participate that is eligible. I want to thank you again.

**CONRAD:** Thank you.

**BREWER:** Thank you. Let's see if we have any questions. Questions? Questions? All right. Well, thanks for coming in.

**CONRAD:** Thank you. Thank you.

**CINDY MAXWELL-OSTDIEK:** Have a good night.

**CONRAD:** Thank you, Cindy.

**BREWER:** Welcome to the Government Committee.

**EDISON McDONALD:** Hello. Good evening, Committee. My name is Edison McDonald, E-d-i-s-o-n M-c-D-o-n-a-l-d. I'm here representing The Arc of Nebraska. We support LB675 and oppose LB228 and LB230 because of how they will affect people with disabilities significantly and prevent their access to one of our most fundamental American rights. I'm not going to read out my testimony that's being handed out, just because it's been a long day. Y'all can read. I've put in 12 key points that we want to see on any iteration of any sort of voter ID bill, but I-- I want to hit a couple of points in particular. Number one, I want to address AM281 to LB230. I believe the intent is to better address the discrepancies for people with disabilities. However, the language is problematic. The categorization of physically incapacitated is adverse to federal law and the implementation just isn't going to work. While Senator Coash, a number of year ag-- years ago, worked on updating our statutory language to be more respectful of people with disabilities, we're still significantly behind. I've included the Stanford Guide and the AP Style Guide about language around people with disabilities, because it's important not just for the respect, but also because that language I spend a lot of time on, because little differences of how you define disability have a huge impact on how it's read. So like, for instance, we have a law talking about sig-- some sort of significant impairments within three out of seven categories of kind of main activities of daily living. Well, you know, the way it's written right now, if you can lift a spoon, then you can feed yourself, don't have to get it all the way to your mouth.

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So I've suggested language in there talking about a person with the disability under the Americans with Disabilities Act of 1990 as amended, the federal Help America Vote Act of 2002, and Section 5 of the Rehab Act. Secondly, I have gone and over the last year myself and my staff have visited a number of the DMVs, county clerks offices' drop boxes. I've told you all again and again, they are not accessible, they're not compliant with the ADA, they're not compliant with Section 504, and if some of these really bad versions pass, we are going to be pursuing litigation. I've come six years and said again and again we're not there, so I'm asking you again. Please take action on that, provide serious funding this year to fix all of those ADA violations. The Secretary of State's been working on some of them, but there's a lot more that need to be addressed. And then the last thing I just wanted to talk about is that DMV handout that I included, and I've driven through significant amount of them and, again, every single one of the counties that you all are in, your DMVs are not ADA Section 504 or HAVA compliant, and it's just really problematic and it's frustrating for our members who want to be able to access the polls, want to be able to vote, want to be able to be included. I'll stop.

**BREWER:** Keep going, Edison. You've been here all day.

**EDISON McDONALD:** Ah, I--

**CONRAD:** We got it.

**EDISON McDONALD:** That's all. I'm good.

**BREWER:** All right.

**EDISON McDONALD:** If you have any questions, I can answer those.

**BREWER:** We got the sheet here. You've got 1 through 12. This is kind of your left and right boundaries for us, I guess, is the best way to put that.

**EDISON McDONALD:** Yeah. No, just trying to give you all, sort of, you know, broad pieces to work within.

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**BREWER:** Oh, no, it gives us-- it gives us things that we've got to think about, so.

**EDISON McDONALD:** Yeah.

**BREWER:** But--

**EDISON McDONALD:** And I think, especially today, having heard a lot of folks who talked about signature requirements in other states, that's where they really run into issues and potential lawsuits, whether you don't have full ambulatory use of your hands, or like, for instance, I've got essential tremors, so my hands shake just a little bit. My signature is never the same any time I sign anything. But, yeah, other than that, there-- you know, I think there are a couple of pieces in here that we can really craft. But most importantly, we've got to fix those ADA violations.

**BREWER:** Put an arrow by it right there, number one. OK. Questions for Edison?

**CONRAD:** Thank you.

**BREWER:** All right. Thanks for having marathon endurance today.

**EDISON McDONALD:** Thanks.

**BREWER:** OK. Next testifier. Welcome to the Government Committee.

**JACOB CARMICHAEL:** Thank you. Sorry, I do not have a handout because I changed my testimony today. And it's been seven testimonies. Guess I'd like to start by congratulating you all. We're done. I am the last testifier, except closing.

