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BREWER: Good afternoon and welcome to the Government Committee. I'm Senator Tom Brewer, representing the 43rd Legislative District, and I serve as the Chair of this committee. The committee will take up the bills posted on the agenda and those will be LB1042, then LB1297, LB859, and, lastly, LB988. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. Committee members may come and go during the hearing, it's just part of the process. We've got several that are doing presentations now in other committees. At this time, please silence or turn off any electronic devices or your cell phones. Oh, I may stand corrected here, LB1042, LB1297, LB1211, then LB859 and LB988, bill order. Mine had four, the official one has five. All right, back to where we were. We're going to-- we're going to try and get through in a pretty efficient manner today as best we can. We had looked at some opportunities. We could have done the annotated one, but I think we're going to have enough balance to where we're going to-- we're going to try and push through and, and still get everybody a chance to testify on the ones they want to testify. So here's how we're going to do it. We normally reserve the front row for those as they come up to speak. Wherever you're at now, that's fine. What we're going to do is, is, as we go through, make sure that, that you've got a green sheet if you're planning to speak, and you have to have one for each time you come up for each bill that you're going to speak on. Now, the other part of that is if you're here and you want to have it so annotated that you were here for the hearing but you don't want to speak, that's what the gold sheets are for so please sign that. Again, whether it's the green sheet or the gold sheet, please write legibly. That is what becomes the official record. If we can't read it, we can't officially put it in the record. So I would ask you to do that. If you have handouts, we ask for 12 copies of the handouts. Bring that forward when you come up. Be sure to give your green copy to the committee clerk or the page when you come forward. They will make distribution. If you don't have 12 copies, we can have the pages help get more copies. Now, when you come forward, critical, you say your name, then spell both your first and last name. Again, that's to go into the record so we get it correctly. We're going to use the light system. We use a 3-minute light system today. But I'm going to be very strict on when it hits 3 minutes-- we hit 3 minutes. So you'll see 2 minutes of green, 1 minute of amber, and when it turns red-- if you have the red light, if you're

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reading and you don't notice it, the audible alarm goes off. If the audible alarm goes off, just simply stop so I don't have to gavel you down. But we will stop at 3 minutes because otherwise it's just not fair to everybody. And we've sometimes let that be a little lax when we didn't have a lot of folks here, but today's going to be hard to get through everything so we got to keep pushing. All right. No displays of support or opposition for bills vocal or otherwise will be allowed. Again, if that's a problem, I just simply have the red coats escort you out of the room and you're done. So be courteous to everyone. We'll get through this. We'll be fine. Now-- what we're going to do now is have the senators introduce themselves starting on my right with Senator Halloran.

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

SANDERS: Good afternoon. Rita Sanders, District 45, which is the Bellevue-Offutt community.

BREWER: Dick Clark is the legal counsel for the Government Committee, Julie Condon is the committee clerk, our Vice Chair is Senator Sanders. And let's see, pages. We got Kristen, there she is, she's a political science major, UNL senior from North Platte. And then Cameron, and he is a political science, also history, political science history. And he is a UNL senior from Omaha. With that, we will invite up our first testifier. Senator Fredrickson, come on up.

FREDRICKSON: Greetings. Good afternoon.

BREWER: Welcome to the Government Committee.

FREDRICKSON: Thank you, Colonel. Good afternoon. Thank you, Chair Brewer and members of the Government, Military and Veterans Affairs Committee. For the record, I am John Fredrickson. That's J-o-h-n F-r-e-d-r-i-c-k-s-o-n. I represent District 20, which is in central west Omaha. I'm happy to be here today to introduce LB1042, which is a bill that makes a simple but important update to the-- Nebraska's voting process. The bill would change language currently on the driver's license application as mandated by the National Voter Registration Act. The form currently reads, quote, Do you wish to register to vote as part of this application process? End quote. The applicant must indicate yes in order to be registered to vote. Under

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the bill, this language would be changed instead to read, quote, We will use your information to update your voter registration record or register you to vote. End quote. The applicant would then be able to indicate if they do not want the information entered on their driver's license application to be used to update their voter record or registration. Making the form default to a voter registration form creates efficiencies for the registrant, as it saves duplication of forms with information already provided on the driver's license or state identification application, and it creates efficiencies for the Secretary of State by keeping voter rolls regularly up to date as people update their information on their licenses. This means fewer provisional ballots would be needed at the polls because the poll workers would have accurate voter information for more voters. That's another time saver for voters and poll workers alike. The interaction by individuals at the DMV would largely remain the same. Voters would still affirm that they are 18 years of age or will be before the next election, and that they are a U.S. citizen that is eligible to vote. County election officials would review the files to determine and verify eligibility prior to registration. If eligible, the individual's registration is then processed and the vote is sent-- and the voter is sent a voter registration confirmation card just like it is currently. Changing the default from an opt-in to an opt-out will ensure a smoother process and allow more people an opportunity to have their voices heard in our elections. It is a commonsense measure with bipartisan appeal. It's an important method of modernizing our elections, while also protecting the safety and security of our voter rolls by helping ensure that they are up to date. I decided to bring this bill this session because of our state's recent adoption of voter ID requirements. Now that every voter will go through the extra step of having their photo identification verified at each election, Nebraska should work just as hard to find points throughout our process that can work more seamlessly for voters. Automatic voter registration is one of those changes that can provide additional voter convenience, absent some of the previous election security concerns that many had expressed prior to the establishment of voter ID. 24 states and Washington, D.C. have enacted or implemented automatic voter registration according to the National Conference of State Legislators [SIC]. The most recent state is Pennsylvania, which passed it by executive order in September of this past year. States who have instituted automatic voter registration have seen increased voter turnouts as a result of the increase in voter registration. I hope

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that LB1042 will do the same for Nebraska. I would like to briefly note the opposition from the Secretary of State and NACO. First, I want to say I'm grateful that their opposition is related to logistical concerns, rather than opposition to the policy itself. The truth is, this will create more work. I have no reason to dispute the number of additional registrations they are estimating will need to be processed, and I am committed to ensuring that our Secretary of State and our counties have the funding they need to perform this important work. I believe ensuring participation in our democracy is worth that. The fact that 24 other states have figured out how to make this change means Nebraska can, in fact, as well. I was particularly gratified by NACO indicating that they would move to neutral if there was an ability to indicate that the applicant is already a registered voter. Surely, with today's modern technology, we can ensure this information is available so that when we-- so we can alleviate the concern about duplicates. That is a total fixable problem. With the processes already established through the motor voter law, we aren't reinventing the wheel with LB1042, and I am confident that we can work through the logistical challenges. I look forward to working with the Secretary of State and NACO beyond this session, if necessary, to figure out how to improve these processes. With that, I will close my introduction. I'll be glad to answer any questions you may have or refer them to the folks behind me.

BREWER: All right. Thank you for that introduction. I'm wondering, Senator Fredrickson, if I didn't maybe gum up the works. Last year, I passed the Ukrainian driver's license bill.

FREDRICKSON: Yes.

BREWER: How do we make sure that the folks that I worked to get the driver's license for, who intend to go back to Ukraine, I think, in most cases, don't fall onto the rolls? That would just be a part of when they get the driver's license, they-- walk me through how that would work.

FREDRICKSON: Yeah. So voter eligibility will still take the same process it currently does. So those checks and balances will still need to occur. So essentially what happens at the DMV currently is when you are applying for your driver's license, you can also check a box that says, yes, register me to vote as well. That information is then sent off to Secretary of State to confirm, one, that that

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individual is eligible before they're registered to vote. What this bill does is it literally just changes this from an opt-in to say, yes, I want to register to vote to, do you want to opt out of that? And then what I'm also proposing with concerns on duplications from NACO is we also include a box that says I am already registered to vote. You could check that which would prevent the duplication concerns. So in answer to your question, if a-- if an individual is not a citizen of the United States and that they are not interested in-- and they're applying for a driver's license, for example, that check and balance would take place to confirm their citizenship on the other end like it currently does with the DMV.

BREWER: And then that would carry over, too, if they fit in that category because we're still-- I think we've got-- is it LB50 we're working through now as far as fill-in voting to make sure they didn't fall in the, the, the gap there until we figure out what that's going to look like.

FREDRICKSON: Correct.

BREWER: They, too, then-- it would be on whoever is doing the processing of the license to make sure that they, they fit into a category that would allow them to vote.

FREDRICKSON: That's exactly right.

BREWER: OK. All right. Let's see if we got questions for you. Questions? Questions? All right. Well-- you'll stick around for close?

FREDRICKSON: I'm hoping to. I have another bill up in Judiciary. So depending on timing for this, I will close if I'm here. But if I got that bill up, I might be waiving that.

BREWER: Then waive it.

FREDRICKSON: Yep.

BREWER: OK. Thank you. All right. We will start with proponents to LB1042. Come on up. Sheri, welcome back to the Government Committee.

SHERI ST. CLAIR: Good afternoon. Sheri St. Clair, S-h-e-r-i S-t C-l-a-i-r, speaking on behalf of the League of Women Voters of Nebraska, and we are supportive of LB1042, providing automatic voter

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registration or registration updates for those eligible Nebraska citizens unless they choose not to. As Senator Fredrickson stated, this allows Nebraska to join 24 other states and the District of Columbia, which are already categorized as having enacted or implemented automatic voter registration. Since the passage of the National Voter Rights Act in 1993, collection of voter information has shifted from paper-based forms to digital records, with many state DMV systems linking electronically to statewide voter registration databases. This allows the DMV to not only collect information on eligible voters, but also electronically transfer that information to that voter registration database and electronic database-- electronic data transfers are historically more accurate and less resource intensive than paper-based systems. We also support the clause in the bill that says that applicants wouldn't be considered in violation of the Election Act unless they willfully and knowingly attempt registration knowing that they are ineligible. So we'd appreciate LB1042 advancing for full consideration.

BREWER: All right. Thank you. All right. Let's see if we have questions. Any questions for Sheri? Questions? All right. Thank you for your testimony.

SHERI ST. CLAIR: Thank you.

BREWER: OK. Next proponent to LB1042. Welcome to the Government Committee.

JOSEPHINE LITWINOWICZ: Good afternoon, Colonel Kilimanjaro, Tonto, and members of the committee. First of all, I got to say, before the time starts, hopefully, it's the only way I know how to-- it'd be nice to have a microphone so that I wouldn't have to lean over-- and other people. And so I'm making a collage. I'm making a string-- a video segment and see how long it takes because-- to get it done because I don't know any other way anymore. So thank you. My name is Josephine, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z, and I represent the Higher Power Church. And-- so-- I mean, this is-- it's interesting to, to wonder why anybody would refuse registration. So-- and I, I never-- I mean, I never understood why that's the case and it just seems strange because it's an option to vote. Anyway. But I think this is a great idea because we got to make it easy as possible for people to vote and, you know, that's just the case. So-- what was I going to say? It will either come to me or it won't and I still got a green light but I

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don't want to waste time. Cognitive problems from MS. Anyway. Thank you.

BREWER: OK. Thank you. Any questions? All right. Thank you for your testimony. All right. Next proponent to LB1042. Oh, hang on there, getting you a chair here. Welcome back to the Government Committee.

HEIDI UHING: Good afternoon, Chairman Brewer, other members of the Government Committee. My name is Heidi Uhing, H-e-i-d-i U-h-i-n-g, and I'm the public policy director for Civic Nebraska. I'm here in support of Senator Fredrickson's LB1042. In 1993, the National Voter Registration Act created a process by which Nebraskans can register, update, or affirm their registration during a transaction at the DMV. Senator Fredrickson's bill proposes an addition to this provision that would benefit the state in two ways. It would make a current government function more efficient, and it would improve the accuracy and thus the security of our voter rolls. When we're applying for a new or replacement license at the DMV, the form provides the option to register to vote when you're already filling out your paperwork. A lot of people do, about 1 in 5 currently. But when they don't, that's a tremendous opportunity cost for the state. Updating or affirming a registration while already interacting with a government agency is the most cost-effective and convenient way to keep those voter rolls accurate. These interactions reduce the need for provisional ballots later, reduce confusion on Election Day, and help our voter rolls easily keep, keep up with voters who move into and within our state. The bill simply changes that default interaction from an opt-in to an opt-out. There's ample evidence from 42 other-- I'm sorry, 24 other states that the simple change will increase the number of voter records that auto update. Moreover, it's a convenience to voters who would otherwise have to submit a separate application to vote or update their voter registration manually by providing identical information. The current registration system can be needlessly difficult for many voters, such as families, members of the military, students who move frequently and end up registering in the wrong district and then finding themselves unable to vote or needing to cast a provisional ballot. This automatic voter registration would allow voter registration to automatically move with each voter. I can share a case study with you from Oregon, which is the first state to implement automatic voter registration nearly 10 years ago. That first year of implementation, 2,300-- I'm sorry, 230,000 additional Oregonians automatically registered to vote in time for the election,

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and more than 97,000 of those cast a ballot. The Oregon Secretary of State's office reported that they were able to update roughly 278,000 voter records with new address information, creating efficiencies and cost savings in their elections. And I recall that that same secretary of state estimated that they had a cost savings of approximately $4.37 for the staff time saved for not having to manually enter each individual voter registration and voter update form. In short, automatic voter registration is a fair and impartial way to ensure that every eligible citizen has an opportunity to have their voice heard in our elections, because it's also an easy way to improve our accuracy of our voter rolls and reduces government waste. I encourage the committee to help Nebraska join the other half of states in making this update by advancing this bill to General File. And I will note that your question to the senator and specific to the Ukrainian circumstance is addressed midway through page 5, where, as it is done currently, those applications would just be dismissed because they're ineligible.

BREWER: OK. Thank you on that-- following up on that, and I figured that there was probably a pretty easy way to do that or they would not have helped me work through being able to get them the driver's license--

HEIDI UHING: Right.

BREWER: --if it was gonna gum up the works. OK, let's see if we got any questions for Heidi. Questions? Questions? All right. Thank you--

HEIDI UHING: Thanks.

BREWER: --for your testimony. OK. Additional proponents to LB1042? Welcome back to the Government Committee.

GAVIN GEIS: Chairman Brewer, members of the committee, my name is Gavin Geis. That's spelled G-a-v-i-n G-e-i-s, and I am the executive director for Common Cause Nebraska. Common Cause Nebraska supports LB1042 because it would help more Nebraskans register to vote through the DMV by making registration an opt-in rather than-- or an opt-out rather than an opt-in process. We see this measure as a natural extension of the successful practice of registering voters at the DMV, and believe it will help more Nebraskans take part in our elections. Following the nationwide implementation of the 1993 National Voter

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Regis-- the National Voter Registration Act, the Federal Election Commission conducted a review of the 1995-96 election cycle, and what they found was that 13 million additional voters were registered through the DMV, and an additional 13 million voter records were updated because of data collected at the DMV and state agencies. In short, because of the act, more Americans were registered to vote, and voting records were more accurate than ever before. Now, states are looking for ways to expand on this historic improvement and voter access by switching the DMV registration process from one that requires participants, as we've heard, to opt-in, but instead to opt-out. States that utilize one form or another of this policy divide into two main methods of registering voters of the DMV. In states like Connecticut, Georgia, Pennsylvania, and West Virginia, systems are those states that utilize systems like the ones proposed in LB1042, where people receiving an ID at the DMV are automatically registered to vote using the information provided unless they opt out. Systems like these are classified as front-end registration systems, because they allow participants to opt out at the time of the transaction. States like Alaska, Michigan, Minnesota, and Oregon use a back-end approach where they register everyone who applies, and then under that approach new registrants are sent a mailer after the transaction occurs that allows them to opt out of registering to vote. So all these states, different systems, but for the most part they have similar results. State systems also vary to the extent that they use state agency data to update voter records. Well, all states, every state relies on some DMV data to provide election administrators with updated voter data. Many states have expanded that list of participating agencies to include health and human services, departments of labor, social services, and many other state agencies that gather information from voters. While there are distinct approaches to how these registration systems work, what these various states have in common is that they have seen an increase in the number of registered voters thanks to these improvements. After Pennsylvania implemented similar registration procedures, their Elections Office studied the impact of the change and found some convincing data. They saw a 45% increase in the number of regis-- of individuals that registered through the DMV. Additionally, those registrations did not clearly favor one political party or another. While there was a 3.5% increase in registered Republicans, that was consistent with the overall ebb and flow of registrants. In other states, California saw a doubled number of registrants through the DMV, Georgia a 94% increase,

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Oregon and Colorado 16% each, and Alaska 33. We believe Nebraska could see similar gains by adopting LB1042.

BREWER: Gavin, you did a nice job on time. Thank you. All right. Questions for Gavin? All right. Thank you for your testimony.

GAVIN GEIS: Thank you all.

BREWER: OK. Additional proponents? And just to speed the transition up, again, if you're a proponent and you're planning to speak, don't hesitate to come up to the front row here so we got everybody stacked and ready. 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 support of LB1042. So as other, other testifiers have said, our democracy is strongest when our electoral process ensures that all eligible voters can participate in the process and have their voices heard on Election Day. Certainly, voter registration is an integral part of that process and should ensure that eligible voters can easily and accurately register to vote. Many voters, unfortunately, find the registration process confusing and inconvenient. Further complicating the problem is the fact that many voters incorrectly believe they're registered to vote when they're in fact not registered. In Nebraska, incomplete or inaccurate voter registration records prevent people from voting in person on Election Day, as well as early and provisionally. Although to my knowledge, the state does not collect data on how many people are turned away from a polling place on Election Day, it does collect statistics on how many people will vote provisionally, how many provisional ballots are rejected, and the reasons for those rejections. So when you look at that data, it's clear that the most common reason for provisional ballots to be rejected is a voter's failure to properly register. During the last presidential election in 2020, 71% of the rejected provisional ballots were rejected because eligible voters registered in the wrong county, registered late, or had incomplete or unsigned registration. In smaller counties, this is almost exclusively the reason for which provisional ballots were rejected. In Buffalo County, in 2016, for example, 83 of their 99 rejected ballots were rejected because of voter registration problems. And if you look at other presidential elections or midterm elections, you see the same types of trends. So it's crucial, therefore, that our

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state streamline the voter registration process as much as possible to ensure that all voters have their vote counted. Our neighbors in Wyoming, Iowa, and Colorado mitigate this problem by statutorily allowing a person to register or reregister to vote on Election Day. Other states, as other testifiers have mentioned, are using the process that would be proposed by LB1042. So in any case, the goal is just to ensure that people who want to vote can vote on Election Day, and that the technicalities of voter registration don't inadvertently eliminate a person's ability to exercise their right to vote. LB1042 would help accomplish that. As such, we would urge the committee to advance it to General File. Thank you and I'm happy to answer questions.

BREWER: All right, thanks, Nick. Let's see if we got questions. Questions for Nick? Questions? Thank you for your testimony.

NICK GRANDGENETT: Thank you.

BREWER: OK. Next proponent. Welcome to the Government Committee.

JANE SEU: Thank you. Good afternoon. My name is Jane Seu, J-a-n-e S-e-u. I'm the legal policy counsel at the ACLU of Nebraska and I'm testifying in support of LB1042. Automatic voter registration is a commonsense way for states to expand voter rolls and increase voter participation. 24 states and the District of Columbia have automatic voter registration processes in place already. These states have benefited from seeing increased voter registration so that every eligible voter can access the right to vote. Oregon was the first state to enact automatic voter registration in 2015, and they saw a boost in turnout of 4.1% between 2012 and 2016, and Georgia added more than 681,000 voters to their rolls 3 years after implementing automatic voter registration. Eligible voters who are low-income, people of color, and people with disabilities, and people in rural areas often face the highest barriers to vote, and in-- by voter registration helps lower one of those barriers and increases voter turnout. Automatic voter registration also allows agencies to share information so that a voter doesn't have to interact with both agencies just to share the same information, which is helpful as people now tend to move multiple times in their lifetime. Now that Nebraska has voter ID requirements, it is more important than ever that we lower barriers to voting, including in the voter registration

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process. We urge your support of this bill and ask that you advance the bill to General File.

BREWER: All right. Thank you for your testimony. Questions? Questions? All right. Thank you. OK, still on proponents for LB1042. Welcome to the Government Committee.

CINDY MAXWELL-OSTDIEK: Thank you. Sorry. Hi. Good afternoon, Chairperson Brewer. My name is Cindy Maxwell-Ostdiek. I want to thank you and the members of the Government, Military and Veterans Affairs Committee for holding this hearing today. I forgot to spell my name. It's C-i-n-d-y M-a-x-w-e-l-l-O-s-t-d-i-e-k, and I'm an advocate for Civic Engagement and president of Better Ballots Nebraska, formerly Rank The Vote Nebraska. We're testifying as proponent for LB1042, change provisions relating to registering to vote. We believe Nebraskans have a right and responsibility to take an active role in our elections. We support this measure to improve access to voter registration, to streamline the process registering to vote, and to improve accuracy. We also believe presentation of this as an opt-in encourages Nebraskans with the expectation to take up their right and their responsibility to vote. We thank Senator Fredrickson for bringing this important legislation, and I won't repeat what others have already stated, but I do want to say on a personal note that my children are currently in high school and of an age to apply for their driver's licenses, and as they move on for school and to their own apartment someday, this policy will ensure that their registration to vote is updated and I believe that is good for our state when more of our young Nebraskans are keeping up on their responsibilities to vote. So we ask you to please vote yes on General File to LB1042 and pass this important legislation. Thank you.

BREWER: All right. Thank you, Cindy. Let's see if we got questions. Questions? Questions? All right. Thank you--

CINDY MAXWELL-OSTDIEK: Thank you.

BREWER: --for your testimony. Welcome to the Government Committee.