**CONRAD:** Jacob, could you spell your name?

**JACOB CARMICHAEL:** Yes. I'm so sorry. J-a-c-o-b C-a-r-m-i-c-h-a-e-l. I am here today in support of LB675 and in opposition to LB228 and LB230. In all honesty, I wouldn't like to be here in support of LB675, but the ballot measure passed. You guys were given a directive. This is the clearest and easiest way to pass one without infringing upon the rights of voters that still follows the ballot measure that was

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passed through. I unfortunately haven't been in here to hear all of the arguments, so I don't know if things were necessarily covered, but will move quickly. The state holiday is not necessarily a good idea because of the reduction in services of city and state employees that have to do that. That then puts an additional burden on people that rely on those services, especially to get to places like their DMV, wherever their polling place is, things like that. Senator Conrad's bill that provides for that time off is similar to a lot of business policies. That would be good, to adapt to that level. Mail-in voting is the primary issue, I would say, against it. The ballot directive directs for voter ID. It was not about mail-in voting and adding in mail-in voting to this bill is adding a massive component to this bill that you, in all honesty, were not directed to do. And I would just like to remind you of the practical effects that this can have. Both of my parents, during COVID, my-- my mom is immuno-compromised and on disability. During COVID, she would have had to choose between saving her health or being able to vote. My dad works for a cable company. He works on the power lines and electricity lines and all of that and he's supposed to get time off to vote, but there's a major problem. He doesn't necessarily get that. Election Day is-- if it's restricted to that, his voting rate is kind of up in the air. Mail-in voting and allowing him the ability to do that on his time off and submit it ahead of time allows for people that work on all of our resources to have an equal say and it allows for everyone on disability or things like that to have more time without necessarily holding up long queues and stuff at voter places. It's just commonsense measures that we shouldn't restrict the amount of people that are able to vote and getting rid of mail-in voting and putting additional restrictions does that. Thank you.

**BREWER:** All right. Thank you, Jacob. And let me just double check. LB675, you're a proponent; LB228, LB230, you're an opponent.

**JACOB CARMICHAEL:** Yes.

**BREWER:** Gotcha. OK. Questions for Jacob? Questions?

**\*JENNIFER JAMES:** My name is Jennifer James. I am a person with a disability, so these bills really bother me. We should not be using words like handicapped, we need to use what a lot of us call people

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first language. There are a lot of reasons people use mail-in ballots. Some people, like me, can't get to the polls easily because of transportation. Some people are caretakers and cannot leave long enough to go to the polls. We should not be penalized because of a disability we have no control over. These changes would take away our rights as citizens to decide who represents us and all of Nebraska.

**BREWER:** We got 'em wore down. OK, double checking, no more testifiers? All right. Now I gotta read in all these letters and then we'll have the senator's close. So we'll start with LB675 had 68 proponents, 17 opponents, 2 in the neutral, and then we will jump to LB230. Well, LB228 had 180 proponents, 68 opponents-- let's see, 180 proponents, 68 pro-- opponents, 1 neutral. And the final one, LB230, we had 180 proponents, 66 opponents, and 1 neutral. With that, Senator Erdman, you're-- go ahead and close on both.

**ERDMAN:** Yeah, I will. I'll be brief. You heard from the gentleman with the driver's license that the yellow star meant citizenship. It does not. It means you're legally here. Has nothing to do with citizenship. Checked with the DMV. That's what it means. So the flag was intended to be there so you know if they're a citizen and have a right to vote, so that's an issue we may have to deal with. The other issue is people were saying that the-- the bill, LB228, says we're going to vote and count these by hand. That's not what the bill says. It says counted at the precinct. How they're going to be counted is still to be determined. And that's why the fiscal note was so big from the Secretary of State's Office. They're inten-- insinuating that we're going to count by machine at the precinct level, so they're going to have to buy a machine for every precinct level. That's why the-- the fiscal note was like it was. The bill doesn't say count by hand. It says count at the precinct. OK? So there's just a couple things. The other issue, the young lady said we needed to look at-- at 39-944, so I did. I looked it up and here's what it says. It says the election commissioner or county clerk may-- may train registered voters to act on behalf of the election commissioner or county clerk in administrating a ballot to the residents of a nursing home or hospitals who have requested ballots. Ballots shall be administered by two registered voters who are not affiliated with the same party. The election commissioner or county clerk shall adopt procedures to carry this section out. So they may do that. It's not a requirement, but if

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they do decide to do it, then you have to do-- you have to develop the procedure to do it. So don't get hung up on the fact that you have to. It says "may." And so we sometimes hear from people who say you have to do certain things. There's only one thing we have to do and that's come with voter identification. And so in LB228, we may want to look at, as I said earlier, taking away or removing that holiday because, it was correctly stated, it's only for the government agencies, the government agencies of the state. The Iowa people maybe have done something that we need to kind of look at and try to copy that. So that's where we're at. I appreciate you being here till whatever it is, 8:30, 8:40, whatever it is. You're a little short of the record for the Rules Committee. We were at 10:35. But you still get tired of being here that long and I do appreciate. And I thought it would be disingenuous if I introduced the two bills and then go home. And so I thought, if-- if you're going to be here until it's over, I'm going to be here till it's over. And so I appreciate that. Thank you.