ARLO HETTLE: Thank you, Chairman Brewer, members of the committee. Happy Valentine's Day. My name is Arlo Hettle. That's A-r-l-o H-e-t-t-l-e. I'm the associate network policy manager at the Nebraska Civic Engagement Table. We work with nonprofits across the state to

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increase civic and community engagement, including voting, and we're here today in support of LB1042. LB1042 is a great example of how public policy can be used to help facilitate civic participation while harmonizing with existing governmental processes. I don't want to restate what others have said, but, as you've heard, research has found that increases in the number of voters registered has happened in every state where AVR has been enacted while still protecting the right of citizens who do not wish to register to vote. This policy assists voters in keeping their own registrations up to date and benefits election officials in being able to work with the most accurate information as possible. We would love for every citizen's first thought after moving to be updating their voter registration, but we know that that isn't a realistic expectation. And if the state can meet citizens where they are, it benefits both voters and election workers. This isn't unproven policy, we've seen benefits in the dozens of other states where some version of this policy has been enacted. Nebraska has a great tradition of smooth and well-run elections. Presidential level turnout has consistently increased in the past decade and a half in Nebraska and enacting measures like LB1042 to keep voter rolls up to date helps to continue our success in election administration. The Nebraska Table supports this committee advancing LB1042. Thank you.

BREWER: All right. Thank you, Arlo. Let's see if we got questions. Questions? Questions? All right. Thanks for your testimony. Welcome to the Government Committee.

WES DODGE: Thanks for having me. My name is Wes Dodge. I-- my, my name is spelled W-e-s D-o-d-g-e. I'm associated with RepresentUs and Common Cause. As to LB1042, I come to testify in support of it. The Declaration of Independence references the consent of the governed. That echoes the concepts of John Locke. To me, the consent of the government means everyone who is qualified to vote should be able to vote. That means we should be looking for ways to have as many qualified voters as possible participate in our electoral process and I believe that LB1042 does this. By allowing for registration as part of getting a driver's license, we increase voter participation. And the more people that feel their votes matter, the more vested they are in the government, the happier they're going to be with those that are elected. Using driver's license information should lead to the state having more accurate information on both the driver's licenses and the voter rolls. I think this could increase voter confidence because it

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shows you care. You actually, you as the Legislature, reaching out to people and saying we want you to vote. The voter knows that you want them to be heard. And then I usually don't read-- well, I, I tried to read legislation, this is kind of long legislation, it's like 35, 40 pages. But as I read it, I'm also a trained mediator so I have this suggestion in here. Mediators, when people are looking for them throughout the state, can get on the Nebraska Supreme Court website and find a mediator where they live or close to where they live. And I was thinking about getting more people registered that want to be registered if there was some way to publish a similar list for deputy registrars that would be convenient for people in Cherry County or Furnas County or, you know, south central Nebraska, places like that, so. That-- not specific on what everybody's talking about today, but as I read the bill that struck me as a, a way that this particular bill could be improved. Ultimately, this bill serves to promote democracy and allows for as much voter engagement as possible. How you choose to treat bill LB1042 and LB1211 today, I think, shows that you have an interest in growing and promoting and improving our democracy and I hope you'll act appropriately.

BREWER: All right, hang on, Wes, just a second. On going back to your idea, so you go on the Supreme Court website and they have the ability to identify on the website if you wanted to-- what was the term again that you used on that?

WES DODGE: Be a, a deputy registrar. I'm a-- I'm a-- I'm a mediator and so if you're certified to mediate for family law cases, mainly you can get on the website, type mediator on the Nebraska court website and it'll break it down by county and the area of the state.

BREWER: So that was-- that was on Supreme Court [INAUDIBLE]. So if we did that, that would need to be on the Secretary of State's website then on the deputy registrar or whoever is--

WES DODGE: I, I would assume so, and maybe some form of it's done already. But it just as I read it, it just struck me as, you know, a way to expand the ability for people-- and maybe to save the Secretary of State money because you're going to have agents out there that can just refer people to the website, get them to a deputy registrar and get them registered.

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BREWER: OK. Well, it'd be a real good idea. I'll talk to the Secretary of State. All right. Questions for Wes? All right. Thank you for your testimony.

WES DODGE: Thank you very much.

BREWER: You bet. OK. Any other proponents? If not, then we will switch to opponents to LB1042. Come on up. Need a green sheet. There you go. OK. Welcome to the Government Committee.

SARA FREEOUF: Thank you, Senator Brewer. Good afternoon. My name is Sara Freeouf, S-a-r-a F-r-e-e-o-u-f. In the packet you receive, you will see that the Heritage Foundation analyzed the election laws in all 50 states and they rank them for the quality of election laws. The top 10 states were almost all red states. The bottom 10 were almost all blue. Nebraska was ranked next to New York, New Jersey, California, Massachusetts, and Washington, at number 43. Seventh from the bottom. The Heritage Foundation list that you'll see on the next page, it's page 3, shows where Nebraska stands zero, zero on voter ID implementation, zero on vote harvesting trafficking restrictions, zero out of 4 on verification of citizenship, zero on election litigation procedures. The second number is the number of issues they measured. Restriction of private funding of election officials or government agencies. So that's on page 3. We do not check to see if anyone is a citizen when they register. We simply ask if they are. Foreigners know that if you live in a place, you are a citizen. So they may mistakenly simply say yes. When you look at the zero for voter ID, even after we changed our constitution, a real voter ID is not needed in Nebraska. Vote harvesting is allowed in Nebraska. Anyone can collect and return anyone else's ballot in this state. Think about that. There are no laws on the books on how you can formally complain about election issues. There are no restrictions for any one party to donate funds or people to support elections in Nebraska. In 2020, Mark Zuckerberg gave Lancaster County over $400,000. The use of these funds was not clearly delineated. We are a mess in our state.

BREWER: OK. Does that end your testimony then? OK. Thank you. All right. Questions? Yes, Senator Hunt.

HUNT: Never mind. I was going to ask what-- I know this, but I was going to ask what NVAP stood for, but that on your other handout--

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SARA FREEOUF: Yeah.

HUNT: --was my answer.

SARA FREEOUF: Nebraska Voter Accuracy Project.

HUNT: Thank you. I struggle with acronyms so thank you.

BREWER: All right. Thank you for your testimony. All right. Jumping back, we're now on opponents to LB1042. Welcome to the Government Committee.

PENG XIAO: I'm going to wait for all of you to receive the materials before I start.

BREWER: All right. We'll wait until we get it handed out here, but it's going to be a long night I fear. All right. Go ahead. I got it. I'm the one that matters. [LAUGHTER]

PENG XIAO: You got it, but other people are still waiting. OK. Anyway, my name is Peng Xiao, P-e-n-g X-i-a-o, and I just want to show that 2022 Millard School Board of Education, the results. Because my kids, they are in Millard School. So I'm just focused on the results on that, that day. So you can see the first figure, several minutes before the count ending, that's on the WOW-T.com website. And then suddenly one candidate, the last candidate, Terry Dale, and his votes just suddenly, just one second dropped from more than 7,000 to zero. So I just got the snapshot. And then the second figure is the final results in the ballotpedia.org. So you can see that, that candidate eventually he got a 75-- 107-- 6,574 votes and all the votes for other candidates just dropped. So I highly suspect that's because of the machine at that time just one second and because of the algorithm. And then they just redistribute the, the, the-- all the votes. So that's why I just highly suspect the machine, because I'm doing coding every day, so I know how easy, if you just change the parameter in the code and then just change the, the results. So no matter how, how many people vote and then for each candidate, eventually the machine can manipulate it. So that's why I highly just oppose that machine, even for the voter registration. Because last year I also showed that Dr. Frank, that the-- that the ratio between the voter, a number over the, the-- the registered number over the voter run number in each county in Nebraska, the ratio was the same. So I highly suspect that the, the

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machine can manipulate and do the fraud in both the voter roll and the-- and the, the ballots reading. So I just recommend you guys-- just highly recommend you just vote no for this bill because we need to stop machine, stop early ballots, just one day hand counting. So-- and also hand, hand register the, the voter rolls. So that's-- then we can have a, a righteous election. Thank you.

BREWER: OK. Now you get to be one of the crash test dummies here because I'm gonna go through some, some-- just some basic stuff. You're entitled to your 3 minutes. OK? But it really helps if we track with the bill that we're discussing. OK, so we're on LB1042, it has to do with change provisions related to registering to vote through the driver's license. Now, again, you can-- you can-- you get your 3 minutes, but it helps us to be able to track if it follows with what the bill that we're discussing when you come up. So I understand what you're saying on this. I understand what you're saying with the voting, but we should correlate that to the bill that talks about a voting machine and the process so that then it, it makes sense when people review the testimony from the hearing. Do you kind of track with what I'm saying?

PENG XIAO: Yeah. But the voting machine, actually, also responsible for the-- for the registration.

BREWER: Well, what we're talking about here is--

PENG XIAO: Yeah, so the database, you know, once you keep that, so I just use this to refer we should remove the, the voting machine.

BREWER: OK. You're entitled to that. I just-- just so folks understand, it, it does help if we, we keep tracking on the bill at hand because we've got 5 bills here today. We're going to have proponents, opponents, and neutral on all those bills. So we're going to have lots of time to discuss different parts of the election process and that's why today's Election Day. But we'll, we'll, we'll take your information. Let me see if we have questions for you. But I just wanted you to kind of understand that sometimes it's hard to track if you jump gauges here and we're not sure, you know, what exactly you're talking about. Because if we're, we're focusing on registering and the, the voting process with registering your driver's license and now we're talking about machines and results and how that all matches it just sometimes slows the process to understand, you

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know, why you're testifying on that here now. But, again, let's see if we have any questions for you. Any questions? Yes, Senator Lowe.

LOWE: Thank you for coming again and testifying on voter ID and, and everything. Could you spell your name again? I was kind of settling in and I didn't get your name.

PENG XIAO: Oh, my name is Peng Xiao, P-e-n-g X-i-a-o.

LOWE: Thank you.

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

PENG XIAO: Thank you.

AMBER PARKER: Amber--

BREWER: Welcome to the Government Committee.

AMBER PARKER: Amber Parker, A-m-b-e-r, Parker, P-a-r-k-e-r. I cannot take credit for what I'm going to bring forward for you today, but I am an opponent to-- sorry there's so many bills-- LB1042. Why? We have an issue, the voter rolls are not clean and it just seems you want more of a centralized system. And, quite frankly, Senator Lowe, I don't know why you had to get the man's name on record when he gave it at the beginning. And shame on you, senators, because these machines have proof of latitude and longitude of cheats in 2020. So to your point, Senator Brewer, interesting find. What I want to show Nebraskans is part of the code behind the Nebraska voter information lookup site. The ne.gov site leads you to believe that this is a gov site to which it is not. It is a site managed by election systems and software. Yes, the same folks to whom our Secretary of State Bob Evnen and our legislators have given full permissions to run our elections, and you pay them millions of dollars every year to do so. If that isn't interesting enough, check out the center code there close to the top. Why is this code connected to Twitter? And the second image zooms in to show this is licensed under MIT. Very interesting. To your point, and what the previous testifier was trying to say is that there is a connection with these voter rolls in the machines, and somebody that knows a lot more than myself can come up and address this. And, Senator Brewer, what a distraction you just brought because he brought forward and showed you that in the state of Nebraska proof with your

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own eyes that there was an anomaly, if we call it an anomaly, something that happened. I don't want to say the wrong word, that you had over a, a few thousand votes or 7,000 votes and it dropped to zero. This is what I also want to share with you. Election fraud took place in 2020. We still need answers of 25,000 missing mail-in ballots and you explain to me, Election County Commissioner Kruse, why people are receiving early voter registration in, in, in other states at the present. Latitude and longitude, 180.76.4109, 39.9042. This right here is just the coordinates of, of, of one of the places of election fraud of showing of flipping votes. I encourage you guys, seriously, we are talking areas of treason and you want to reprimand the people that are coming forward to bring forward that election fraud is taking place in the state of Nebraska. Everything is on public record, can be used in a court of law. We need hand counting ballots at the precinct level under video surveillance. These machines, you all know, have open doors to foreign interference. This is a reality.

BREWER: All right. Thank you for your testimony. Questions? Thank you. All right, now-- come on up, Larry. I am going to expect a level of courtesy on everyone who sits in that chair. OK? We're here to learn. We're not here to be yelled at. The point you want to yell, go out in the hallway and yell. I don't care where you go yell, but you're not going to yell in here or I'm going to have you escorted out of this room. Do I make myself very clear? All right, Larry, share with us, please.

LARRY STORER: Good afternoon. Thank you. Larry Storer, S-t-o-r-e-r, 5015 Lafayette, Omaha, Nebraska. I'm against most of these bills today, particularly this one. I wear this shirt for a purpose. This is picturing we the people pointing our fingers at you because you are supposed to be representing us. However, you are not because we cannot get any of our elected officials to talk about the irregularities and the, in fact, stolen election from 2020. I have a college degree. I did some programming. I know that you can program a machine to do whatever you want it to do. A human being does that up until now, but nobody will talk about it. You will not allow it. The Secretary of State in this state has way too much power. It doesn't matter what you do here today because he will decide what he does and when he does it. And he will tell people like Mr. Kruse in the back room there how they will or will not run the election. We have absolutely no power in it. Now, I do back one candidate that has skin in the game and he does have standing in this state because he ran for Secretary of State and

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he ran on a write-in ballot for Governor and the Secretary of State can't even tell us how many votes he got. That is against the concept of a constitutional republic. Somebody earlier called us a democracy. We are not a democracy, ladies and gentlemen. How many times do we have to tell you that? You're not representing us. We want you to represent us. Scrap these bills and take the power away from the Secretary of State and put it back in the hands of the people who you are supposed to be listening to, not these 501(c)(3)s from around the country with all the power and the money. Mr. Zuckerberg is one of those, Common Cause, George Soros. I don't have the money that those people have, but you seem to be listening to them. You're supposed to listen to us. The Declaration of Independence, by the way, applies to any government federal, state, local, county board or city council or school board that is not doing its job for we the people. It gives us the right, the duty to alter, change, throw off, and reinstitute that government. So I suggest to the people in Nebraska that we get busy and do that right now. If you people do not want to honor your oaths of office and take the power away from that one person, Secretary of State, then you should all step down because you're not honoring your own oath. Thank you.

BREWER: Hang on, Larry. Let's see if we got any questions. Questions for Larry? Questions? All right, Larry, thank you for your testimony. OK. Next opponent to LB1042.

MARY BETH CANNING: Yes, my name is Mary Beth Canning, C-a-n-n-i-n-g, and the graph that I wanted to show you was part of Sara's package and am I-- do-- am I allowed to have you look at that graph or--

BREWER: You, you have a handout then that's coming around or--

MARY BETH CANNING: It, it was--

BREWER: Oh, it's in that packet that she gave earlier.

MARY BETH CANNING: Yes, it's on page 5, but I'm a little confused because of something with the previous-- or somebody else's handout wasn't allowed. Yes, yeah, page 5.

BREWER: This one here or this one here? This one?

MARY BETH CANNING: That one, yes, page 5. Yes, and my name again is Mary Beth Canning, C-a-n-n-i-n-g. I'm a citizen here in Lincoln and

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thank you for listening to my opposition to LB1042. And, Senator Brewer, I take your comments to heart about trying to give our comments that relate to this particular vote in this particular bill. The graph that I show you, I'll talk about it in a minute. But, you know, with respect to this bill of the Department of Motor Vehicles registering our voters, the concern of many of us is voter fraud and the lack of identification of our citizens' proper identification and a concern of many of us is that will something like this bill, the DMV voter registration bill, cause more problems when we're trying to actually correct voter identification and verification? I'm all for streamlining data, you know, if the data from the Department of Motor Vehicles could somehow verify our voter registration, but I think that this bill is actually going to make it worse. You raised the point yourself about Ukrainians who have got driver's licenses. How will the checks and balances system work for those individuals? You know, will they be given, you know, full on board, you know, rights to vote where people-- the concern will be people that really don't have the right to vote in Nebraska are given the right to vote through this, you know, through this bill. And I think that's, you know, it's a big concern. Voter fraud in general is, is a big concern. And it's just such an important right in our country. And so are we streamlining something that's going to make voter identification more difficult, you know, to legitimize people that are voting that can't vote or shouldn't be voting? So that's, that's our concern. I'm with the Nebraska Voter Accuracy Project and I'll just point to this graph briefly to show you that the yellow dots on the graph and you see 2020 there and 2016, etcetera, 28-- 2008, those yellow dots represent Nebraska population who voted and Nebraska population who's registered. And the main point is that, if you look at 2020, you see 85% registered and 65% turnout go to the prior election, you see 65% registered and 55% voted. So what's going on there with such a huge increase in that number? You know, as intelligent people, are we concerned about voter fraud? Yes, we are. So that's my presentation and I appreciate your time. Thank you.

BREWER: Thank you. Let's see if we got any questions before you take off. Questions? All right. Thank you for your testimony.

MARY BETH CANNING: Thank you.

BREWER: All right. Now, a couple other rules that we need to make very clear. If you do not fill out a green sheet, you will not testify. End

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of conversation. All right. Don't forget to turn in your green sheet when you come up. Thank you. Welcome to the Government Committee.

DEAN COOK: Thank you, Chairman Brewer and the rest of the committee. My name is Dean Cook, D-e-a-n C-o-o-k, and I'm also with the Nebraska Voter Accuracy Project. My statement is there's some graphs, but they're on pages 7, 9, and 10. So I'm not going to go into detail on those. You can see those for yourself. Think-- you think there was no cheating in the 2020 in Nebraska, there is simply a question, how many ballots were counted in Lancaster County and how many people were identified in the Secretary of State's records as voting in Lancaster County. On the Lancaster County website, they reported that there were more than 200 more ballots counted in Lancaster County than the Secretary of State listed as names of people that voted in the county. This is plain old-fashioned ballot box stuffing. In the whole state of Nebraska, we found that there were over 4,000 or 4,001 more ballots than there were voters when this was brought up by the secre-- up to the Secretary of State in 2021. Why didn't anyone look into this? Because they don't care. This is the data-- this is the data from Edison. Edison is the company that distributes the data they get from Scytl to the news services. This is what you see at the bottom of your TV screen on election night. Scytl gives Edison the same data they send to the company that provided the counted votes to the Secretary of State of Nebraska. Scytl gets the raw data from the machine data that is sent by each county to the Secretary of State. Scytl organizes the data and sends it to both Edison and the company that provides it to the Secretary of State. So this proves that there is massive voter fraud in Nebraska as well as the rest of the state. Thank you.

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

DEAN COOK: Thank you.

BREWER: OK. Next opponent to LB1042. Welcome to the Government Committee.

GEORGE OLMER: Thank you, Senator. George Olmer, G-e-o-r-g-e O-l-m-e-r. I think what we are putting together in a compilation here is, is showing that, as the voting situation is now, we don't need to add which-- what LB1042 might add to this is unaccounted for voting people. And so the, the presentation you have there is, is-- it's--

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the second page is the vote reporting ratio of Trump and Biden, what happened in 2020. And what it is in the top line is what a normal election looks like, if you ratio the votes, that is divide the number of votes by one person by the number of votes of the second place person. They should have it. OK, I need that.

BREWER: Are you referencing one of the two documents that were handed out earlier or--

GEORGE OLMER: No. Those are just the earlier ones. You, you had the earlier ones.

BREWER: OK, well--

GEORGE OLMER: This should be--

BREWER: Drive on. We'll, we'll sort her out--

GEORGE OLMER: OK.

BREWER: --here.

GEORGE OLMER: OK. For the second place person, it doesn't take long and the result becomes obvious as the crowd has decided, at particular ratio, who they plan to vote for.

BREWER: Got you.

GEORGE OLMER: If that graph is in front of you, it indicates-- this is-- this is what the graph looks like.

BREWER: Got it.

GEORGE OLMER: OK. Do you have that?

BREWER: Go ahead.

GEORGE OLMER: OK. Legitimate elections, the ratio line is flat. I'll share that with it. It is always flat. In an illegitimate election, they try to bias for their favorite at the beginning and then let the natural vote that doesn't leave the same slowly trend to the expected result. And that is what you see up on, on the front of that. I can share that with you when we're done. Thank you. Illegitimate elections results always slow. And then the next sheet is what does Nebraska's

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vote actually look like? Flat or sloped? Let's take the red and green votes you saw in the previous presentation for Trump and Biden in Nebraska. Let's ratio the two. We'll use those exact results and let's look at what we get-- what we get. For Nebraskans, this is depressing. The results slope. We were duped by our election officials who were duped by cheaters. We had big-time cheating here in Nebraska. Can you believe this?

BREWER: OK.

GEORGE OLMER: Thank you.

BREWER: Thank you, George. All right. So--

GEORGE OLMER: I can share that with you if you would like that.

BREWER: All right. And just for reference, guys, I found the little 13 or the particular number in the corner on these. That's how you figure out which one you're talking about. All right, George, thank you for your testimony. No questions. No questions. All right. Next testifier in opposition to LB1042.

TAMMY BUFFINGTON: Good afternoon, Colonel Brewer and assigned committee.

BREWER: Good afternoon. Welcome to the Government Committee.

TAMMY BUFFINGTON: I'm just going to follow up a little bit on what has been said. I appreciate each one of you listening.

BREWER: We're going to need your name spelled.

TAMMY BUFFINGTON: Oh, yes, I did forget that didn't I. I'm Tammy Buffington. Tammy spelled T-a-m-m-y, the old way, Buffington, B-u-f-f-i-n-g-t-o-n. What else am I forgetting, Colonel Brewer?

BREWER: You're good. You got your green sheet turned in?

TAMMY BUFFINGTON: I do.

BREWER: OK. You're good to go.

TAMMY BUFFINGTON: Actually, I have four extra here, if you would like.