**CONRAD:** Thank you.

**BREWER:** OK. Let's see if we have questions for you, and these can be on either LB228 or LB230. Correct?

**ERDMAN:** Right.

**BREWER:** Right. Yes, Senator Raybould.

**RAYBOULD:** So, Senator Er-- Erdman, thank you for staying. That's-- that was very nice. But I'm still confused. When you say vote, it has to be counted at the precinct, but left the methodology clearly undefined. It sounds like the Secretary of State assumed that the normal and customary voting method that has been well established throughout the entire state is the scanners that scan the ballots, so-- and that's probably-- and you said that's why the-- their fiscal note was so high.

**ERDMAN:** It was.

**RAYBOULD:** So what was your interpretation of what that means, counted at the precinct--

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**ERDMAN:** Be-- be--

**RAYBOULD:** --by hand or--

**ERDMAN:** Before we came--

**RAYBOULD:** Yeah.

**ERDMAN:** --Senator Raybould, before I came here as a senator, we didn't have the voting machines the state has now. The first year we were here, we voted, I think, \$20 million to buy those machines. And our county had a machine that counted ballots before. It wasn't similar. It wasn't an ES-- it wasn't ES-- ES&S. It was a machine that counted the ballots and-- and those kind of machines could be had again. I don't know that they're the same as the ES&S. So that was my impression of how we would count them. I don't know what the Secretary of State in-- insinuated by his-- his fiscal note, but he did reach out to me and say that's why it was so high. Because there's like 3,000 precincts, you have to have 3,000 machines.

**RAYBOULD:** Then-- but so how are you-- you said it-- you have that machine at the county level, but what do you have at the precinct level?

**ERDMAN:** That's what it was. It-- it-- well, it was at the county level.

**RAYBOULD:** Right.

**ERDMAN:** But we'd have to have one of these precinct level if you're going to do that.

**RAYBOULD:** OK. And so is that what you're-- were intending for LB, I think it's, LB228 to have--

**ERDMAN:** Right, right.

**RAYBOULD:** --a machine at every precinct?

**ERDMAN:** Yeah. So when I introduced this--

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**RAYBOULD:** OK.

**ERDMAN:** --when I introduced this bill, as I said earlier to-- to Senator Conrad's comments about those people that can't vote and have issues in the nursing home, I couldn't think of everything. All right? So these-- these two bills are a work in progress. This is a place to start. We get together, we discuss how we're going to do this, what should be done, what's the methodology we should use, and then we come to the final realization this is the answer. OK? So I'm not sitting here saying that I'm that smart, and it-- it's probably above my pay grade to think that I would be, that we can come up with-- I'd come up with all the solutions. But with your help, we can do this. We can figure out how to do that, how to count them, how to make it right. That's the goal.

**BREWER:** [INAUDIBLE]

**RAYBOULD:** Sorry, boy, can't believe I have questions still in me, but---

**CONRAD:** We can.

**RAYBOULD:** Yeah.

**CONRAD:** We love that.

**RAYBOULD:** But--

**CONRAD:** We love that.

**RAYBOULD:** But, you know, I noticed you have an emergency clause and, you know, I've been hearing from several people out there saying, why do we have to rush it, why do we have to get it all done? Some-- one constituent wanted us to get it done in time for the April primary in Lincoln, and that's not going to happen. But why-- why was there an emergency clause on that?

**ERDMAN:** I just felt like getting an emergency clause. I didn't have any specific reason. Get it done.

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**RAYBOULD:** OK. So you would not be opposed to maybe take additional time and work out some of the kinks and some of the, I think, real concerns that you couldn't have anticipated?

**ERDMAN:** Yeah, I had no-- I had no intention or impression that we would get it done in time for the Lincoln or whatever election. That wasn't it at all.

**RAYBOULD:** Yeah.

**ERDMAN:** Yeah.

**RAYBOULD:** OK.

**BREWER:** All right. Any other questions Senator Erdman? All right. Thank you for staying--

**ERDMAN:** Thank you.

**BREWER:** --and closing.

**CONRAD:** Thank you.

**RAYBOULD:** Thank you.

**CONRAD:** Thank you, Senator.

**BREWER:** OK. Let's see. Is--

**ERDMAN:** I appreciate you being here this long. It's amazing.

**RAYBOULD:** Yeah. Well, we love long days.

**ERDMAN:** What time is it?

**RAYBOULD:** We just love them.

**ERDMAN:** It's seven hours. That's a long time.

**HALLORAN:** Se-- Senator Brewer ordered pizza.

**CONRAD:** Oh.

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**ERDMAN:** So I asked the pages if they got paid overtime. I said, do you-- do you guys get overtime? They said no.

**RAYBOULD:** What?

**BREWER:** OK, so, Senator--

**RAYBOULD:** But free pizza.

**BREWER:** --just-- just double-check here. Senator Day is not anywhere, so we're going assume--

**RAYBOULD:** She had to-- to leave.

**BREWER:** --she waived closing. Is that-- is that fair?

**RAYBOULD:** Yes.

**BREWER:** OK, so with that, we will close the hearing on LB675, LB228, and LB230. Thank you for your patience.

**RAYBOULD:** All right.

**BREWER:** Thank you for--