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BREWER: All right. You're good to go.

TAMMY BUFFINGTON: OK. Well, I'm in agreement with some of LB1042. The primary issue is the actual voter rolls. LB1042 doesn't go far enough, in our opinion, to identify the registered voters for accuracy in its final elections. It doesn't extend far enough into the actual election process. So while we're all trying to learn what LB1042 does and taking driver's licenses, I'm all for that as well. But I think it's important that we really vet the people who are voting. And then once they do vote, those particular votes count and are able to be counted. And that's what's been the issue here as of recent. In May of this year-- last year we're in 2023 now, Lancaster County election integrity, May-- I think that's in part of your packet if you're interested in looking. But Lancaster County had a record 46% voter turnout in 2023. In 2021, Lancaster County election was a 29% turnout, with a 57% increase, even though there were 4,000 less registered voters. So that's the point. You have 4,000 less registered voters, but you're having these increases. The math isn't adding up. There are more registered Republicans than there are registered Democrats in Lancaster County. This local Republican election had over 31% more ballots turned in in 2019. On Election Day, Republican voter turnout from 2019 to '23 grew 22.8%. Democrat voting fell on Election Day by 6%. Again, the math isn't adding up. The number of Democrat mail-in ballots increased 107% in 2 years. The number of early votes for Democrats increased 107% in one mayoral election from 2019 to 2023. So that's the question and that's what we're trying to learn about today.

BREWER: OK. Yeah, we, we tracked-- once we-- once we were on the Lancaster page we, we--

TAMMY BUFFINGTON: Yeah.

BREWER: --followed your, your lead here. All right. Questions for Tammy? Questions? All right. Thank you for your testimony.

TAMMY BUFFINGTON: Thank you, guys.

BREWER: OK. Still on opponents to LB1042. OK. Last call. Come on up. All right. Welcome to the Government Committee.

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CONNIE REINKE: Thank you, my name is Connie Reinke. I did give her a copy of Professor Clements' video "Let My People Go." If there's any misunder--

BREWER: We need you to spell your name.

CONNIE REINKE: Oh, C-o-n-n-i-e R-e-i-n-k-e.

BREWER: Thank you.

CONNIE REINKE: If anyone has questions about the elections, how they work, how manipulation has been made as far as proven audits, Professor Clements has recorded all of that in a-- in a movie and it explains things very well. And I just want to let you know the reason these people are coming up and speaking about the fraud that's happened in the elections is because we have a system that, that our state uses that is making it a centralized system. So the voter registration, which this bill is concerning, is connected to the actual voting process of validating if someone is, you know, a voter at the polling location and when they scan the ballot envelope, this system is all connected together and it's called "total vote," is the system. We've been told over and over that our elections are not connected to the Internet, but this total vote system is a cloud-based system. So the people that are registering 24 hours a day, 365 days a year, these-- this registration file is open and there are different organizations that are inputting the information and that allows hacking to occur. We have something called Albert sensors, which is connected to the Internet, and it's been shown FirstNet, which is an emergency-type service. Cellular is connected. So I just wanted to clear that-- clear that up.

BREWER: OK. On your comments on total vote,--

CONNIE REINKE: Sure.

BREWER: --what you're saying is that the process that we use when we're registering folks with their driver's license and giving an option to opt-in to also vote is connected to a much bigger system that is counting votes and doing election stuff.

CONNIE REINKE: Yes. It's like election night reporting. It's, it's when people-- the counties upload their information, it goes into a cloud-based system. And then the people that are voting and the

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markings of, yes, that person voted, that's transferred over to an ES&S electronic system. And that whole time it's connected to the Internet. It's been found in Dallas, Texas, that the scanner, when they scan the mail-in ballot with the, the zip sorted code that those were connected to FirstNet, which is an emergency responder cellular network. And in Nebraska, we have some of that FirstNet in the larger cities. But in the smaller cities, they use regular cellular connections that can be connected by modems into these machines. These machines actually have patents that have modems in them and we say that we turn them off, but hackers can also get in and, and flip that-- flip that system. So that's the danger of having even more registered voters and these registration systems online. So thank you so much.

BREWER: Thank you for answering that. Questions for Connie? All right. Thank you for your testimony.

CONNIE REINKE: You're welcome.

BREWER: OK. Any other opponents? OK. Then we will-- OK, last call. Come on up. I think we got a problem with the green sheet. Welcome to the Government Committee.

STEVEN SCHEPERS: Thank you. I'm Steven Schepers, S-t-e-v-e-n S-c-h-e-p-e-r-s, and this is a, a matter of Nebraska election security and a call for hand counting paper ballots for elections at the state county precincts. The Nebraska Legislature has the authority and responsibility to address hacking electronic voting machines by bad actors in accordance with the Computer Fraud and Abuse Act amended in September of 2020 to include electronic voting machines. Protecting our nation and our state's election process must be a top priority. The recent released Halderman report irrefutably documents the ease of manipulating and changing personal votes when using programmable voting machines. The majority of voters in our nation cannot trust the vote results from the mandatory use of "unsecure" electronic voting machines designed and run by private companies that perform a critical government function. These private companies exclusively program the electronic tabulators that count our ballots and they refuse to allow the public evaluation of their software claiming as proprietary and confidential does this inviolate-- does, thus, inviolate the constitutional 14th Amendment knowing the voters' right to vote has been accurately counted. The Help America Vote Act passed by Congress

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in 2002 does not permit devices or components using external network connections to be a part of the certified voting system as detailed in the Election Assistance Commission certification qualifications under VVSG 2.0. External network connections require that stated from page 12 as follows: External networks connections VVSG 2.0 does not permit devices or components using external network connections to be a part of the voting system. There are significant security connections introduced when the network devices are then connected to the voting system. This connectivity provides an access path to the voting system through the Internet and, thus, an attack can be orchestrated from anywhere in the world. An example would be nation state attacks. External network connection leaves the voting system vulnerable to attacks regardless of whether the connection is only for a limited time or if it is continuously connected. These types of attacks include the loss of confidentiality and integrity of the voting system.

BREWER: All right, Steve, we'll have-- all right, we're going to go ahead and mark-- we've got your written testimony here so I'm going to mark right where you were so we can take it where you left off. All right. Let's see if we have questions for you, Steve, and thank you for your written testimony. All right. Questions for Steve? Questions? All right. Thank you for your testimony. And on his, he doesn't have his name in the beginning of that so if you want to write his name on the top and then you can correlate his testimony with, with a name. All right. Welcome to the Government Committee.

JOSEPH STEELE: Thank you. My name is Father Joseph Steele. And, anyways, I'm here not on part of the church but as a concerned citizen.

BREWER: Can we have you spell that so we have it.

JOSEPH STEELE: Yeah. S-t-e-e-l-e.

BREWER: Whenever you're ready.

JOSEPH STEELE: Yeah, this is with regards to LB1042. I-- I'm-- I really mainly just want to express my concern as a concerned citizen. And I've-- I think-- what I think is that there are for, you know, 250 years our country has, has, you know, basically, used, you know, hand counting balloting, and I think it-- it's a very effective way to, to

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do it. And I think, as you've heard, these people with their concerns about, about, you know, machines and how there's a possibility of fraud. You know, we live in a highly technical age and, and I'm not-- I don't know the ins and outs of all those things, but I do know that, that it just, just makes a lot of sense having a Democrat and a Republican over the shoulder as a count in a precinct one at a time. And how that would, you know, secure it, and then the, the count and also it may be a signature from both sides or something like that, whatever-- however it would work where they would actually be able to confirm that from whatever precinct they come from, from western Nebraska to eastern Nebraska. And I think it's just-- it would just be a much more safer and more accurate type of a counting system than, than what we're using today. And I know that there are others-- it was in the same testimony that Steve gave, the second page basically dealing with just professionals in the-- in the-- in, in the computer industry and experts, you'll-- you see citations there where they-- where they-- where they have concerns about that. Also, you know, many countries, as it says here, do not-- they, they, they stopped using electronic, like, in the Netherlands, Germany, Ireland, Japan, Canada, France, Argentina, and, and they-- for their presidential elections. And I just-- I just want Nebraska to just have safe elections. And this is-- this is why I'm here today. And so I would ask you to consider that for with regards to changing our system back to a, a hand ballot type of-- hand counting ballot type of program.

BREWER: All right. Thank you. And just for reference, when I told you to write Steve on this one, he's referencing the second page of it. There's 3 or 4 paragraphs in the middle there, it's referencing the changes that other countries are doing for counting. All right. Any questions for Father Steele? All right. Thank you for your testimony.

JOSEPH STEELE: Thank you.

BREWER: All right. Still on opponents to LB1042. Welcome to the Government Committee.

RICHARD HERGOTT: Thank you, Senators, for letting me be here today. My name is Richard Hergott, R-i-c-h-a-r-d H-e-r-g-o-t-t. I'm here as a U.S. citizen. I was born U.S. citizen. I have a birth certificate that shows I'm a U.S. citizen and that gives me the right to vote. I served in the military. I'm kind of appalled. I, I might get loud, but it's not because I'm mad at anyone. It's just I'm passionate. OK? That's

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all I'm going to say about that. I've been-- I'm in the military-- I was in the military. I served my country, and I'm proud to serve this country. I've been proud. But it's getting to look like maybe, maybe that it's not of the people, for the people anymore. It's, it's leaders against the people. But, anyway, I'm against going with a driver's license ID. I moved from Nebraska to Colorado, back to Nebraska. When I came back to Nebraska, I went to get my Nebraska driver's license, and I had my DD214, which is a military ID thing that tells you you served in the country, you were honorably discharged. I took that to the DMV and they wouldn't even allow me to put on my driver's license that I was a veteran. I had proof of it and everything. I'm sorry, I'm getting loud. But if they can't even identify that I was a veteran with a DD214 and get my driver's license, how can I guarantee that these votes are going to be registered, licensed American votes? There's no way in heck we can guarantee that. I had to go back to the DMV to tell them what to-- ask him what I need to do to get my, my ID on my driver's license. And that took a lot of my time and money and everything to do that, too. So I'm dead set against driver's license. I want to a, a voter's ID where you got to show proof where you got to have-- I don't care how many-- I mean, I want everybody to vote that, that is legally able to vote. But I'm not here for a maximum number of voters. I'm here for a correct amount of voters so that I know my vote is going to be the vote that counts. I don't care how many people vote as long as they're legally registered voters. And the only way we can guarantee that is with a voter ID. Go down to the-- wherever you got to go, make a-- I don't care how much it costs, make a new committee or something or new office where you got to go down there and, and show you're, you're a born citizen or that you've transferred or that you are a licensed, registered voter so they can give you a picture voter ID. That's what I'm for. Machines-- when they stopped the vote in 2020, because the machines couldn't keep up is what I was told. When have we ever stopped voting on voters-- I mean, on election night? Never, until 2020.

BREWER: OK. We're going to have to call it there.

RICHARD HERGOTT: OK.

BREWER: Now, help me understand when, when they refused to allow you to have the designation of veteran put on your driver's license and

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the DD214 wasn't adequate, what was adequate in order for them to do that?

RICHARD HERGOTT: What is a DD214?

BREWER: No, no, I'm pretty familiar with it. What did you have to do to convince DMV to put veteran on your driver's license?

RICHARD HERGOTT: I had to go back to the Veterans Administration and they had to computerize-- write out and give me something so I can take it back to the DMV. I mean, they-- basically, it's another piece of paper saying that I'm a-- I'm a-- I'm a, a honorable discharged veteran. But everyone in the-- in, in the United States-- I got 13 brothers and sisters that served in, in our country and every one of them has got a DD214 that tells them that they served honorably, then why can't the state of Nebraska DMV honor that same system?

BREWER: All right. I, I will ask them that question. Just, just happens I--

RICHARD HERGOTT: All right. I'm, I'm not mad, I'm just--

BREWER: --I know-- I know Director Lahm and I, I will ask that question, but--

RICHARD HERGOTT: I want same-day voting with regular voter ID.

BREWER: All right. Thank you.

RICHARD HERGOTT: Thank you.

BREWER: OK. Any additional opponents to LB1042? Welcome to the Government Committee.

STEVEN JESSEN: Senator. OK. My name's Steve Jessen-- Steven Jessen, S-t-e-v-e-n J-e-s-s-e-n, and I'm actually here representing myself and Nebraska citizens. I feel I'm an advocate for Nebraska citizens. However, I've been asked to read something for-- from Voter Accuracy, which I support their, their cause. Just so you know. So first thing I want to put out is if you don't have control over registrations, you have no control over votes in our-- your elections. These are just some of the things that's-- that, that states are finding as they review their elections. Computerized registration systems can be

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hacked and changed. Current computerized registration systems keep historical registered voters as not active, allowing for easy change to active when they are deceased or have been-- have moved. Fake people can be registered by mail from the same address. Registrations can be done remotely through the DMV and other locations and communicated via the Internet. DMV records can be hacked and fake people added to the process. There is no need for anyone else to know except the Election Commissioner and the voter, except by official need who is registered to vote with any county, what party they are registered to, to, and what election they voted in. Thus, records should be kept and should anyone want to review them, they may review them at the county clerk's office with an appointment scheduled during normal hours, but only for the purpose of reviewing the election process and they must provide a written report on the results of their review within 90 days. More recently, the Nebraska Voter Accuracy Project canvasing volunteers have identified dozens of people that were mailed unrequested ballots, extra ballots, and ballots not sent by their county election officials.

BREWER: OK. Anything else, Steve?

STEVEN JESSEN: Nope, that'll do.

BREWER: All right. Let me see if we got any questions for you. Questions for Steven? All right. Thank you for your testimony. OK. Any additional opponents to LB1042? Is there anybody here in a neutral capacity? Welcome to the Government Committee.

JENNIFER HICKS: My name is Jennifer Hicks, J-e-n-n-i-f-e-r H-i-c-k-s. And the reason I'm here today to speak in a neutral capacity is not because I don't care, but because I want to underscore the fact that you don't care. I didn't even come to any election integrity hearings last year. I can see that I've missed absolutely nothing because the same people behind me are saying the same things to you today that they were saying when I was here before, year before last. Nothing's changed. So the failure is on your part. And I heard you dress down someone earlier. You forget that you work for us. That is your job. Someone said earlier we are a constitutional republic. No, we're not. We're not. We don't get to elect our government. We don't have government that represents us. We have no representation. We don't even have three branches of government that keep each other in check. So I'm here in a neutral capacity to ask you what the hell are you

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doing? Because honestly, do you know that in 2016, after the 2016 election, it was Democrats who were saying this, they were calling for the same election integrity efforts that people have been calling for on the Republican side since 2020, the exact same things. In 2019, Democrats passed legislation through the House. They called for so many things that I've heard people come here. I have done myself and ask you to take under advisement, things that would secure our elections. It passed the House with Democrats. It was Republicans in the Senate in February of 2020 who opposed it, and they did it because they said it was federal overreach, it was government overreach. That's-- that it should be handled at the states, that our election should be handled at the states. We have-- we have-- it's theater. It is all absolute theater. They won't even pass good legislation. What I'm telling you is you have people on the left, you have people on the right who say that they want the same thing. So whose turn is it going to be following the 2024 general election to take up the election integrity issue after, after the 2024 election or will we just go to civil war?

BREWER: Does that complete your testimony?

JENNIFER HICKS: I just-- I, I think it's-- I just-- I'll underscore that it's theater. I, I-- you know what, I was driving here today and I'm thinking about how this is like those shows that I watched when I was a kid that are performed in front of a live studio audience. You can divide that audience down the middle the way they do in a wedding with the bride and the groom and put Democrats on one side, Republicans on the other and there's signs that show people when to applause, when to clap, when to laugh. And that is what our government has become. And I show up here today just to see what's going on with our election integrity efforts. Absolutely nothing has changed since 2020. And, and, like I said, prior to that, same complaints coming from the Democrats, they didn't want our machines connected to the Internet. Democrats passed that legislation. So why can't you get together with the Democrats and work this out? Yeah, I'm done.

BREWER: All right. Thank you for your testimony. Questions? All right. Any additional in the neutral?

CLINT MAILAHN: My name is Clint Mailahn, C-l-i-n-t M-a-i-l-a-h-n. And, you know, I guess after hearing that testimony, I wanted to come up here and say a few things. I-- now I guess I'm against LB1042 and I'm

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for LB8008 [SIC]. This LB8008 puts the election back into our elected officials in that county, the county clerk, and that, that area. Right now, from what I understand, what's going on here is we've got-- in 2004, we passed a bill, HAVA, Help America Vote Act. And then we got all these machines installed into our counties. We can put about 2% of the ballots into the machine and count them before they go to the machine. The 2% has to add up to what the machine tallies. After that, 100% of the vote has to be done by the tally machine. And that's what's going to be. Now you would think that, OK, this county clerk and these poll workers can then check all the ballots, 100% of the ballots and see if, if they add up to the machine. But that's illegal. You can't do that. This is crazy to me. We've, we've accepted a machine basically put in there by a federal government and not letting our election officials of that local community check that machine. And if they do, they're going to get in trouble. I mean, even if you're Democrat or Republican, that just seems crazy to think that our, our officials and that small-- let's say Cherry County, can't count those votes to make sure they add up to the machine vote. This is what I understand what's going on here. So my vote would be LB808 would allow them to do that. So I'm hoping that you guys would vote on that one. And, and we got to make sure these are true votes. What was I going to finish up? Oh, an anomaly. Lincoln, Nebraska mayor race. Two races ago, Andy Stebbing and Buetler, 46,000 votes total. Second one, Cyndi Lamm and Leirion, 61,000 votes. This is the last-- not quite-- so very last vote for the mayor was 81,000 votes. So we've nearly doubled in two sets of votes. So we must have a lot of people on that register. But here's the anomaly. When Leirion won the first time it was 54.4% of the vote, the second time she won was 54.59. So the change was only 0.19 of 1% was the difference between her winning those two elections. That's quite an anomaly, guys, especially when we nearly doubled the votes in two, two elections. So I'm asking you guys to support LB8008 [SIC], introduced by Halloran.

BREWER: All right. Thank you. And just so you understand, what's going to go in the official record is that you're in the neutral position on LB1042 because that's what the green sheet is going to have.

CLINT MAILAHN: You know, I, I, I changed it after I listened to that last gal's vote. If-- and if, if we can't-- I guess, it's neutral. I made my statement, I guess, so.

BREWER: All right. You got it. All right, well--

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CLINT MAILAHN: If you want to scratch mine.

BREWER: No, we'll, we'll, we'll, we'll get it right, but just-- she'll understand that--

CLINT MAILAHN: OK.

BREWER: --the reason we sequence it the way we do is so we get the right people testifying in the right capacity. But you gummed up the works, but that's all right, we won't-- we won't hold it against you. [LAUGHTER]

CLINT MAILAHN: Thanks a lot.

BREWER: All right. Any questions? All right. Thank you. OK, last call for those in the neutral capacity on LB1042. All right. Senator Fredrickson, would you like to come up? And while you're doing that, I'll read into the record: proponents, we had 61; opponents, we had 31; and neutral, we had 1. With that, we'll let you close on LB1042.

FREDRICKSON: All right. Thank you, Chair Brewer and members of the committee for listening intently. I appreciate all testifiers who came out today to have their voices heard. I just want to remind folks what this bill does. We have quite a bit of testimony here. So this bill is doing nothing new that has not been practiced since 1993, in terms of voters registering through the DMV process. What this bill does is that it changes that from an opt-in to an opt-out process. So in terms of verifying eligibility, etcetera, etcetera, these are going to be-- all be the same practices that we have had in Nebraska since 1993. This is simply changing on the form from an opt-in to an opt-out process. So just wanted to remind the committee exactly what the bill does and that all measures that currently take place to confirm eligibility will continue to take place under this bill. And happy to answer any questions.

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

CONRAD: Thank you.

BREWER: Good to see you.

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CONRAD: Yes. Sorry. Thank you so much. I'm just coming back after a hearing in Natural Resources, but thank you, Senator Brewer. Thank you, Senator Fredrickson. I'm sorry if you already covered this or proponents did in, in the introduction to your measure, but could you perhaps just help the committee to think through or understand why perhaps this measure is important at this time in light of the fact that Nebraska hasn't moved forward on, say, for example, Election Day registration like a lot of our sister states have or removing other barriers to, of course, eligible voters to participate? Because I know when I talk to folks around election time when we're out canvassing and things like that, that, you know, as you get closer to election time the civic interest and civic engagement kind of pops up. And, you know, people, you know, might miss those windows for registration close to an election time. So the earlier kind of upstream we could make sure that registration is accurate and up-to-date may be beneficial to the facilitating the voters' will. Do you have-- I'm sorry if it's repetitive to what you've covered before.

FREDRICKSON: Yeah. No, I appreciate your comments, Senator Conrad, and I, I would agree with you. I mean, I think this bill is really-- it's about, I think, and especially-- I mean, the reason I decided to bring this bill this year in particular was in the context of we passed voter ID law last year.

CONRAD: Yes.

FREDRICKSON: So, you know, we're looking at touch points to ensure that everyone who was eligible to vote in the state, one, has access to that and is able to vote and, two, that, you know, if they are going into the DMV that that's a process that is streamlined. It's there for them and ensuring that they have that access. So, again, it's not reinventing the wheel. We already allow voters to register through the DMV with that, so.

CONRAD: Yes. Very good. Thank you so much. Thank you, Chair.

BREWER: OK. Additional questions? All right. Thank you for presenting LB1042, and we'll take a short break while we swap out our numbers here. Do we have a Senator Lippincott? Senator Lippincott, welcome to the Government Committee.

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LIPPINCOTT: Good afternoon, Chairman Brewer and the Government, Military Affairs Committee [SIC]. My name is Loren Lippincott, that's spelled L-o-r-e-n L-i-p-p-i-n-c-o-t-t, and I'm here representing District number 34. LB1297 is very simple in nature. It strikes the word "secret" from line 18 and adds the word "transparency" in reference to the election counting process. The Nebraska Constitution VI-6 protects the right of the vote to be secret, so the addition of the word secret on line 17 is placed there to reflect the constitution and any definitions of the word "secret" should reflect the constitution as well. The constitution reads as following, quote, All votes shall be by ballot or by other means authorized by the Legislature, whereby the vote and the secrecy of the electors vote will be preserved. Close quote. However, our statute currently provides for the secrecy of both the voter and the process. So I submit to you this small change. I agree with our constitution that your vote as a voter should be secret. However, I do not believe the process should be. I was truly surprised to find even the word "secret" spelled out in the statute at all. I do not think that the vote counting process should be secret, and I've asked our Secretary of State's office to put out an infographic to explain the process and stages of where your ballot goes after you cast your ballot. I'm not sure how it's done in the Army, but in the Air Force we draw pictures for everything and it helps you to understand how the process goes about. I've been sitting back here today listening to testimonials. Obviously, emotions run high because emotions are driven by frustration. Frustration turns to anger because oftentimes we don't know how things work. So I think a infographic would be very helpful to explain how your vote once cast, how it ends up at its final destination. There's no fiscal impact on this change so I'd ask that we would make this change together. Any questions, sir?

BREWER: All right. Well, thank you for the opening. I'm not sure where to begin on this. So this was not done at the request of the Secretary of State. This is a issue that you saw and just looking at election-- the election process and you wanted to change the verbiage.

LIPPINCOTT: An individual that brought this to my attention is here today to testify in front of your committee and he will be speaking shortly. He did have additional changes that he proposed to us. We did discuss this matter with the Secretary of State's office and we did pare down the request to what you have in front of you.

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BREWER: OK, so it's Election Day, your, your rules that you have in LB1297 are in effect, how does that change what you would see as far as how the election process works?

LIPPINCOTT: I'm going to chase a rabbit for just one moment. I'm, I'm also presenting another bill. It's a cybersecurity bill and a white hat hacker bill. And so what we want to do is with the process of voting and vote counting, we want that to be a transparent operation. We want to have it available for a good guy, white hat hacker to be able to test our system and make sure the integrity is intact. So, in essence, what we're doing is we are removing the word "secret" from the vote counting process. That's the whole thrust of this bill. We don't want it to be a secret process. We want it to be open, transparent, and we want to be able to have our good guy, white hat hackers to be able to test our system and ensure that it is intact with integrity.

BREWER: And when you say that, I assume that you're talking about the total number of votes, you surely don't want to know how individuals vote.

LIPPINCOTT: Correct. Your vote should always be secret for the individuals. Always.

BREWER: So what you're talking about--

LIPPINCOTT: It's the process we're talking about only. This is just talking about the process of counting votes, not the individual how they voted.

BREWER: OK. All right. I'm just trying to, to better understand it and, and that, that helps. Questions for Senator Lippincott? Yes, Senator Conrad.

CONRAD: Thank you so much, Chair Brewer. Thank you so much, Senator Lippincott. It's always good to see you. And I, I just wanted to put a couple of ideas on the table for yourself or others who might be coming behind or you want to pick up in close, too, but I understand at the heart of your matter is trying to strengthen or ensure voter integrity, voter security. No disagreement on policy goals, I think, amongst any of us in the Legislature who want to-- who wants to make sure Nebraska is doing their best in that regard. And I think we are

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doing better than many of our sister states already, but always room for improvement. But my, my question to you, Senator, or for others coming is the system has a set of safeguards built in, in terms of ensuring voter identity, ensuring that the-- that, that the ballots are-- we have paper ballots, how those are counted, there's audits of the counting. There's members of at least two political parties involved in different stages along the way to ensure transparency from different political perspectives. Those are just a few of the safeguards I'm thinking of off the top of my head in addition to a host of criminal penalties, including some very severe, for engaging in any sort of, of voter fraud. Is that not sufficient? How does this fit in with those existing protections? If you could just, maybe, help the committee think about some of those big picture ideas as we review LB1297, that would be helpful.

LIPPINCOTT: Absolutely. First off, we don't know what we don't know. We've all heard those-- that cute little saying. I flew with Delta Airlines and I flew with a lot of these copilots. They were still in the Air Force, you know, the Air Force Reserves. And a lot of times the pilots, they have other jobs other than flying. And I flew with more than one guy that had a job in the Pentagon or they worked in military intelligence. And these guys would go to different functions in different countries, to China, Russia. And, of course, everybody's got cellular telephones. And these guys would tell me that, you know, you can turn your telephone off and you think that it's dead, right, that it's nonoperative, it's asleep, it's not working. And he said, not the case. There is the ability with these little phones right here, even though it's turned off, these can be hacked. They can be turned on and transmitted without the owner's knowledge with audio and video. And I queried them. I said, now, have you been reading too many books? And they said no. They do not allow us to take our phone-- it's not a question of even taking the battery out of the phone. They don't even let him take the phone into the country because it's hackable. Now, if that's the case, and that was 4 and 5 years ago, if that's the case with that-- with these little guys, we want to buckle down the hatches and make sure that we are safe, especially with our voting. That is important.

CONRAD: Um-hum. Absolutely.

LIPPINCOTT: So we don't know what we don't know. That's, that's why I did the hacker bill--

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CONRAD: Yes. I remember that.

LIPPINCOTT: --to, to have us-- to have somebody poke our system and find out where the weak links are. Cybersecurity. And that's why our voting process needs not to be secret. It needs to be transparent, needs to be observable.

CONRAD: Um-hum. Very good. Thank you so much.

LIPPINCOTT: Thank you.

CONRAD: Thank you, Senator.

BREWER: All right. Additional questions for Senator Lippincott? All right.

CONRAD: Oh, Senator Halloran.

BREWER: Oh, I'm sorry.

HALLORAN: Thank you, Mr. Chairman. Just a quick observation, not so much a question. I can put it in the form of a question. So what you're hoping to do here by making the process and the mechanics of, of, accounting for votes very transparent and accountable is to create more confidence in the system. Right? Because you can't have-- it's, it's, it's really hard to have a voting system that people-- some people, maybe a lot of people don't have confidence in. And I agree with the white hat hacker idea. I think it's genius. I have proposed it to Secretary Evnen a year or two ago and he basically discounted the idea. He said the machines are "unhackable." And I said, well, there's only one way to know that, and that's to hire a hacker to try to do it. So I appreciate what you're doing. Thank you.

LIPPINCOTT: Thank you, sir.

BREWER: All right. Any other questions? You'll stick around for close?

LIPPINCOTT: Yes, sir.

BREWER: OK. Thank you.

LIPPINCOTT: Thank you, sir.

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BREWER: I know. That's pretty open-ended. All right. We will begin with proponents to LB1297.

JOSEPHINE LITWINOWICZ: I hope I can make all of them, but I might have to go.

CONRAD: OK.

JOSEPHINE LITWINOWICZ: [INAUDIBLE]

BREWER: Welcome to the Government Committee.

JOSEPHINE LITWINOWICZ: Thank you, Colonel Kilimanjaro-- I love that-- and members of the committee. I just want to say, again, before my light's on.

BREWER: We need you to spell your name so we get it in the record.

JOSEPHINE LITWINOWICZ: Oh, yeah, but I want to mention that I have to do-- I'm going to make clips, and I'm going to see how long they are because we need-- I don't want to-- it's not dignified for me to do this, so, so I'd like to use a microphone. And I won't karaoke unless I can sing like little George and I haven't been able to do that yet. So I would really like that, and so I have to say it, you know, this is going to be on the clip. All right. OK. Then we can go, please, if I could start. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. Did the time start over? All right. I agree with-- in the process. I mean, I'd have us throw stones in a bucket. You know, we-- I mean, transparency-- this is the first time that maybe I agreed with Senator Lippincott on a bill. And so-- I mean, I'm, I'm for this very strongly. But you better not say the vote-- the voting machines are hackable. You might get sued a billion dollars. Anyway. I don't think they've been hacked yet. And if we look at part-- voting harvesting-- just look at the ninth district of North Carolina some years ago, where it was done by Republicans. I mean-- I haven't heard-- I mean, I don't trust we're at the point yet where we have to worry about conspiracies of, of, of massive-- or voting fraud that makes a difference because, I mean, there's people on both sides looking at this. Oh, well, I do not-- or I think we should have paper ballots and pack a lunch and count them. You know-- yeah, keep everything else private, but transparency all the way. The chain of command of the documents-- or the votes are just do it. Foolproof. I

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don't know, we can do it. We went to the moon in '69. I know we can't do it again right now, but we could do this. And I hope I make the other bills but, everyone, I might go home. Anyway, thanks for letting me speak. And thank you, Senator Lippincott, for bringing the bill. Have a good day.

BREWER: All right. Thank you, Josephine.

JOSEPHINE LITWINOWICZ: Yep. Thanks a lot.

BREWER: Any questions for--

JOSEPHINE LITWINOWICZ: Oh, I'd like-- I'd like to have-- I think we should-- it should be by law that we have-- or, or we get a voting ID, stamp it on the birth certificate itself. And then why, why-- I mean, why can't we make this-- why can't we make it or put it in the constitution? If you're born here, if you have the right to vote, it's going to be on your birth certificate. And somehow we're creative enough, we could shoot it up the line and then-- and we could also throw stones in the bucket. All right. I'm sorry I went over, but.

CONRAD: Thank you.

BREWER: Thank you. All right, let's see, if we can get the chair moved over here and we will go to the next proponent to LB1297. Welcome to the Government Committee.

SETH PAULSON: Thank you. My name is Seth Paulson, S-e-t-h P-a-u-l-s-o-n. I'm in favor of this bill. I am the person who did the work on this for Senator Lippincott. So in referring to Nebraska statute 32-1041, section (3), the removal of the word "secret" from the counting process is vitally important. It is absolutely necessary, but it is not sufficient. Sufficiency can only-- can only be attained by defining what is the alternative, that being transparency and accountability added to the verbiage. We must remove not only what is undesirable, but must say what is the alternative. I direct you to my expanded written testimony, which includes the white paper mandated, mandated secret software, which you received by email copy in December. It is not included in this packet, but you may be able to refer to it by going back. It lays out the reasons for removing "secret" and replacing the verbiage to "transparency" and accountability. A little history is the initial proposed and revised

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text that was submitted to the Bill Writers in this bill for the formation of LB1297 is a text in the packet to show what the bill was supposed to be and could be with appropriate amendment. The current LB1041 statute specifies in section (1) the use of scanners and counting devices. This hardware is consistent with the specifications in section (3), which calls for a secret counting process because they are one in the same. However, that verbiage comes into conflict with LB1297's new specifications in section (3), which now needs transparent and accountable software. And by the way, it does not say accountable in the LB1297 text that was proposed in the prior revisions that you have received. With the change of that verbiage, nontransparent counting by the software in the scanning tabulator is exposed as being secret software when it needs to be transparent rather than secret. No longer will tabulators be able to run proprietary secret software through ES&S and third-party applications of software with trade secrets. It would be most advantage-- advantageous for the state of Nebraska to remove in its entirety section (1), in my opinion. I would urge Senators to make the necessary amendments to remove section (1), that is, is in conflict with section (3), as proposed in LB1297. Scanner tabulators as employed under the current contract between the state of Nebraska and ES&S are allegedly unconstitutional, unconstitutional. A separate document is attached that discusses this allegation.

BREWER: All right. Well, first off, thanks for providing the pages where you've lined through and then you put in red the changes. That is a quick, easy reference to understand what it's going to look like when the legislation is, is made into law when the law goes through.

SETH PAULSON: Well, those were the early revisions. The Bill Writers did not accept most of those and they wrote it the way they wanted to.

BREWER: OK. Well, now that's starting to make a little more sense.

SETH PAULSON: So-- but for, for your information, I, I included it so that you could know how expansive it was, expansive, because there was quite a bit more in it than is in it now.

BREWER: OK. So this sheet that we have here, that is-- have you not seen that? It was handed out, I think, with Senator Lippincott's early stuff. What it is, is it, it just goes through and says all votes will be counted or by other means authorized by the Legislature, whereby

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the vote of the secretary of the-- electorates vote will be happening, and then it goes into the sections and all that.

SETH PAULSON: OK.

BREWER: All right. Anyway, I'm assuming that that must be what correlates to the actual bill because of what was handed out.

SETH PAULSON: Yes. Do you have-- do you have the bill there?

BREWER: Yeah.

SETH PAULSON: Yeah.

BREWER: So this, this legislation part here, as we see, would agree we kind of need to disregard that because that, that isn't the reality of what the bill is saying as far as the red highlighted stuff and the stuff that's lined through.

SETH PAULSON: That I submitted to you?

BREWER: Well, yeah.

SETH PAULSON: That is not the bill. That was the revisions to what became a bill.

BREWER: OK. OK. Well, let's see if we got any questions for you before we let you go here. All right. Questions? Senator Lowe.

LOWE: Thank you. You looked like you were looking for a piece of paper or something.

SETH PAULSON: Well, I have some stuff in my bag I didn't bring.

LOWE: Would, would you like to--

SETH PAULSON: Could I grab it?

LOWE: 2 seconds.

SETH PAULSON: Thank you. In case I need it-- in case I need it.

LOWE: And so your whole intent is for it to be open and above board--

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SETH PAULSON: Absolutely.

LOWE: --once, once the ballot has been turned in.

SETH PAULSON: Oh, absolutely. Well, all of-- before it's turned in.

CONRAD: Yeah. Yeah.

BREWER: OK. Any other questions for Seth? All right. Thank you for your testimony and, and thanks for the handout.

SETH PAULSON: OK.

BREWER: All right. We're still on proponents to LB1297. Come on up.

LARRY STORER: You did call for opponents?

BREWER: No, no, proponents, someone supporting LB1297. We'll start with proponents to LB1297. All right. Then we will transition to those in opposition to LB1297.

LARRY STORER: Thank you. Larry Storer, 5015 Lafayette, Omaha, Nebraska. That's S-t-o-r-e-r. I'll try to be a little friendlier this time around. But let's talk about transparency. I don't think we have any transparency in the state of Nebraska. I go to the city council meeting, the Douglas County board meetings just about every week for the last six years. We cannot have a discussion. Sometimes we can't hear if you want to. But in those bodies, their lawyers tell them, no, you don't talk to the citizen. But if you want to, you can call back up. I've been trying to get them to talk about the Open Meetings Act for that reason, but also the election, because nobody that is an elected official will discuss the elections. That is illegal. It's against the constitution. And to not be able to discuss it at the halls of justice, civic centers is illegal, against the Constitution of the United States and the state of Nebraska. We the electors, you say? I don't think so. We, the electors, are superseded by somebody else. They have the lobbyists on their side. They get your ear, we don't. Because their lawyers tell us no, don't talk with that people because they'll get you in trouble. Go down and lobby at the State Legislature. And here's-- how many thousands of dollars do they pay a lobbyist to come down here and represent them, not me? Because they don't want to hear me either? Isn't that what government was supposed to be for? To hear us? This bill-- against this bill, because it's

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just another way to shut people up and not give them any information. Declare an emergency and don't disclose anything. That's the way all governments are operating right now. Everybody from the Secretary of State down to the city council uses that phrase. And I'm going to end up with this. Just a few days ago, or a week or so ago, the National Association of Sheriffs, who are the, the greater magistrates in our legal system, had a conference. And they disclosed, yeah, oh, they were meeting with some of the federal people, Homeland Security, and they disclosed an awful lot of information about how serious the national emergency is. They've hacked all of our systems, including elections, and they might shut this country down any day, just like that. They're admitting it. They're talking about it. Why won't my representatives talk about it? That's a greater emergency than these silly bills to shut us up even further.

BREWER: All right. Thank you, Larry. Any questions for Larry? OK. Thank you, Larry. All right. We're now on opponents to LB1297. Welcome back to the Government Committee.

CONNIE REINKE: Thank you. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e. I do oppose this bill. As it stands right now, it is-- it is detrimental to, to our elections. So I would urge you not to support this. If we want transparency in our elections, one of the number one things is the cast vote record, which we've been denied. South Dakota talked with ES&S. There's a transcript saying the cast vote record is a record that the county-- that belongs-- it's the property of the county. We need to put this into legislation. Also, the logs of the computer systems and ballot images. I've been told that there aren't-- that we don't keep ballot images. How in the heck would we ever compare the images that we say are actually what's counted and an actual ballot? This, this is-- other states have ballot images, and, and it should be turned on, and we should be able to compare those. I just want to thank you, senators, for the bills that were introduced last year. I feel like the, the ones that we have before us today are not sufficient enough to change enough in our elections to help protect us. Senator Halloran's bill, LB808, the option to choose hand-counting. Also his, his bill, LB193, which is emergency election machines not secure, high-level Department of Defense certification. So we want-- if we're going to have machines, it needs to be high-level. These machines are, are-- experts have said are extremely vulnerable. And I would propose-- I know Senator Arch has ability to make priority bills. And I would urge him to take one of these bills

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for your committee to pass-- to pass that forward so that it could be introduced on the floor. And thank you for allowing me to speak.

BREWER: OK, Connie. Just double checking. So there was LB808, and LB193 were the two?

CONNIE REINKE: And LB230, which is the in-person voting, which is the most protective measure that could be done for our elections, to secure person to person, show their I.D..

BREWER: All right. Questions for Connie? Questions? Questions? All right. Thank you for your testimony. OK. Any additional opponents? All right, come on up. Welcome back to the Government Committee.

STEVEN JESSEN: OK. Steven Jessen, S-t-e-v-e-n J-e-s-s-e-n. I do support his white hat hacker bill. Sounds like to me that sounds very good. So I am in opposition to this particular piece of legislation as it is written. And I-- after listening to the individual that submitted that, it sounds like to me that I would be more in favor of what he submitted than what it ended up being. And the point I'm going to make here is just simply this. I have this-- I, I, I never, ever realized that we would have a law that makes elections a secret. I think secrecy and transparency seem to be just the opposite of each other, is what I would say. So, and-- so that under this 32-1041, it just-- the election commissioner or county clerk may use optical scannings, may use optical scanning ballots or voting systems. And then we've add approved by the Secretary of State to allow registered voters to cast their votes at any election. So all of the issues that we have out there right now, and you can go to any of the small communities whatever, they want to talk about being able to do hand counting. We do not have-- based on this statute, we cannot do that. The Secretary of State has to pro-- approve it. And it's on a may basis? So what it's done is it's put-- take, taking the responsibility of the local election officials to determine how they would do, do their election. So-- and then you go down here, and then the procedures in-- line 17, it says the procedures shall be designed to preserve the secrecy, which is they're adding, as well as safety and confidentiality of each vote cast. So I, I understand what they're trying to accomplish by putting that in there. But in all reality, what will happen is exactly this. What's the difference between secrecy and confidentiality? I mean, I understand that that person needs to be-- we want confidentiality there, but secrecy tells me that

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we, we might not even know-- get to know what the vote was, who it was for, or whatever. I mean, that's secret, under that. So I'm opposed to this for those reasons.

BREWER: Thank you. All right. Thank you, Steven. Let's see I have any questions. Questions for Steven? Questions? All right. Thank you for your testimony. OK. Any additional opponents? Try it again. If there's more back there, come forward so we can cut down our, our layover time here. Welcome back to the Government Committee.

PENG XIAO: Yeah. Hi, senators, and nice to see you again. And then I just want to just, just now I showed you that, that the sheet. So the 2022 Millard--

BREWER: Spell your name.

PENG XIAO: --School Board education. You see that machine can change immediately. You remember--

BREWER: We're going to need, we're going to need you to, to spell and say your name for the record.

PENG XIAO: Oh, my name is Peng Xiao. P-e-n-g X-i-a-o. So I just returned to that sheet I just provided to you. So, you know, even this bill just, just said using the whitehead and the hacker and then to protect the security and those things. Well you know, as-- because I'm in the informatics part. So if you use the machine, use the software, and also the internet hacker, they can have tons of different ways to do that and then change the, the source code. So you don't know which way they can just change. So no matter what kind of security you want to have-- and then I, I support a like a Doctor Halloran's, that LB193. DoD level. Can you make sure DoD level? And then I'm not going to see that kind of a zero from more than 7,000 votes and then flip to zero, that candidate, that sheet you can see, and then redis-- redistribution for the final results. So this country, we have to know this election, not only 2020 but 2022. And even in the school board level this machine can do anything. So how can we trust that this, you know, even it's transparent. But for normal people, they don't know how to understand the transparent if we explain those data to them. They don't understand how to monitor the system. So-- and then people can still manipulate. So that's why we-- I think that Senator Halloran just talk about that. All the parts just made in USA and all the, the

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security level in DoD level. Yeah, that's that's, that's, that's it. So we have to to make this country great again. Because, you know, as a notarized-- a naturalized, naturalized citizen, because just now when I heard that, that gentleman, the veteran, even-- he's a born U.S. citizen and couldn't, you know, the DMV couldn't testify he's a veteran. I was weeping at that-- at that time. How could-- how could this country become like this? So I just encourage you, because I-- in, in Micah 8:6 what, what, what God required of you, he already show, oh, man, the goodness. Just do justly, love mercy, and walk humbly with your God. So this is one nation under God. We cannot see this nation just drop like this way. So I just encourage all the senators, just act justly, do justly. And then we're going to see the righteousness and justice, justice in this country. Not, not, not about any party. It's about this country. Thank you.

BREWER: OK, OK, just just as a quick reference. When you referred to the, handout that you gave us earlier, that was the one here that said the 19-- or 2022 Millard School Board, education results-- this is the one that you handed out, right?

PENG XIAO: Yes.

BREWER: OK. So that, that's what you're referencing. I just wanted to make sure I had it correct. OK. Let me see if I have any questions. Questions? Questions? Thank you, sir, for your testimony.

CONRAD: Thank you.

PENG XIAO: Thank you.

BREWER: OK. Any other opponents to LB1297? Welcome back to the Government Committee.

AMBER PARKER: Thank you. Amber Parker, A-m-b-e-r, Parker, P-a-r-k-- P-a-r-k-e-r. I'm here in opposition to LB1297, page 2, and the striking of the word new. OK. So before you, Colonel Shawn Smith had came in and shared, and he shared his concerns in addressing the supply chain compromises. So I'm just going to share a little bit of his testimony because many state senators had heard this. So due to the supply chain compromises, this is one of the reasons I'm so concerned about our voting systems, because they are manufactured in whole or part overseas of overseas components by overseas workers with

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no supply chain security. Everyone who works cybersecurity in the Department of Defense understands that those systems can never be trusted and never be secure. But that's what we are using for our elections. Nebraska, an expert has, has already shared with certain, certain state senators in a committee hearing that these systems can never be secure. And here we are getting for another election. I'm absolutely a proponent to Senator Halloran, and want to say thank you to Senator Halloran for LB193, which would put machines in a higher category, that they have to be American made, they cannot be overseas. And I'm not an expert on this, I refer you to Colonel Shawn Smith and reaching out to him. But we really need to take serious these supply chain compromises. There is no way that I trust our government in the present that we can't even get a cast vote record or a source code, even in the election that the Secretary of State ran in himself, to be trusted to hire a hacker that says they're working upon our behalf. I mean, one to stop the hacking. I don't trust that. That's too much trust in the government. If we refer back to hand-counting ballots at the precinct level under video surveillance, what will this do? You don't have to hire more money on the taxpayer dollars for someone to fight against hacking. You have people from different political parties hand-counting ballots at the precinct level under video surveillance. This will stop this nation from going into a civil war when we have people coming in, and we know that you have left the doors of foreign interference open and the present election process to a private business. I'm here for peace on our streets. I don't know about you.

BREWER: All right. Thank you for your testimony. Let's see if we have questions? Questions? Questions? All right. Thank you for your testimony.

CONRAD: Thank you.

BREWER: OK. Still on opponents to LB1297. Anybody here in the neutral for LB1297? Welcome to the Government Committee.

ROY ZACH: Thank you, Chairman Brewer. When I originally typed this up, I thought maybe all five bills would be bun-- bundled together, so we can ignore part of this letter here, but I'll skip to the relevant parts for you. My name is Roy Zach, R-o-y Z-a-c-h. And I come at this from the perspective of running for political office in the May of '22 primary. I do not believe that LB1297 will have any significant effect

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in practice. I remain neutral on it. However, I am compelled to strongly state that as long as electronic devices are utilized within our elections, that there will be a significant danger of hacking, manipulations, and attacks. Even human error in regards to electronic election machines can have a significant impact. Please note the letter I wrote to government officials after the May, 2022 primary election in Nebraska. Initially, I believed the election was hacked. Eventually, an explanation came from the state election office that "mock" election data from a test run was not cleared out of the system, and the errant results were sent to the state election office early on the primary election night. And the reason I noticed that is I was watching the election results that night from the Secretary of State's website. At one point, my vote total went down in one of the precincts in Platte County. If I had to limit my suggestion to only one change, it would be this: eliminate all electronics from the vote processing-- the voting process on election day, inclusive of all computer hardware and software, scanners, flash drives, and all digital communications. This move will remove any ability of both foreign and domestic actors in influencing our elections. It will also prevent potential influence of artificial intelligence systems into our elections. It is conceivable that, oh, rogue actors, whether foreign or domestic, could develop AI systems to corrupt any and all elections that utilize modern digital technologies. Possible entities that would develop AI systems to alter elections may include any or all following: governments, militaries, transnational corporations, terrorists, or elitists. I see my light's red, so I'll stop there. Thank you.

BREWER: Well, thanks. Thanks for watching the light. Appreciate that. So you're from Stanton, Nebraska?

ROY ZACH: Yes.

BREWER: Roy, you have a, I assume to be a very good working knowledge of computers and all. Is that a fair assessment?

ROY ZACH: To a certain degree. I mean, I guess what I understand about it is I try to tech-- track technology in relation to things as it relates to, say, election systems or say, like vaccines and RNA technology and stuff like that.

BREWER: So you referenced the last election.

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ROY ZACH: Yes.

BREWER: And also referenced the fact that the system had kept some data from a test run. And because that wasn't clear, that data was then inputted as real time data. They were able to identify that that happened and then pull that data back out. Is that--

ROY ZACH: Yes, essentially. That's a fair observation of what happened. So to, to test the scanning machine equipment, the vote counting equipment, they run three trials, or they're supposed to run three trials. What Wayne Bena from the State Election Office told me what happened is the county clerk apparently ran two runs, but forgot to clear out the data from the second test run. And that data was reported to the state and was showing up on their website on the election night.

BREWER: OK. Thank you for explaining that. Let's see if we don't have some questions. Questions for Roy? All right.

ROY ZACH: Thank you.

BREWER: Thank you for your testimony. All right, so we're still on neutral testimony on LB1297. Neutral. Seeing none. Do we have Senator Lippincott handy? There he is. All right. I got some stuff to read in here before we close. LB1297 had 12 proponents, 12 opponents, nicely balanced, and zero in the neutral capacity. Senator Lippincott.

LIPPINCOTT: Just very briefly. First off, I appreciate the comments from the folks. I have great respect for Steven and Connie, opponents on this bill, and of course, for Seth, who brought this bill to my attention. Obviously, I need to spend some time with them, and hopefully we can build a better mousetrap as we move along. Very briefly, this bill just simply takes out secrecy in the vote-counting process. Makes it in, in search, transparency. Secrecy out, transparency in on the vote-counting process. That's all this does, very simple. We have to stay within the confines of our constitution, and this bill helps that. Thank you, sir.

BREWER: Thank you for your testimony. Senator Lowe.

LOWE: I thank you. We got an amendment. Did you want to mention the amendment?

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LIPPINCOTT: We have an amendment ready on this bill. And what that does is on page number 2, line 16-- line 12 and 16, currently, the bill, as is, it strikes the word new. The amendment would reinstate the word new. As it is, without the amendment, it would give the Secretary of State more authority. If we insert the amendment, it would give the Secretary of State less authority. So that would be up to the committee to attach that amendment, which is there for your review.

LOWE: OK. Thank you.

BREWER: All right. Additional questions? I got to tell you, I was a little surprised with some of the folks that came up in opposition to your bill, because even though it's not a be-all, end-all, it's, it's a building block to try and get language better. So, you know, I think, I think that was your intent, if I understand it correctly, to try and just-- again, we're, we're knocking rough edges off where you think it would help.

LIPPINCOTT: Yes, sir. In conversation with the Secretary of State, he said something that was kind of interesting, which actually dovetails right into what you said. He says that a lot of times with these voting bills, what we do is we're chipping away at the process. And the Secretary of State, he says if you want it to be all paper ballots and all hand counting, just say so and just do it. Have a bill that would do that.

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

LIPPINCOTT: Thank you sir.

BREWER: That will close out our hearing on LB1297. We'll take a quick sec here to reset some stuff. Senator Hansen, welcome to the Government Committee.

HANSEN: Thank you. Sounds like you guys are having fun already.

BREWER: We're ready for you.

HANSEN: I can see the excitement.

BREWER: Yeah. We're ready for you.

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HANSEN: All right. Good afternoon, Chairman Brewer and members of the Government, Military and Veterans Affairs Committee. My name is Ben Hansen, that's B-e-n H-a-n-s-e-n, and I represent Legislative District 16. Keeping in line with the election theme today, I'm here to discuss my bill, LB1211. This bill is simple to understand and merely changes the number of days for early voting. With the exception of votes being submitted by mail from those who are out of the country, ballots for early voting by mail are currently required to be ready for delivery at least 35 days prior to the election. The state also allows 30 days for early in-person voting, as a way to accommodate individuals who anticipate being absent from their local county on election day. However, for special elections, both forms of early voting are limited to 22 days. The implementation of LB1211 would bring uniformity to the entire election process and make 22 days the number of days for early voting across the board. Nebraskans can apply for mail-in ballots up to 120 days before elections take place. Election officials-- election officials must receive the applications by the second Friday before the election in order to accept the request to have the ballot mailed. Before any ballot is mailed out, though, the Secretary of State must certify the information provided on the ballot. County offices have 15 days between the certification deadline to certify the ballot and when the ballot-- and when all ballots must be printed and ready to head out the door. Something that can throw a wrench in this process is the fact that state statute allows ballot corrections to be made until the 35th day prior to an election. So currently, corrections can be made the same day the ballots are to be sent out. This is certainly a time crunch for county election offices to finalize ballot printing. Moving the early voting window to 22 days allows for our county election officials to proofread the ballots, gives printers more time to deliver ballots, and makes the administration of adding corrections more attainable. With 22 days, voters will have ample time to research and fill out the ballot in an informed manner. My thought is to eliminate the amount of time for ballots to lay around on counters with paperwork, or get lost in the business of life. It is essentially a move to protect the importance of our constituents' votes. The last presidential election found a huge increase in voter participation. A record 159 million voters cast ballots in the 2020 general election. The U.S. Postal Service reported that they were able to efficiently handle the surge, and delivered 135 million ballots on time. They impressively delivered 99.89% of ballots to voters within seven days, and then returned 97.9% of ballots from voters back to election

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officials within three days. On average, voters received their ballots in 2.1 days, and once ballots were put in the mailbox to return to election officials, it only took an average of 1.6 days for them to be returned. I know mail seems to be taking longer than usual, but during the election months, the Postal Service has implemented procedures to ensure timely deliveries of ballots. If they continue the trend, ballots would be in routing between 4 to 10 days. This gives voters up to 17 days to fill out their ballots. Nebraska, like 30 other states, require the ballots to be turned up by Election Day. I believe 22 days is a reasonable amount of time, and definitely not unusual, as 13 other states also complete the mail-in ballot process in under 30 days. Giving the opportunity for in-per-- in-person voting for 22 days isn't-- also isn't unusual. While early in-person voting periods range in length from 3 to 46 days across the state, the average is 20 days. Our neighboring states, like Kansas and Iowa being 2, who, though, that allow 20 days of early in-person voting. Iowa went from 40 days to 29 days in 2018, and then in 2021, they reduced the number of days from 29 to 20. In fact, the turnout for November 2022, a general election in Iowa, after the amount of time that was reduced to 20 days, brought the second highest turnout in state history for a midterm. More than 1.2 million Iowans voted. An all-time high for an Iowa midterm election was 1.3, set in 2018. As for election officials, they already have a system in place for 22 days. 27 days-- 27 states, including Nebraska, allows for the processing of ballots to begin before Election Day. Processing refers to when the voter's information on the outside envelope is verified. The ballot is removed from the envelope, the ballot is flattened, and the ballots are placed in a sealed container for counting. I want to clarify that processing does not mean counting and releasing the results. Nebraska can start processing ballots the second Friday before Election Day. LB1211 does not change this. Election officials will have the same amount of time to process ballots before Election Day. As for counting the ballots, 34 states don't allow the ballots to be counted until Election Day, but Nebraska starts counting the day before Election Day. While state statute explicitly prohibits the release of results before polls close, LB1211 will not change the timeline for counting ballots, and election officials will continue with their current schedule. I have worked with the Secretary of State, Bob Evnen. As you can see, he has given his support for LB1211. As the state's chief election official, he understands the details of the election system and what policy would best serve Nebraskans. A number is set. 22 days is a step

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towards efficiently assessing the role of the election officials, guarantees the right to vote, and maintains the request by Nebraskans to be able to vote early. I appreciate your consideration today. LB1211 is a response to countless individuals across the state of Nebraska who desire a more streamlined approach to our elections. LB1211 does this while protecting the value and worth of each and every vote. With that, thank you for your time, and I'd be open to any questions you may have.

BREWER: All right. Thank you, Senator Hansen. Let's see if we have any questions for you. Questions? All right. You'll stick around for close?

HANSEN: Yes.

BREWER: All right. Thank you. All right. We will start with proponents to LB1211. Welcome back to the Government Committee.

STEVEN JESSEN: Yes, sir. Steven Jessen, S-t-e-v-e-n J-e-s-s-e-n. And this is kind of a no-brainer as far as I'm concerned, do not need a lot of discussion. I support this legislation. Anything to help tighten up our elections is to be well received.

BREWER: All right. Thank you. Questions for Steven? All right. You're good. All right. Additional proponents? Those in support of LB1211?

CONNIE REINKE: Hi. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e I am a proponent of this, as you talked about chipping away. Reducing the number of days of mail-in voting is absolutely what we want. We would prefer to not have early voting at all. As I've studied this for the last three years, it's the voter registration databases where we believe the majority of the cheating is happening. It's happening even before election day. It's getting into those registration systems and manipulating the votes. This has been proven in Mesa, Colorado, Grand Junction. So the way we believe that this is occurring, based on the audits in all of these different states, is that additional people that are registered but do not usually vote, votes are inserted for them or mailed out through the mail system. One of the things related to early voting, and why we would prefer it's completely removed, is because of what I talked about earlier, and doubtless the vote scanning wand that they use to mark and let you know on the website that your vote is in, that is helping indicate to these cheaters that

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the vote is in for so many Republicans, so many Democrats, it's in ad-- in advance. The farther in advance that they're alerted to what they need, they're able to, you know, cast ballots for that. And the handout I passed-- or I gave out, it actually is one of our ballots. And if you look at it, you see the name of the person on the ballot envelope, the scan code, and it says where you're-- whether you're a Democrat or Republican. So our votes are not secret. Going through the mail, they're not secret. Thank you.

BREWER: All right. Thank you, Connie. Let's see if we have questions. Questions? All right. Thank you for your testimony.

CONNIE REINKE: You're welcome.

BREWER: We are still on LB1211 proponents. Those in support of LB1211. All right. We'll transition over. Opponents to LB1211. Welcome back to Government Committee.

JOSEPHINE LITWINOWICZ: Thank you, Colonel "Kilimanjaro" and members of the committee. I would like to mention the fact that you're adding to, to the string of-- I would like extra time and if not, I'll, I'll pay the consequences until the Stasi puts his hand on my shoulder.

BREWER: We need you-- we need you to spell your name here.

JOSEPHINE LITWINOWICZ: Oh. I'm sorry. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. And so, you know, I wish we could get in little groups and throw stones, I'm serious. But early voting, if there's a problem, you got to fix the problem and not shorten the time. I mean, I, I, I know that I've gotten ballots, and, you know, I'm kind of forgetful, and I put it off quite a while, and then I had to show up in person, in the snow. Anyway. We get a lot of snow. I so-- you know, I, I don't know, I just-- I don't know the motivation because, if, if there's a way to cheat at it, I mean, like I said, we can't put a man on the moon anymore, but we should be able to do this, that's all. And, so I'm not going to gratuitously use your time. Thank you so much.

BREWER: OK. Thank you. Let's see if we have any questions. Questions? All right. Thank you for your testimony. We'll reset the chair. Welcome back to the Government Committee.

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SHERI ST. CLAIR: Thank you. Sheri St. Clair, S-h-e-r-i S-t. C-l-a-i-r, speaking this afternoon on behalf of the League of Women Voters of Nebraska. We have been consistent in our testifying in opposition to decreasing the amount of time for early voting. And so we are again opposed to LB2711 [SIC LB1211], which would decrease that time from, as stated earlier, 35 to 22 days for vote by mail and in person from 30 to 22 days. The League actually works to promote proactive election reform, including the expansion of early voting, which this bill does not do. And as shown in the November 2020 elections, and we've heard over and over again, supported by Secretary of State Evnen, early ballots either mailed or dropped off were cast securely. Nebraska voters are increasingly supportive of voting by mail, and LB1211 adds an unnecessary limitation in the time that has been historically allocated to early voters and those who choose to vote by mail. Additionally, we now have recently enacted requirements associated with photographic voter identification, which is going to increase the amount of time required at the election commission and the county clerk's office to process these ballots that come in early or by mail. The League of Women Voters works to remove barriers to voting, and is therefore opposed to the shortening of timelines for early voting, and do not wish to see LB27 [SIC LB1211] advance. Thank you.

BREWER: Oh. Thank you. Let's see if we have any questions. Questions for Sheri? All right.

SHERI ST. CLAIR: All right.

BREWER: Thank you.

SHERI ST. CLAIR: Thank you.

BREWER: And while we're resetting for the next person, I need to read in. We did have an ADA testifier and testimony from Katherine Hoell. And it was in opposition to LB1112, LB1211? So I need to read it in the ADA one. OK. Next testifier. You are a proponent?

BRIAN KRUSE: Opponent.

BREWER: Opponent.

BRIAN KRUSE: Opponent

BREWER: Just double checking. All right. Whenever you're ready.

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BRIAN KRUSE: OK. Good afternoon, Chairman Brewer and members of the committee. My name is Brian W. Kruse, B-r-i-a-n W. K-r-u-s-e. I am here as co-chair of the NACO Election Law Committee and the Douglas County Election Commissioner. I'm here to testify in opposition of LB1211. After ballots are mailed out, they begin to be returned daily. They are checked in, signatures verified, sorted by ballot number, and stored securely. In order to process the ballots with the decreased time frame, we would need to work seven days a week to handle the volume. Reducing processing time would be crippling for our office and many other election offices, compacting an already taxing workload into 37% less time. I am predicting 150,000 by-mail early voting ballots in Douglas County for the November 2024 election. Reducing the number of days to process those ballots from 35 to 22 will result in an additional 28 employees working nights and weekends, as well as overtime for our current employees. This is projected to cost approximately $100,000 in Douglas County alone for the November election. In addition to costs, there are other potentially negative consequences of this bill. Currently, the rejection rate for return ballots in Douglas County is 0.067%, less than 1%, the majority being voters who forgot to sign their envelope. With the reduction in return time, I strongly believe this number will increase due to the voters having less time to correct the infraction. The mailing of ballots is also a factor. In November of this year, the mailing date for ballots would be Columbus Day, thus shortening the time frame one additional day. I will briefly mention reducing the number of days of in-person voting at our office as well. I am predicting 15,000 early voters, which will mean, on average, serving 681 voters per day as compared to 500 voters per day. This is calculated on working seven days a week, with a 12 hour workday and an additional ten employees. We know as election day approaches, in-person voting increases, this would almost certainly result in voters waiting in lines for hours and hours at our office, like we have seen in other parts of the nation. It is simply not practical or beneficial for either voters or election officials to reduce the early voting time period. I firmly believe that reducing the number of days to mail out ballots, thus reducing the number of days to return ballots and reducing the number of days to vote in-person will have no effect on the number of early voters. Voters who vote early will do so regardless of the number of days they are permitted. While I have spoken mostly of Douglas County, these points apply across all counties. It is simply a numbers game. The same amount of work must be accomplished, only in a shorter time frame, and

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that is only accomplished with more resources, people, time and money. The system currently in place works well for voters and election officials. In conclusion, on behalf of the NACO Election Law Committee, myself and the Douglas County Board of Commissioners, we oppose LB1211. Thank you for your time.

BREWER: All right. Thank you Brian. I gave you a little extra time because--

BRIAN KRUSE: Thank you.

BREWER: --I kind of think we need to-- we hear your thoughts on this because you're kind of in the middle of the-- of the storm, and your, your thoughts are kind of critical to us better understanding the process. You talked about the rejection rate, was it 0.07?

BRIAN KRUSE: Essentially 0.067 on average. In the last presidential election, it was 0.025.

BREWER: OK. That seems incredibly low. Is it?

BRIAN KRUSE: Yes, we believe so.

BREWER: All right. And the ones that you identified that were the, I guess, higher percentage was the ones where they just failed to sign it when they-- when they sent it in. If you get one like that, do you contact them and give them-- OK.

BRIAN KRUSE: Absolutely. If we have contact information, we will try to either email, or call them, or send a letter if we have time. But yes, we do. We try to reach out to them.

BREWER: And if, if your crystal ball is accurate, and you hit 150, and then was it 15,000 in person? Those track pretty close to what you've seen the previous presidential elections?

BRIAN KRUSE: In 2020, we had 167,000 early voters, partially because of COVID.

BREWER: Oh, OK.

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BRIAN KRUSE: So I'm backing that off a little. But amazingly, we did have almost 15,000 vote in person during COVID-- in the presidential. So I'm predicting pretty much the same this time around.

BREWER: So as you get into the season, and it's the-- I don't know, I guess the rush between your primary and your general election when things are kind of at its peak, how many employees do you have to have in order to process things?

BRIAN KRUSE: So for the, the No-- May election here, we'll hire about 100 full-time temporary employees, and some of those are part-time. For the November presidential, it'll go up to about 150. And that, that would not include these additional employees we would need. And we are at capacity with the 150. I mean, every seat's being taken. So that's why we would have to do nights and weekends, because we just simply don't have chairs to put them during the day.

BREWER: It's the footprint, the-- a place to put them to in order to process them.

BRIAN KRUSE: Exactly.

BREWER: OK. All right. Well thank you. You know, we don't get to see that side of it, so it's kind of nice to have someone come in and kind of enlighten you on it. Let's see if we've got some questions. Senator Lowe.

LOWE: Thank you, Chairman. And, thank you, Mr. Kruse, for being here. And I'm putting myself at risk because we've already been reprimanded by the, the Chairman for staying on track, but since I have you here--

BRIAN KRUSE: Yes.

LOWE: --and since I have the other election commissioners here, I just looked at the, the 2022 Buffalo County ballot, and I think there were about 34 different places to vote on that ballot that one person in, in that precinct could vote on. How long would it take to hand-count that one ballot?

BRIAN KRUSE: In-- that's a great question. In Douglas County, we average between 45 and 50 as opposed to the 34. But even at the 34-- you know, if you could do one race in 30 seconds, which it probably would be a little more than that. But let's say if you average 30

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seconds, and you had 50 races in Douglas County, that'd be 25 minutes for one ballot. I have 275,000 ballots returned in Douglas County.

LOWE: So it would, it would take 30 seconds per--

BRIAN KRUSE: So if they're voting for you, say, and then one person's reading your name, and one person's checking it off. I'm just saying, 30 seconds. So you read John Lowe, I mark it off, then you go back. You know, I'm just guessing, on average.

LOWE: I was just looking at it, and to say you could do one ballot every 30 seconds--

BRIAN KRUSE: No.

LOWE: --by having two people look at it, check it, and a third person monitoring what they're--

BRIAN KRUSE: No, no, I wouldn't say one ballot. I'd say one race. One race.

LOWE: I understand, but I was just trying to, for my mind--

BRIAN KRUSE: Sure.

LOWE: --doing this.

BRIAN KRUSE: Sure.

LOWE: It would take, in the precincts or somewhere, between 750 and 1,750 per precinct.

BRIAN KRUSE: Exactly.

LOWE: It would take five hours before we would even have the first results back.

BRIAN KRUSE: Yeah.

LOWE: At 30 seconds per ballot and four different groups counting those ballots.

BRIAN KRUSE: Right. I mean, it'd probably be more than that. I'd have to do the math. It would--

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LOWE: I'm just--

BRIAN KRUSE: Yeah, yeah.

LOWE: I'm just sitting here thinking about that, how long it'd take to count paper ballots, but--

BRIAN KRUSE: Right. It would--

LOWE: You say it takes a minute or two minutes to count that full ballot then.

BRIAN KRUSE: Right. And I'm not, not being facetious here, but really, if you were to do that, you'd have to rent-- well, I guess you'd either have to get folks to stay and do it at the polling place all night long, which potentially would be folks that haven't worked for 14 hours a day already, so a whole new crew. Or you-- I guess you could bring the ballots back, and if you rented a space such as the CHI Center or something like that, where you could literally have, you know, an army of people doing it. But there's definitely logistics that would have to be worked out there.

BREWER: When you're talking about different ballots, so the reason why there's so many is because you got NRD votes, you got school boards, you got-- besides the president and senators and congressmen and state senators and all these other things, and they're all different configurations because depending on what district or what--

BRIAN KRUSE: Right.

BREWER: --precinct you're in.

BRIAN KRUSE: Depending on where you live and who represents you, you know, you're going to have school board, OPPD in Omaha, MUD, NRD, you, you name it, legislative district, county offices, county commissioners. And you know, where precincts are, are divided, your neighbor across the street may have a different ballot than you do, because it may be a different public power district.

BREWER: OK. Thank you. That, that helps better understand some of the complexities with what you're trying to do.

LOWE: I hope I didn't get too far off the track.

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BREWER: No. You're actually on track. You were-- you were in the same hemisphere. All right. Any other questions for Brian Kruse? All right. Thank you for coming in. Thanks for sharing.

BRIAN KRUSE: Thank you.

BREWER: All right. Welcome to the Government Committee.

TRACY OVERSTREET: Good afternoon, Chairman Brewer and committee members. Happy Valentine's Day, by the way. I'm Tracy Overstreet, T-r-a-c-y O-v as in Victor, e-r-s-t-r-e-e-t. I am the election commissioner in Hall County, and I'm also a member of the election law committee for the Nebraska Association of County Clerks, Register of Deeds, and Election Officials. I'm handing out some letters from some of my colleagues as well as my testimony. I'm not going to read my testimony in the interest of time. I want to hit the highlights here of the main points. My major concern with LB1211 is that we have mail delivery delays and problems in central Nebraska. What used to be 1 or 2 days to get ballots across our community now is 3 to 4 days, 5 to 7, even 10 days. This is a problem that is so evident, Congressman Smith recently wrote a letter to the Postmaster General about the problems in the third district, actually earlier this month. The Congressman's letter is in your packet. Another concern that I have is what Brian Kruse also addressed, this compressed timeframe of getting the volume of work accomplished. Under state law, we cannot mail out ballots within 11 days of an election. Under this proposal, that would leave 12 days for us to process every request and to get it out. And when I talk about processing, that's just sending it out. Keep in mind that any mailed ballots, or even walk-in ballots that we have, we're going to be handling those three times before we even get to counting them. We're issuing them, we're bringing them back and doing verification, and then we have to open them and prepare. So this compressed time frame is a concern. You have a letter from the Nuckolls County clerk concerned about the compressed time frame and also her workload, because she's also the county clerk and the register of deeds. There's also a letter from Knox County. It's a by-mail county. This will shorten the amount of time that people can come in and do in-person voting if they're not going to be there during by-mail. The emergency clause is a huge concern. We have already purchased the, the equipment and documents things-- most of that's already been purchased for this election, including the postcards that go out to people and voters when they expect to see ballots coming to them. I know the Secretary

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of State has issued a letter in support. He referenced part of that being that he will have more time to certify. I don't understand that. I do not consider that to be a valid point at all. Under state law, the Secretary of State has to certify all of the candidates and issues on a ballot at 50 days before any election. That's required, because at 45 days, we have to send ballots out to all of our military and overseas citizens. So this does not give any more time for certification. And I also think that we shouldn't be setting our standard against the 22-day special election. That is a simple, the most simple election you can have. It's often single subject, and there's not a lot of people who participate. It's the lowest participation election. If we are going-- I do agree with Senator Hansen, and I do agree with the Secretary of State that harmonization is a very good thing, to be less confusing to voters. But we should harmonize with our most complex, most attended elections. That's a primary and a general. And I think that we should be harmonizing with at 30 days, not at 22 for a simple, single subject special election guideline. I'd be happy to take any questions.

BREWER: Again, you're passionate, you're on point. I wasn't going to stop you because you were on a roll there, so thank you. All right, let's see if we've got questions. Questions for Tracy? Thanks, thanks for making the trip. Thanks for spending your, your Valentine's Day with us.

TRACY OVERSTREET: And to Senator Lowe's question to, to Mr. Kruse, the answer in Hall County is three, four, five. For three races, when we do an audit after an election, we take a federal race, a state race, and a local race. Those three races for four people to count because one has to read it. One observes that it's being read right. One is tallying. One is observing it's being tallied right. Three races, four people takes five hours for one precinct. So you can use that in your math, to calculate what it would be for Buffalo County. But for Hall County, it will take five weeks to hand count our precincts for the, the traditional general election ballot.

BREWER: All right. Thank you. Tracy. All right. We will continue with opponents to LB1211. Welcome to the Government Committee.

JACKELINE PRADOS: OK. Thank you. Good morning, Chairman Brewer and the member of the Government, Military and Veterans Affairs Committee. My name is Jackeline Prados, J-a-c-k-e-l-i-n-e P-r-a-d-o-s. And I'm

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here-- I'm the senior organizer from Heartland Workers Center, working mostly on GOTV. I am living in District 5 in south Omaha, a place historically founded by immigrants. The Heartland Worker Center's mission is to develop and organize leaders, promote workers' rights, and foster a culture of civic engagement in order to build power and create change with immigrant and underrepresented communities. In addition, I have over seven years of, of experience serving as a poll worker in local, state, and federal elections. As part of the underrepresented community, for these reason, I am here in strong opposition of LB1211. I feel that shortening the early voting period would put another barrier to the freedom-- fundamental rights of citizens to vote. And I say this because within the community there are people who choose to vote early so they have time to research the candidates and become more educated about the ballot initiatives. And from my experience as a poll worker, voting early offers additional time for election officials to address any logistical issue, verify voter eligibility, and ensure the integrity of the electoral process. In 11 counties here in Nebraska that only vote by mail, and that represent an estimate of population for of 44 [SIC] voters, shortening the early voting period could make many of them decide not to vote. Why make this process more difficult? In conclusion, maintaining open the accessibility-- accessible early voting period is essential for upholding the principles of democracy, fostering inclusivity, and promoting civic participation. Thank you for the opportunity to testify today, and happy Valentine's Day.

BREWER: Thank you for your testimony. And, happy Valentine's Day to you. Let's see if we have any questions before we let you go. Questions?

JACKELINE PRADOS: No?

BREWER: No questions? All righty. Thank you for your testimony.

JACKELINE PRADOS: Thank you.

BREWER: Welcome to the Government Committee.

SHERRY SCHWEITZER: Thank you. Good afternoon. I'm-- Members of the government 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'm the other co-chair of the county clerks legislative committee with Brian, and also the Seward County Clerk.

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I've been in the office 40-- over 45 years. OK? And 25 years as the county clerk. So I've been involved in a lot of elections. Tracy did a great job, telling you a lot of things about us. But what-- a few things I do want to just hit on is that there are a lot of deadlines. We, the clerks and the election commissioners deal with a lot of deadlines. A 42-day notice to be published in the paper, how many days before somebody has to file for election, things like that. But not only do we have to adhere to state law, we have to deal with federal law. That's where she'd note she'd said it's the, the UOCAVA ballots that go out. That stands for Uniformed and Overseas Citizens Absentee Voters Act. We must adhere to that. If we do not, the U.S. Department of Justice will, and has, penalized a county that did not ever-- that did not meet that deadline. So we already have to have ballots on that 45 days. So changing it to 22 days, it's not going to help us any at all. We already have to have them ready for that UOCAVA deadline. This summer, I did have two special elections, ones that were by mail only, and those ballots did go out on the 22nd day, according to law. But we all know the, the mail system is not great anymore. And I had some ballots that went out and because they did not get them in time, they weren't able to send them back. They had to deliver them back up to my office in order for them to be counted. So for the-- and remember, those special elections are for one thing, a ballot, maybe a bond issue. In my instance, one was a keno. When those people got their ballots, they already had decided, probably, yes or no, how they were going to vote, OK? But remember, Senator Lowe, you asked about how many issues. On my last election in 2022, I had 43 different races. And, Senator Brewer, you talked about the different districts and everything. Well, the school districts are really odd. I had one-- I have one precinct that has 15 different splits. That means I can have 15 different types of ballots in one-- in, in one precinct. In the primary, you talk about 15 primary Republican, 15 Democrat, 15 Libertarian, 15 Marijuana Now, and 15 nonpartisans. That is a whole lot of different ballots for them to count, OK? So just bringing that to your attention. So less time, though, for the voter to cast their ballot. It's only telling voters that Nebraska is now making it harder for them to vote. You know, they have less time. When you have 43 races or issues, you want time to be able to concentrate and investigate your decision. Thank you.

BREWER: All right. Thank you. I'm glad you brought up the Uniformed and Overseas Citizens Absentee Voter Act. That's a federal act.

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SHERRY SCHWEITZER: Yes.

BREWER: It is the-- is what guided us overseas when we wanted-- well, stateside or overseas when you want to vote. They have an assigned voting officer, and he takes you into a room, they get your specific ballot that goes to your, your, your precinct back home. And then they, they make sure you sign it or they, they don't let you out of the room. So they make sure that what gets back to you hopefully is a pretty good product. But that was a federal program, and they were very strict to make sure that we got it right, so--

SHERRY SCHWEITZER: Absolutely. And remember, it's not only for military, it's for anybody overseas. We have--

BREWER: Good point.

SHERRY SCHWEITZER: You'd be surprised how many people are overseas at the time of elections.

BREWER: Yep. Great point. All right. Let's see if we have any questions for you. Just-- oh, yes, Senator Conrad.

CONRAD: I have a question, I just-- thank you, Chair. I just wanted to acknowledge Sherry and say thank you for your service for my original home county of Seward, Nebraska and Seward County, Nebraska. And Sherry's done such a great job and brings a lot of integrity to her work. And I know the citizens appreciate it. Thank you.

SHERRY SCHWEITZER: Thank you.

BREWER: And you probably weren't at the basketball game last night? There were 18 senators there to root on Barry DeKay. Barry DeKay was a referee and we did our best to harass him and get kicked out of the game.

SHERRY SCHWEITZER: Yes, I heard all about that, yes.

BREWER: But Seward was a hopping place last night.

SHERRY SCHWEITZER: Yes, it was.

BREWER: So thank you for your help.

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SHERRY SCHWEITZER: You bet. Thank you.

BREWER: OK. Next opponent to LB1211.

SPIKE EICKHOLT: I'll be so quick. Good afternoon. My name is Spike Eickholt, S-p-i-k-e, last name is spelled E-i-c-k-h-o-l-t. I'm appearing on behalf of the ACLU Nebraska as their registered lobbyist in opposition to LB1211. I'm not going to duplicate some of the testimony that I was going to-- I was gonna make some points that some of the local election officials have made regarding the condense-- the condensing of time, the impact that would have on the work that they do. But I just wanted to maybe mention one other thing that maybe no one else will. And that is I think a lot of people in Nebraska know that they have 30 days to early vote, and that 30 days is a good round number. And it's a typical sort of length of time that Nebraskans have in interacting with their government. If they get a new vehicle, they've got 30 days to get it registered. If their li-- driver's license expires, they can get a temporary one that lasts 30 days. If they get a Games and Park sticker online, before you get the actual stickers mailed to you, they give-- you can print out or have or email a receipt of a proof that you paid for the sticker that lasts 30 days. And I think consistent with what Senator Hansen talked about, having the 30 days that we've had in statute since 2012 for early voting makes some sense. That's some predictability and encourages confidence, if you will, in local government and government for the Nebraskans. And I just urge that the committee not advance this bill to shorten that time for that simple reason right there, and other reasons that people have testified to earlier. I'll answer any questions if anyone has. You've got other people testifying, I don't need to take more of your time.

BREWER: All right. Thank you, Spike. Let's see if we got questions. Questions? Senator Halloran.

HALLORAN: Thank you. Thank you, Chair, Chairman Brewer. Thanks, Spike, for being here. I was afraid you were going to say it was unconstitutional.

SPIKE EICKHOLT: Well.

HALLORAN: That's OK. [INAUDIBLE].

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SPIKE EICKHOLT: That wasn't the first argument that I had.

HALLORAN: OK.

BREWER: I apologize for his harassment [INAUDIBLE].

SPIKE EICKHOLT: Well, I'm used to it.

BREWER: All right. Any other questions for Spike? All right. Thanks for hanging in and coming by. Welcome to the Government Committee.

AMY NELSON: Good afternoon, Chairman Brewer and members of the committee. My name is Amy Nelson, A-m-y N-e-l-s-o-n. I'm representing the NACO Clerks of Registered-- Clerks, Register of Deeds and Election Commissioners, as well as the Fillmore County Clerk, Register of Deeds and Election Commissioner. I'm here to testify in opposition of LB1211. Fillmore County is one of the smaller counties. We have 3,909 registered voters. Since I took office 18 years ago, I've always said that I want to continue to allow voters to have every right to vote in whatever manner they choose. As stated-- as others have stated, reducing the number of days to mail out ballots from 35 days to 22 days takes away from the voters having enough time to receive their ballots and get them returned due to postal system delays. We've had several ballots returned after election day, some of them being postmarked many days ahead of the election. I do not believe shortening this timeframe will reduce the number of early voters. During 20-- the 2020 primary election, we mailed out 1,754 early ballots, with 961 mailing them back. In the general election of 2020, we mailed out 1,460 ballots and 995 early ballots were returned. I'm sorry. Sorry. Sorry. 670 were mailed back. In the primary of '22, we mailed out 995 ballots and 376 of them were returned. In the general of 2022, 1,011 ballots were mailed out, with 393 being returned. As you can see, the trend has been-- they're-- voters are choosing alternate routes rather than mailing them back. I do not believe shortening the time frame to 22 days gives the election office enough time to get the ballots mailed out, and the voters ensuring that they have time to get them mailed back by Election Day. While we are a smaller county, we have three full-time staff and one part time, are expected to do-- process all the requests, have them processed and mailed out in a reasonable amount of time while completing all of our other tasks. The number of days shortened does not only take-- does not only take away from the time the voter has, but it takes away from

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the time from the staff being able to prepare them to be mailed out. As election commissioner, I try to make sure that all voters have the opportunity to correct their mistakes on either their requests or their ballots turned in. Our office takes the time to call each voter, letting them know that there is an error and how they can get it corrected. Of course this takes time to do that, all of that being completed before we can accept their ballots. In closing, I feel that the current law allowing election officials 35 days, days to mail out the ballots ensures the voters have adequate time to receive, vote and return their ballots. I urge you not to advance this bill to General File. Thank you.

BREWER: All right. Thank you, Amy. Let's see if we've got questions. Questions for Amy?

AMY NELSON: Thank you.

BREWER: All right. And again, thanks for spending your Valentine's Day with us. OK. Welcome to the Government Committee.

RUBY MENDEZ: Thank you. Good afternoon, Chairperson Brewer and committee members. My name is Ruby Mendez, spelled R-u-b-y M-e-n-d-e-z. I work as a community organizer at Nebraska Appleseed with our Immigrants and Communities program. Nebraska Appleseed is a nonprofit, nonpartisan organization dedicated to justice and opportunity for all Nebraskans. Today, we are here to testify in opposition of LB1211. Nebraska has a long-standing tradition of free and fair elections. At their best, elections promote participation and ensure that every Nebraskan's voice is heard. LB1211 is a contrary to this tradition because it shortens early voting time frames, which will make it harder for Nebraskans with busy family and work lives to be able to vote. Through our nonpartisan voter work with communities across the state, I have seen firsthand the significant value that longer rather than shorter time periods have on community members' ability to vote. Many Nebraskans have numerous family, professional, and civic responsibilities. Many also have inflexible work schedules. Our current early voting time period is really important and a practical tool for supporting and increasing Nebraskans' voter participation. Under current law, early voting ballots must be ready for delivery more than a month prior to any statewide primary or general election. This bill will far reduce that amount of time for both early in-person voting and voting by mail. Shortening the period

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of ballot access for mail-in voting also has serious race equity implications. The Brennan Center for Justice, for example, found that black, Latino, Asian-- and Asian voters tend to have their early voting ballots rejected more frequently than white voters. LB1211 would limit community members' ability to take corrective action of-- if their ballots are rejected. In light of these concerns, we urge this committee to oppose LB1211 and ensure that full early voting time frames in the future for healthy democracy. Thank you for your time.

BREWER: All right. Thank you for your testimony. Let's see if we have any questions for you. Questions? Questions? All right.

RUBY MENDEZ: Thank you.

BREWER: Thank you for coming in. All right. Still on opponents. Welcome to the Government Committee.

PENG XIAO: Happy Valentine's Day, Senators. And my name is Peng Xiao, P-e-n-g X-i-a-o. I oppose LB1211. And not because I want to keep the voting, the, the early ballot voting, but I just against early ballot voting, and just allow-- I think we just allow that to oversea, the truly oversea military and also the, the really, real disabled people to have the early ballots, including mail-in ballots. Because, you know, I, I was a, a poll watcher in 2022. And then during the poll watching training, and they asked a trainer and is there any way to monitor the early ballots and including the mail-In ballots? And then he told me, no. So the whole procedure is not transparent at all. And just now also to testify, I just mention that the early ballots can be delayed and the mail-in ballots can be delayed because of mailing system. So because the whole system just has multiple people just proc-- processing, so that cause a lot of potential for fraud-- for fraud. So, and if you watch the movie 2,000 Mules and then the early ballots in the, the drop in the box, the ballot box, you can see that people are just in, you know, the, the mules just do the ballot harvesting and also in, in, in that-- because I'm doing computer science and coding, and when I saw those ballots that curve, you know, have you heard of PID, cruise control, that technology. And then if you're feeding, the early ballots can be a feeding data, and then to, to do the fraudulent and then just like a cruise when you just cruise, and then it's not followed out of that formula, you preset, and then they can use the fraudulent data from the mail-In ballots. And then to do that, it's through the machine. So I strongly against early ballots

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and including mail-In ballots at all. And for the hand counting, because currently I'm receiving hand counting, I'm also training at Douglas County hand counting. So everyone, you know, we have 4 people, and 2 parties in this side and across and then same sort, party across like this way. And then 2 people just read and then 2 people just tab-- tabbing. So it's very fast. I think one ballot, even now we're not very familiar, but still can finish one ballot within less than one minute. So the goal is like a 30 minute-- 30 seconds, finish one ballot. So that's very-- and then 4 people can finish in, in each precinct, like my precinct has the largest voter in 2022. And it's, it's around 350. So 4 people can finish 350 ballots within 2 to 3 hours. So I just testify that's very simple. And then I also encourage all the senators to attend-- to attend tomorrow's, we're going to have the hand count demo. And then you can see how efficient it's. So why not just make the thing simpler? Why, why just using the mail-In ballots and those things? So I just testifying against this.

BREWER: OK. Thank you for your testimony. I'm just double checking. OK. So LB1211 reduces the amount of time that you have to send in your ballot, and you're opposed to LB1211. Is that correct?

PENG XIAO: Yes.

BREWER: OK. Just double checking. All right. Questions? All right. Thank you for your testimony. OK. Additional opponents to LB1211. Welcome to the Government Committee.

TODD WILTGEN: Good afternoon, Chairman Brewer and members of the Government, Military and Veterans Affairs Committee. My name is Todd Wiltgen, spelled T-o-d-d W-i-l-t-g-e-n, and I'm the new Lancaster County Election Commissioner, and I am here today in opposition of LB1211. Since Lancaster County-- or since the Legislature changed Nebraska law to allow for no-excuse early voting in 1999, Lancaster County has seen a steady increase in early voting. During the 1996 presidential election, the Lancaster County Election Commissioner-- Commission received slightly more than 5,000 requests for early voting. In 2020, it received more than 90,000 requests. Certainly, this number was elevated due to the pandemic. For this presidential election cycle, I anticipate that we will issue more than 55,000 early voting ballots for the primary election, and 82,000 early vote ballots for the general election in November. Reducing the number of days the voters may vote by mail from 35 to 22, or in person in the election

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office from 30 to 22, will not reduce the demand for early voting. As voting trends shifted and more voters in Lancaster County decided to vote early, Lancaster County Election Commission designed systems to accommodate early voting while also preparing for Election Day. This is done Monday through Friday from 8 a.m. to 4:30 p.m. In reality, the 35 days of early voting by mail and the 30 days of in-person voting are actually 27 days and 21 days, respectively, when you consider we are closed on Saturdays and Sundays. Should LB11-- should LB1211 be enacted, it would reduce the number of days for both types of voting to just 16, factoring weekends. In addition to further complicating the distribution and collection of ballots by mail, it would also increase wait times, increasing lines for those persons wanting to vote in person at the Election Commission office. The unintended consequence of compressing the number of voting days would be a drastic increase in the administrative costs necessary to prepare early vote ballots for counting. As a result, I would need to make significant adjustments to my office's work schedule to offset this disruption. This would include extending daily office hours, while also working on Saturdays and possibly Sundays. The additional staffing costs would be substantial. I estimate that the financial impact for Lancaster County would be $26,000 for the primary election, and $35,000 for the general election. This includes overtime pay, while also hiring and training additional staff to process the same number of early vote ballots in a shorter amount of time. I do not believe the Lancaster County property taxpayers should have to pay the additional costs of early voting without realizing any benefit. I respectfully ask that you not advance LB1211.

BREWER: All right. Thank you, Todd. Let's see if we have questions for Todd. Questions? All right. Thank you for your testimony.

TODD WILTGEN: Thank you.

BREWER: All right. Still on opponents. 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, and I'm testifying in opposition to LB1211. We oppose the bill for some-- the reasons that you've already heard. I won't go into details on those, but essentially they are the

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staffing and capacity issues, the need for more resources to address all of the ballots in a compressed time frame, resources, and people, and money, time. We also have concerns about, as you've heard, the extended time for mailing the ballots and receiving those ballots, with the delivery schedules of the Postal Service. With that, I'd be happy to answer questions.

BREWER: All right. Thank you, Beth. Let's see if we have questions. Questions? Questions? All right. Thank you for coming in. OK. Additional opponents? Welcome back to the Government Committee.

CINDY MAXWELL-OSTDIEK: Thank you. Senator Brewer and members of the Government, Military and Veterans Affairs Committee, my name is Cindy Maxwell-Ostdiek. That's C-i-n-d-y M-a-x-w-e-l-l, hyphen O-s-t-d-i-e-k. And I'm an advocate for civic engagement and president of Better Ballots Nebraska, which was formerly Rank the Vote Nebraska. I'm testifying as an opponent of LB1211 to change provisions of the Election Act relating to early voting. Nebraskans have a right and a responsibility to take an active role in our elections, and we oppose any measures to restrict voting by mail or to limit the length of time voters have to research, complete, and return their mail ballot. I don't want to repeat anything other experts have shared today, but I wanted to add a personal note and just share a story about a voter that has made an impression on me. I had a previous election several years ago, I volunteered with a community organization reaching out to voters to let them know about their ballots that had been rejected. It's my understanding that that is now all done in-house at the Election Commission. But I won't forget one voter, though, who, when I reached them, they cried. They realized that their vote might not have been counted, but they were so grateful they had time to get to the Election Commission and fix it. So I ask you to vote no. Please don't advance LB1211 to General File. We don't want to suppress the vote in Nebraska.

BREWER: All right. Thank you Cindy, let's see if we have any questions. Questions? Questions?

CINDY MAXWELL-OSTDIEK: Thank you.

BREWER: Thank you. All right. Welcome back to the Government Committee.

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WES DODGE: Thank you. Wes Dodge is my name, W-e-s D-o-d-g-e. I am not going to read what I had written down, because I want to respect your time, and I think I can make this a lot shorter. First of all, I'd like to say I love these clerks that are testifying. I think these are amazing people. I love what they're doing. I love-- I just really appreciate that when you listen to their testimony, you can tell they care about votes. They care about the fact they're fair. They care about the fact they're efficient. And it just-- I'm sitting here and I'm thrilled. I just, I just listen to those people, and I think you're, you're hitting it out of the park. You're telling-- you're telling these people how we need to do things, how we need to make the vote available, how we need to do it right, how we can save money. The emergency clause in here kind of startles me as well. Why do we have to have this done quickly if for some reason it would go on? Is this designed to limit access to, to, to the ballot? And it seems like it could be to some extent. It definitely would if we do shorten it. The, the, the value of saving money because of the efficiency and all the overtime and how we're going to have to pack all this into a couple of days is pretty troubling. The resources that, that have to be expended in a short period of time, that's just not efficient. And then the more practical-- a couple practical things I see, one is kind of a weird connection, but I think it makes sense, and some other testimony on the floor, earl-- a couple of weeks ago, they were talking about dark money. Dark money people love that, that, that narrow window of time in which to deal, because they can do those, those flier dumps that I think a lot of you have been the victims of. They can do all that stuff. If they can pack that all into 2 weeks, or they can pack that into 3 weeks, that's a way to manipulate the vote. And if, if you compress this, that gives them a better window. The expanded time makes it harder for them. And then finally, I, I am an attorney. I work with people without a lot of money a lot, and those people are doing good to get up, get their kids to school, work, they're wore out when they get home, they're working all day long. The farmers are working hard. We're doing elections during the spring and during the fall, during harvest season, access is difficult. We want people to have access. When I go to the QT in the morning and get my Diet Coke or my tea, I see people in those safety vests. I see people in those rubber boots up to their knees, and I think these people-- I've represented some of them. They work, they work 40, 50, 60, 70 hours a week. They get Sundays off. I want those people to vote because you, you need, you know, we all need to look after those people. And I

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think of those people when we look at this type of limitations on voting, too. I want those people-- and some of them I don't like what they want to vote for when I talk to them, but I want them to have this access. To me that is huge. So completely off my, my script.

BREWER: That's all right.

WES DODGE: But I appreciate what these people are doing and wanted to--

BREWER: All right.

WES DODGE: --give them praise.

BREWER: All right. Let's see if we got any questions before we let you go. Questions? Questions? All right. Thank you for your testimony.

WES DODGE: Thank you.

BREWER: Welcome back to the Government Committee.

ARLO HETTLE: Thank you. Hi, Chairman Brewer and members of the committee. My name is Arlo Hettle, A-r-l-o H-e-t-t-l-e. I'm the associate network policy manager at the Nebraska Civic Engagement Table. We work with nonprofits across the state to increase civic and community engagement, and we're here today in opposition to LB1211. I'm passing out some data here that just kind of shows a broader look at early voting in Nebraska, as well as if you flip it over, a more targeted look at the last midterm election. And so what this handout shows is that we've seen consistent increases in early voting over the last decade and a half, which was boosted in part by the pandemic. But then the '22-- 2022 midterms showed that many Nebraskans who decided to vote early for the first time in 2020 continued to seek that option. We can't say for sure what early voting trends for 2024 look like, but like Chairman Kruse, I tried my hand at some amateur election modeling. So if you take 2022's early voting percentage of 30.82 and 2020's presidential level turnout of 966,920 voters, we can estimate that around 370,000 voters will cast early ballots in the 2024 election. And, we just don't see any reason to change the rules to limit the time that those hundreds of thousands of Nebraskans have to cast their votes. Going to the back and looking at those county demographics, we can see that there are not clear urban-rural divides on early voting. The five counties that had the most voters voting

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early were Harlan, Gage, Wayne, Douglas, and Thayer, spanning the most urban county in the state to some that are very distinctly rural. And if we look at partisan data on vote-by-mail, the most popular form of early voting, we can see that of the mail ballots and cast-- mail ballots cast in 2022, half came from registered Republicans, 36% came from registered Democrats, and 15% came-- had an unknown or other party. So we believe that there's no reason for the Legislature to reduce the time that Nebraskans have to cast their votes, particularly as increasing numbers of Nebraskans are making the choice to vote before Election Day. We urge the committee to oppose LB1211. Thank you.

BREWER: All right, thank you, Arlo. Well, it's-- well, the charts here, so we can kind of see things in the real world. All right. Questions? All right. Thanks again for your testimony. OK. Next opponent to LB1211.

ANDREW DOMINGUEZ FARIAS: Good afternoon, Chairperson Brewer and committee members. My name is Andrew Dominguez Farias, that's A-n-d-r-e-w D-o-m-i-n-g-u-e-z F-a-r-i-a-s, and I'm the policy fellow with the Asian Community Cultural Center here in Lincoln. Today we are testifying in opposition to LB1211. The Asian Center's a nonprofit organization that supports and empowers all immigrants and refugees through our programs and services. 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, raises 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 inaccessibility, taking time off from work, transportation to the polls, and associated costs are barriers that already exist. LB1211 is only going to further decrease voter participation rates by shortening the amount of time individuals are already able to vote early and vote by mail. This is especially relevant to our organization in the case that we have community members who are notified there are errors with their ballot and need assistance remedying the issue, including translation and interpretation services. New Americans and Nebraskans have worked hard to exercise their right to vote, and they deserve to feel welcome here, including

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being given ample time to engage in the democratic process. Therefore, we urge the committee to not advance. LB1211. Thank you.

BREWER: All right. Thank you, Andrew. Let's see if we got any questions. Questions? Questions?

ANDREW DOMINGUEZ FARIAS: Thank you.

BREWER: Thank you for your testimony. All right. Next opponent to LB1211. Welcome back to the Government Committee.

HEIDI UHING: Hello, Chairman Brewer, fellow members of the Government Committee, again, my name is Heidi Uhing, H-e-i-d-i U-h-i-n-g. I'm public policy director for Civic Nebraska, and I'm here to speak in opposition to LB1211. We're particularly grateful for this opportunity to show our love and appreciation for voting by mail on a day like Valentine's Day. For those of us who feel like our ballots are a love letter to democracy, we are particularly protective of our right to vote and the people and processes that enable us to do that. I won't continue on with my prepared testimony because I think it was stated in a variety of ways already this afternoon, but I just did want to reflect on how this hearing, I think, was a really great opportunity to hear directly from these people who are often portrayed as boogeymen conducting elections nefariously. And I think when we encounter them as people directly, you can't help but come away with an impression that these people are very clearly committed to their work. They are very high-level administrative professionals who are focused on accuracy and efficiency, and they're conducting the work of our democracy. And so as the young people say, I think we should give them their flowers today, since they are here with us on a day of celebration. And every time I hear folks like them talk about their work, I learn so much. I think it's easy to simplify what must happen behind the scenes. And when you really get down to it and how many ballots they're counting, the processes that are involved in doing that, the level of specificity and attention given to this work is so commendable. So I'm grateful Senator Hansen brought this bill. I think it's a great opportunity for us to just learn more about the clerks' dedication to their work and hear more about how they actually conduct this work for all of us. And the phrase that just kept cropping into my head as I was hearing them talk about their work is, if it ain't broke, don't fix it.

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BREWER: All right. Thank you for your testimony. Let me check and see. Questions for Heidi? Questions? Thank you for your testimony. All right. Next opponent to LB1211. Welcome back to the Government Committee.

AMBER PARKER: Amber Parker, A-m-b-e-r, Parker, P-a-r-k-e-r, and I'm an opponent to LB1211 because I believe that it is a false sense of security, and shame on everybody that says mail-in voting is safe. It is not secure, it has no chain of custody. I believe in solutions, not just focusing on the problem. The solution is very simple in the state of Nebraska. LB193 can be pulled. We can work and add together to have the hand-counting ballots at the precinct level under video surveillance. The accountability is serious. I sit here grieved. Senator Brewer, you served our country from foreign and domestic enemies, right? Pled-- pledged to the Constitution of the United States of America. All of you have pledged to stand against those areas as well as here, not to the degree that Senator Brewer has, but it's still a very serious thing. We are truly going to be looking at the word treason coming up. This has nothing to do with President Donald John Trump. That's a distraction. This has to do with losing our constitutional republic, and sadly, we clearly have. To all the county clerks, to all the election commissioners, provide the 2022 cast vote records and source code. Sitting before us, shame on the people to say they're doing a good job. They all should be fired. We-- there, there have been citizens that have asked for these things. I got a phone call recently in the state of Nebraska, people that no longer live here were getting early ballots out of Douglas County to, to, to sign an early registration to vote by mail. There's a problem here. The solution is simple. You can do it in the short legislative session. The Speaker has over 20 bills he can pull, priority bills. Each of you have one, and then committees, too. Pull LB193, put hand counting ballots at the precinct level under video surveillance. Colonel Shawn Smith had warned you. Senator Brewer, I believe that would have been a committee that you would have been on as well. Correct me if I'm wrong, sir. This is serious. I don't know, in 5 years if you're going to even give us the opportunity to sit here and talk, or are you going to break us up into camps? There are those of you who have sold out to the Communist Chinese party in the United States of America, and you know who you are. And those listening, and God knows who you are, this country has been beautiful. This is very serious. And it's the mail-In ballots they used to stuff the machines.

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You continue to keep the open doors for foreign interference and to rob us of liberties and taking away our constitutional republic. But you can change that this year. It's up to you. It's on all of your shoulders. Thank you.

BREWER: Are there any questions?

LOWE: Yeah.

BREWER: Senator Lowe.

LOWE: Thank you, Senator Brewer. Amber, find us 33 votes and we will. The 33 votes aren't there.

AMBER PARKER: You know what?

LOWE: We can't pass a bill like you would like us to pass.

AMBER PARKER: You know what? You have worked, and we don't have time. And, and we could sit here and give the paper trail. But Senator Danielle Conrad has been supporting bills in years past where before she didn't. And there was someone that came here-- this is all an act, because the same branch of arm and control controls both the Republican party in the State Legislature and the Democrat. They're giving the marching orders. They're giving the marching orders and doing this. That's a cop out, Senator Lowe. And you know what? If I was the only one and I was a state senator to do what's right to stand up for justice? And if it meant a sword in Jesus' name? The ma-- I'm a-- I'm willing to die on that hill to be that only vote if all of you were CCP. If that was the case. And I'm not saying that's the case. God knows. But what I'm saying is, I know that's at play, and I know the globalist agenda is running the Nebraska State Legislature and you guys know it, too. My question is, please think about how this affects your families. Think about your votes and what you're doing because it's bringing persecution to the people. And there are many that are deceived, but their eyes are being opened. And I plead with you, give us back our election process, the transparency. These other bills are like-- it would be like going to a doctor's office and putting a Band-Aid on someone who was diagnosed with cancer and saying, here, this will help you. That's exactly what you've been doing.

BREWER: OK. Any additional questions? All right. Thank you.

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AMBER PARKER: Thank you.

BREWER: All right. Additional opponents to LB1211. Welcome back to the Government Committee.

GAVIN GEIS: Thank you. Thank you, Chairman Brewer, members of the committee. My name is Gavin Geis, that's spelled G-a-v-i-n G-e-i-s. Like those before me, I'm not going to give you everything I've got. I will be brief. I would also point to our elections administrators. They are rock stars, and they've done a great job of explaining their case. I can do no better than they did. I mostly want to come up here to speak for the integrity of our elections. There are clearly those of us who think our elections are broken beyond repair, and it's all a rigged game, and none of it matters, and we should give up now. But there are so many of us that believe our elections have integrity still, that the administrators in the back of this room are doing their darndest for the people of the state, that our Secretary of State, who I don't disagree with on everything, is doing the darndest for our state. Proponents of limiting early voting have pointed to [INAUDIBLE} electoral-- our election system as reason for restricting that vote. While maintaining our election integrity is an important goal, the early voting period does not oppose-- pose a threat of abuse. Rather, Nebraska's elections have a long history of being safe and secure, and the people of Nebraska are not working to undermine that safety. Every election year, hundreds of thousands vote in person and by mail, many casting their votes early in the weeks leading up to an election day. And through all of those interactions, the instances of fraud are vanishingly slim. We can be sure of this fact thanks to the diligence of our Secretary of State and county elections officials, who have time and again studied our elections to ensure abuse is not occurring. Our elections offices conduct audits following election cycles and are diligent in their efforts to investigate wrongdoing. Secretary Evnen has reinforced this fact by releasing the findings of his own study of our elections, find that fraud in elections simply aren't issues we're facing. Without any evidence in Nebraska of the fraud pointed to by supporters, it's wrong to restrict the rights Nebraskans already have. As such, we urge you to reject LB1211 and maintain the early voting period that Nebraskans currently have. Thank you. I appreciate the time.

BREWER: All right, Gavin. Let's see if we have questions? Questions for Gavin. Questions. All right, thank you for your testimony.

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GAVIN GEIS: Thank you.

BREWER: All right. Any additional opponents to LB1211?

***KATHY HOELL:** I am writing to you to oppose LB1211 for a number of reasons. Of course there would be the negative impact on the county election officials, their staff, and the cost to the election budget. But in addition, according to the U.S. Census Bureau, there are people with disabilities living in every county in Nebraska. One of the goals of the Olmstead Plan that is being created in Nebraska at the direction of the Unicameral is to have affordable accessible transportation throughout Nebraska. Currently, that is not an option. By reducing the number of days allowed for early voting you would be reducing the opportunity for people with disabilities to be involved in the electoral process. Since the passage of the Americans with Disabilities Act, there has been an effort to get more people with disabilities involved in government process via Title II of the ADA. Reducing the number of days for early voting would limit the involvement of this segment of the population, Especially since the State of Nebraska has been proactive in increasing opportunities for people with disabilities to be involved. Please oppose LB 1211.

BREWER: All right. Anyone here in neutral for LB1211? All right. Senator Hansen, as you're coming up, I shall read in we had 36 proponents, 106 opponents, zero in the neutral. You may now close on LB1211..

HANSEN: Thank you, Chairman Brewer. See, I told you it wasn't going to take very long. I do appreciate everybody who came to testify in support and opposition. I in no way am going to negate the hard work that they put into our elections. And I do have complete faith in our county officials adjusting to less days, because they are very competent individuals, and they are great at adjusting to different circumstances. I have full faith that if-- when this bill passes, they can adjust to it. I really do. Hall County even just mentioned this during COVID that they accomplished the same thing in 2020. I gotta mention a couple things. One of-- a common theme that I heard amongst certain people was says we're-- there's a concern about suppression of votes. But then the other half of the people said a decrease in the days will not result in less early voting. So if that's the case, you can't have suppression of voters, because you would expect less votes coming in if we decrease the amount of days. But they're saying it's

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gonna be the same amount of votes. So in that way, I don't see how there could be a suppression of voters. What I think also, another common theme we heard was the, the Post Office, a concern about the Post Office getting ballots out to people on time, and vice versa, returning them. I'm going to reiterate this stat here from the Post Office, is that we delivered 99 during-- these were ballots. We delivered 99.89% of ballots within 7 days, consistent with the guidance we provided voters throughout the election cycle, and delivered 97.9% of ballots from voters to election officials within 3 days. Overall, on average, we delivered ballots to voters in 2.1 days. Most importantly, on average, we delivered ballots from voters to election officials in 1.6 days. That's from the Post Office itself. I know there might be extraneous circumstances where there might be 4 to 5, 7 days. I think 10 days is a little bit of a stretch. But even then, if it's 10 days on both ends, they still have a day to vote. They receive their ballot, they have a day to fill it out. But on average, if we're talking about 2 days to mail it to the voter and 2 days to mail back, that leaves them, what, 18, 17, 18 days to fill out a ballot? I think that's ample time. And I don't know where 35 days even came from. It seems like an arbitrary number. If it's good for 35 days, why don't we increase to 75? We won't. So who determines what's too much, I think? I think it's up to us. But so far, I think we've heard from states who've lowered it similar to what we're trying to accomplish. We didn't see them go back, or they accomplished it. Spike brought up a couple of points about 30 days seems to be the norm when it comes to interaction with government, when it comes to car registration, Game and Parks stickers, et cetera. The only difference is, your car can't change like an election can in 30 days. In 30 days, between the time you fill out an early, an early ballot and the time of the election, a lot can happen. Donald Trump could go to jail. Something could happen with President Biden, God forbid. But a lot can happen in those 30 days. So the pure accuracy argument of voting early, the longer you go, the less accurate the votes are in my opinion. If you want to be as accurate as you can with a vote, and the most informed voter, you vote as close to election day as you can. The longer you go, the less informed you are. I think that can become a problem. Todd with Lancaster County mentioned $26,000 it would cost him, out of a total budget of what? If it's $1 million, a budget for an election cycle, $26,000 doesn't seem like a whole lot. And I was-- there was-- there was also a concern or an argument, I think Sherry might have mentioned this from Seward County, that during one of

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their-- the Postal Service for a special election, some people didn't get their bal-- or they couldn't return their ballot within 22 days. I don't know what happened there, but I can't imagine it took 22 days for someone to receive a ballot. And I suppose I was missing the argument that that's what sounded like to me. And somebody even brought up their concern that if we have less time, we'll have more missed signatures. I don't know how that happened. I think the accuracy rate is going to be almost exactly the same, considering we're giving them, still, quite a few days to fill out a ballot. I think 22 days is reasonable. It's fair. We're following suit with other states who have had, seems like, little problems. It is going to require a little more work. I think there's going to be some growing pains. I'm not going to say there's not. It might require the hiring of some other people, maybe a few more hours. I'm not going to say it's not, but I, I fully believe they can pull this off. And I think it will result in a much more accurate election and informed voter. Thank you.

BREWER: Thank you. All right. Let's see if we have some questions. Questions for Senator Hansen on LB12 [SIC LB1211]. Senator Lowe.

LOWE: Thank you. This morning, you went to breakfast with Jonathan Williams. And Jonathan Williams and Art Laffer and Steve Moore write a book, Rich States, Poor States. And we were talking about your-- this election bill. And, what was his comment on the average of what states do, for the time period?

HANSEN: About 20 days I think?

LOWE: It was 20 days. So other states can do it in 20 days or less, and some more than 20 days or less. I, I would say that Nebraska could probably be right up there with the best of them.

HANSEN: I agree.

BREWER: OK. Additional questions? All right. Thank you for your close on LB1211.

CONRAD: Thank you.

BREWER: All right. Now here's what we're going to do. We're going to-- Lou Ann, I'm sorry, but we're going to take a break. I've had them here for 4 straight hours. I've got to allow them to at least use the

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restroom, OK? So at 5:30, we're going to be back in our chairs, ready to go. All right. Hit the restroom.

[BREAK]

BREWER: Welcome back to the Government Committee. Again, I apologize for the delay, Senator Linehan, but I owed it to the committee to give them a chance to at least stand up and stretch. So with that, we welcome you to open on LB859 whenever you're ready.

LINEHAN: Good afternoon, Chairman Brewer and members of the Government Committee. I'm Lou Ann Linehan, L-o-u A-n-n L-i-n-e-h-a-n, and I represent Legislative District 39. After some research, I realized that my LB302 from last year, which is now in the Government-- which is now in the Government priority package, actually accomplishes what I was intending to do with this bill. Therefore, I asked the Government Committee to IPP this bill. Thank you.

BREWER: Well. Well, right. I, I can't speak for the whole committee, but I think, you can feel free that we will do exactly what you wish us to do. All right. With that, I'd better read, let's see, LB859. We had 9 proponents, 8 opponents, zero in the neutral, with that we'll close on LB859 and reset for 8-- LB988. Senator Linehan, welcome back to the Government Committee.

LINEHAN: Thank you. Happy to be back. Chairman Brewer and members of the Government Committee, I'm still Lou Ann Linehan, L-o-u A-n-n L-i-n-e-h-a-n, and I represent Legislative District 39. The mechanism of LB988 is very simple. It prevents all political subdivisions for having a special election to issue bonds or override a tax levy. Instead, political subdivisions will be required to have these elections during regularly scheduled primary or general elections. A subdivision may place an issue onto a special election if an emergency exists, as defined in LB988, such as a natural disaster or fire. If the issue is defeated in an election, then an election cannot take place again until 6 months have passed. My intent behind this bill is to provide-- is to promote voter awareness. During a special election, voters are not as aware about what they are voting on, if they even know they're voting. I've been in, I think, 3 or 4 special elections, and the problem is you get so much junk mail now that looks like a ballot that you can get a ballot in the mail, and before you get into your house from the mailbox, you've probably put it in the trash

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because you don't know there's an election going on. So the turnouts of these elections could be like 25 to 30%. And if, let's say it's 30%, that means that 16% of the voting people in a district, whether it be a county, a city, a school, 15% of-- 16% of the people could decide to put everybody in debt. It's just not a good idea, and there's way too many of them going on. And the bond issues, tax overrides, they need to be during a general election or primary election when everybody knows we got an election coming up and they take time to read the papers, study the issues, and be informed voters.

BREWER: All right. Questions for Senator Linehan? All right. You'll stick around to close?

LINEHAN: I think so.

BREWER: All right. We're hoping that it won't be a long wait. All right. We'll start with proponents to LB988. Welcome to the Government Committee.

NICOLE FOX: Good evening. Thank you for the opportunity to testify in support of LB988. I'm Nicole Fox, N-i-c-o-l-e F-o-x, here representing the Platte Institute. And in the spirit of Valentine's Day, the Platte Institute loves policies that represent both good governance and reduced economic burdens for Nebraskans. LB988 is one such proposal, and it reflects one of 5 policy solutions to address rising property taxes proposed in our 2023 policy brief, Nebraska's Path to the Top Ten. Nebraska has the seventh highest property taxes in the country. Bonding and levy overrides are contributing factors. There are-- there are 5,464 bonds currently being issued by local governments in Nebraska. 221 of those were new bonds that were issued in 2023. The total debt for these bonds, dating from 2012 through the end of 2023, totals over $5.2 billion. In 2023, local governments levied over $5.3 billion in taxes, with bonding accounting up-- for up to 15 to 20% of annual property tax bills. Previously this year, the Platte Institute testified on behalf of LB878, a bill like LB988, but focused solely on school bonding and levy overrides. In that testimony, I highlighted several school-- schools' mill and special bond measures that recently passed, all with a voter turnout of less than 35%. Statewide, the 2022 general election turnout was 54.9%. Special elections can have drastically different results compared to their general election cycle counterparts. Bennington Public-- Bennington Public Schools, for

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example, approved a $119 million mail-in special ballot measure for the first quarter of 2024 after a November 2022 $150 million ballot measure failed to pass 2 to 1. Why focus on voter turnout? As Senator Linehan said, special elections generally take place in the, in the cycle of-- or in the shadows of a news cycle, and because of this, both the media and the public tend to overlook these elections, and therefore voters are not as well informed. General elections are more desirable because we want a broader spectrum of representation, as well as for voters to be well versed on each side of an issue so they can make well-informed decisions. Costs of elections are ultimately passed on to the taxpayer, and regardless of the number of voters, there are fixed costs. Per discussions with Douglas, Sarpy, and Lancaster County Election Commissioners, a November general election costs about $1.25 to $1.50 per voter. With special elections, it can cost 3 to 4 times that. And in fact, an LPS bond issue in 2020 resulted in a cost of $4.93 per voter. The added staff needed is hard to find during special elections. There's often a shortage of workers resulting in the need for overtime pay. Also, regular staff are required to have overtime pay because state statutes require election offices to be open beyond regular off-- beyond regular office hours to allow people to register to vote. In 2023, our neighbor Iowa passed a similar version of what LB988 is proposing. Their exception is that they allowed it during general elections only, and I see my time is up. So anyway, thanks for the opportunity to testify. I do recommend that you possibly consider an Iowa version of allowing during general elections only. And with that, I'll take any questions.

BREWER: All right. Thank you. So if your school decides they want to put a new addition on bond issue as however many millions of dollars, as it is now, they can dictate when that election to determine whether or not they're going to get the support from the community or not. So what we're doing here as we're shifting that so it will happen when set elections are happening. It wouldn't be a standalone by itself--

NICOLE FOX: Correct.

BREWER: --hanging out there. OK. Let's see if we got questions. Questions?

CONRAD: I have one.

BREWER: Yes, Senator Conrad.

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CONRAD: Thank you, Chair Brewer. Thank you, Nicole. Good to see you. Just wanted-- as, as you were testifying I was thinking about this, and if you don't know the answer, we can follow up afterwards, or maybe somebody else who's here. But in sorting through the statistics that were presented in the hearing-- and I think that we're all trying to make sure to think through that, and we have kind of a similar parallel track on some of these issues working through the Education Committee as well. But one thing that I want to think more deeply about is, so when we have some of the special elections, I think it's an option, perhaps for the county election official to decide whether-- how to conduct that to a certain degree? I'd have to go back and triple check. But I know that sometimes when they have those special elections in Lincoln, it's automatic, every voter in the relevant jurisdiction gets a ballot. Then, of course, it's up to the campaigns or the voter to, to boost turnout and get them back in. Wherein, if we were-- so conceivably, every single registered eligible voter is getting an opportunity to vote on it. Whether they wish to or not is, I guess, the voters choice, right? But if we move everything to a primary or general, they wouldn't-- we don't have everybody automatically gets a ballot except for the 11 all mail-In counties that are out there. So I'm just trying to kind of think through how it works, just kind of in practice and whether or not that-- it's more representative or less representative in terms of the overall electorate, but I personally think that the more interesting questions you have on a ballot, the more that drives turnout and interest and engagement. So I, I kind of am thinking through it from both, both angles there. That's not really a question.

NICOLE FOX: Is your-- I mean, is your question kind of what is my opinion of that?

CONRAD: Yeah, or just if you have a sense about, because in the special elections, I think a fair amount of them, every single voter gets a ballot.

NICOLE FOX: Yeah. I mean in conversations I've had-- I mean there, there have been people that have reached out to Platte--

CONRAD: OK.

NICOLE FOX: --and some of their feedback about special elections is that they get a ballot and they make the assumption that, well, this

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is going to pass because special elections tend to be successful. And so instead of voting no, they throw their ballot away.

CONRAD: OK.

NICOLE FOX: And I think that's reflected in the fact that, like you said, every registered voter gets a ballot mailed to them. But the turnout is, you know, 30, 35%. Whereas with a general election, I think people are just more in tune to the fact that there is an election cycle. They're paying attention to the news. They're weighing both the pros and the cons of issues. And there's just other things drawing them to vote, whether they're voting early, or traditionally, or requesting a mail-in ballot.

CONRAD: That's very-- that's very helpful. And if you or Senator Linehan or others happen to have any information, because I think there's also just kind of a generalized, perhaps, fear that if we move everything to a primary or general election, that we'll-- we won't see successful bond efforts in the future, and that may not, you know, meet the community's needs or the school needs or what have you. And I don't know if there's any data that exists that shows whether or not the timing itself of the election indicates success. I mean, I think, you know, if you have a clear example in your community, like I'm thinking of Lincoln, right? We needed new high schools. We were growing at the seams. I'm guessing an effort like that would have been successful no matter when the bond was put forward. I mean, I can't say that for sure, but do you know if there's any sort of research out there that shows impact on result dependent upon timing of election?

NICOLE FOX: That I do not know.

CONRAD: It might not exist. I don't know.

NICOLE FOX: But I mean, I guess my-- I get my thoughts just--

CONRAD: OK.

NICOLE FOX: My, my opinion would be, it might require schools to do a little bit more research and just, you know, be a little bit more judicious about the bond issue that they're putting forward. Because I think the Bennington School example was a-- was a very good example in that in 2022, they were asking the voters for $150 million. The voters

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said no. So now they're coming back, asking for less. And I know that there is a need. Bennington is growing by--

CONRAD: Right.

NICOLE FOX: --leaps and bounds like some of our other communities. And so I think, you know, maybe schools will, yeah, maybe do a little bit more outreach as to what their needs might be.

CONRAD: Ok.

NICOLE FOX: Yeah.

CONRAD: That's good. Thank you. Thank you.

BREWER: All right. Additional questions. Senator Lowe.

LOWE: Thank you for being here. So you said that in a special election, they may-- if they don't plan on voting, they may just pitch their vote?

NICOLE FOX: Those are comments that I've heard.

LOWE: Yeah.

NICOLE FOX: You know, they feel like their vote is not going to matter. You know, I mean, not that that might not happen in a general election, but yeah, I think that that is somewhat happening.

LOWE: So what you're saying then is in an-- in an election, a public election, that present, not voting doesn't count. OK. Never mind.

NICOLE FOX: I can, I can-- well, yeah, that's a-- probably another personal conversation, but yeah.

BREWER: All right. Any additional questions? All right. Thank you for your testimony. OK. We're still on proponents to LB988.

JOSEPHINE LITWINOWICZ: We made it to the last one. Sorry about the stain. I, again, I've got to mention, I wish we could get, like a microphone so we could-- I could speak with dignity and like other dis-- other disabled people instead of leaning over the table. And so you're stringing them together. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. I can barely spell my name at

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the moment. I just-- I ag-- I mean, I would love to have-- I don't know the practicalities of, you know, some of it. It couldn't all be, you know, kind of reoriented this way. But anything, I think that could be put on a-- on a, you know, a more publicized ballot in you know, like November, you know. I think-- I mean, I don't know how you do anything else, you know. You said, well, we should do it, said teach civics. And I had a great civics teacher, Brother Alan Drain, Brother of the Sacred Heart. And I don't think anybody gets a 10th of what I got. Anyway, it's Ash Wednesday. Yesterday was Mardi Gras. They're both popular where I'm from. Anyway, I mean, that's really-- we gotta get people to participate. And I think that's the whole point. And to do it so it's honest, and to do it so it's humane. Like realizing there are reasons why people can't maybe get the vote in earlier than others would like. And like I said, if there's any issues, we can't go to the moon, but we can-- we could work our way around this. And so then-- and I'm sorry, with Trump saying, you know, he'll invite anybody in, you know, he'll-- to, you know, if-- you know what I mean, you all heard that. You know, that's what we're dealing with. And we gotta eventually, hopefully we can, if he gets elected, I will like-- and it has to do with the voting. I will-- I don't know where-- I'm a stranger in a strange land anyway. Leon Russell and the Shelter People. Look at the lyrics of that song. Anyway, I, I'm just-- I'm beat and tired.

BREWER: OK. Thank you for your testimony.

JOSEPHINE LITWINOWICZ: Thanks. All right.

BREWER: Any questions? Questions? OK, no questions. All right, we'll reset the chair. All right. We're still on proponents to LB988. Any additional proponents? All right. Is there anybody here in opposition to LB988? Welcome to the Government Committee.

COLBY COASH: Thank you. Thank you, Senator Brewer and Members of the Government Committee. I'm Colby Coash, C-o-l-b-y C-o-a-s-h. I represent the Nebraska Association of School Boards. My testimony today also represents that of the Nebraska Council of School Administrators. School districts do use special elections. Ms. Fox before mentioned that, that is true. What I would say, though, is that school, school bond elections are planned out. Sometimes they're more urgent, but they are planned out. And there's a lot of voter education that goes along with that planning. And so, getting the word out about

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those elections is, is important. And that's really part of that process. The special elections can really avoid a rush to market. And that's-- and so timing is really where special elections can be of, of service to school districts to, to avoid a rush to market and things like that. That's something we're going to see should this bill or the one that the Education Committee moved out the other day come to fruition. In many cases, special elections do save the voters money, because you can save, save dollars by getting to market earlier, saving interest, those kinds of things. There is a challenge with these, because I disagree that these, these special elections are done in the shadows. It, it's about the success of the election, not-- it's not about the success of the election, and-- from your questioning, Senator Conrad, but more about the timing. If elections that are held in November are typically after budgets and levies are set at schools, and they-- and they cause tax schedules to be delayed for up to a year. So you might have the election in November, but if you can't budget until the following fall, you know, that can-- that can cause quite a delay. And, and what that does is it requires larger bond issues to support interim interest, and that can be of a higher cost to, to the taxpayers. To the voter turnout question, I'm glad you had that conversation with the previous testifier, because a lot of times, special elections in a lot of jurisdictions go to every voter, right? Because they're all mail-in, and that means every voter has got the chance to weigh in on that. And from a school perspective, we see that as, as an important part of the engagement process, right? Get it out to everybody. Get your message out. You've got to sell what you want to do to those voters, and they'll come, they'll come, and support it or not. The Bennington example was an interesting one. So, you know, the voters rejected it. They didn't-- and the way that district viewed that rejection was, OK, we need to go back to the drawing board. This was not-- what we asked the voters to do was not palatable, we need to come back and we need to try again. And they did, and they had a different outcome. So that's all part of the process. And we, we would encourage the committee to consider that. Thank you.

BREWER: All right.

COLBY COASH: I'll leave it at that. Thanks.

CONRAD: It's not jarring it all.

BREWER: Yeah, we do that--

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COLBY COASH: It's not an ejection seat.

BREWER: We do that on purpose. All right, let's see if we've got some questions here. Questions for Colby? Questions? All right. Thank you for your testimony.

COLBY COASH: Thank you.

CONRAD: Thanks. Thank you, Colby.

BREWER: All right. Any others in opposition to LB988? Welcome back to the Government Committee.

CONNIE REINKE: Thank you. Connie Reinke, C-o-n-n-i-e R-e-i-n-k-e. Dear Senator Brewer and fellow committee members, we, the members of Nebraska Voter Accuracy Project, want to register our displeasure with your Government Committee's lack of action and the lack of support from the entire senior political establishment of Nebraska regarding election integrity. We represent over 150,000-plus patriot Nebraskans, with over 470 of us actively tracking election result-- election issues in the state, and educating our fellow Nebraskans that are involved with the GOP, Democrat Party, Libertarians, independents. I'm sure that at the individual meetings, county meetings, town halls, live in-person at grocery stores, and at political events, you have encountered many of our 150,000 patriot Nebraskans wanting to discuss election integrity. This will not stop until all of you begin to support live, in-person, valid current photo identification with proof of citizenship, all of which is verified in-person. In addition, this voting must be counted using live human encounters which-- with each ballot image and displayed on the web for all to recount, both at the time of counting and posting on the county's website. We have explained to most of you, or most of your staffs that election fraud in Nebraska is in every single county in the state. This is easily proved with easy-to-understand statistical analysis. This is proof. For any of you that don't understand this or would like an explanation, please call us at (402) 408-3910, and I will schedule a time for you or your staff to fully understand what this means. Once the election challenges are understood, it's easy to understand that the primary election fraud method in Nebraska is mail-in votes, as mail-in votes do not require absolute verification that the person submitting the ballot is the person that is registered to vote. In Nebraska, there is no legal requirement that the person mailing the

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ballot be the voter. This leads to people that-- this, this leads to people that mail in ballots for people that are not-- or knew-- did not know they were voting. This is fraud. The only thing the fraudsters can get wrong is not having the correct person fill out the ballot, but Nebraska doesn't check that. This is so obvious and so simple of a problem to solve. This is why you have housewives, ranchers, young people arguing with you on a regular basis. The counter, at least-- the counter, at least last year's excuse was you, you couldn't require it because you would lose in court. A nagging issue with this excuse is the state of Rhode Island, which requires in-person voting or the following excuses.

BREWER: We, we have your written testimony here.

CONNIE REINKE: OK. All right.

BREWER: Let's see if there's questions. Questions? Questions? All right. Thank you for your testimony.

CONRAD: Thank you.

BREWER: OK. Additional opponents to LB988? Is there anybody here in the neutral for LB988? All right. Let me read in, we have 6 proponents, 7 opponents, and zero in the neutral. And we will invite Senator Linehan back to close on LB988.

LINEHAN: I just have two little quick stories, and then we'll all go have Valentine's Day, or Ash Wednesday. I've done a lot of elections in my life in politics, and one of the ones that was most startling was when I ran Hagel's race in '96. And we lived in Omaha off 87th Street, and there was a coffee shop at 90th and Center. And I would go there every morning because I smoked at the time, and I'd buy cigarettes and a cup of coffee, and I would listen to the coffee shop talk. And it was amazing to me that the coffee shop talk frequently matched exactly what the polls said when I got to the office, because people talk during elections, and they share viewpoints, and they share understandings of issues. So when you have an election, whether it be for the U.S. Senate or your county boards or there's a bond on there, they're all going to talk and share information about what's really going on. When you have these one-offs, never comes up at the coffee shop. There might be one story in the paper. So it is the easiest election in the world to win because everybody gets a ballot,

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you can look at the voter list and figure out who's most likely to vote for it, you compare that to the parents list from each school, you hire a phone company or turn-out company to call all those parents and say, if you don't vote for this bond issue, which you got in the mail yesterday, your kids are not-- your kids are going to get hurt. You don't call anybody else. And you win. It's like a no competition thing. So that's one thing. Let's get the second thing, and this, we heard this in Education I think? Or no, another committee, but Education, yes. And it's-- I understand this, but there-- one of the reasons was, well, if we put it on-- if we have a bond issue and the county has a bond issue, and then maybe somebody else has something else, the voters will add that all up and they're not going to vote for all of it. Exactly. It, it just all-- we need people to talk about what, especially today when we don't have the media that we used to have covering local issues, we need people to talk to each other and unders-- and it can go both ways, right? If the community feels it's a good thing, it'll pass. If the community feels it's not a good thing, it's not going to pass. So they, they need to stop. As Nicole Fox said, the amount of money that we're spending-- understand a bond puts you in debt, and less than 20% of the people shouldn't put 100% of the people in debt.

BREWER: All right. Thank you. Let's see if we get any questions. Questions? Yes. Senator Conrad.

CONRAD: Thank you so much, Chair Brewer. And thank you, Senator Linehan, for bringing that forward. And I know we've had these conversations in Education as well. And, and I think, you know, the other thing that I, I just want to make sure to be clear about is that whether it's a special election or during a primary or a general, a campaign still has an ability to run a campaign.

LINEHAN: Right.

CONRAD: They're still going to be running turnout models. They're still going to be doing phone calls, or mails, or canvass, or all of the tools that are available to achieve your campaign objectives, right? So, you know, I, I definitely hear and understand what you're saying in that regard. And, and I think it's incumbent upon the campaign to make their case whether or not it's, you know, something of value or benefit to the community, for any ballot issue, whether it's bond or otherwise. But OK. Thank you.

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LINEHAN: It-- one of the problems I have with it not being in the regular order is I have not seen and I'm sure there-- I think this does happen more in rural communities, but generally there's no opposition. There's no-- campaigns with no opposition, opposition, because you're not going to get-- again, it's kind of out of sight. And I haven't seen where a group of citizens go, we're going to fight this bond issue. Because there-- nobody wants, you know-- there was something else you said that was-- I'll just give this one example, and I might be wrong on this. But as I've said before, when we were-- my kids were little, we moved to Westside, because they did have a great program for special ed. We moved there. They have had a bond override, levy override since 1996, and I still think they do it by a special election. So it's not they don't know they're going to have a levy override. They just do it because that's the way it passes.

BREWER: OK. Additional questions for Senator Linehan?

LINEHAN: Thank you.

BREWER: All right. Thank you. And now we'll close our hearing on LB988, and close our hearings for today. Happy Valentine's Day.