

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB565

Hearing Date: Thursday February 28, 2013
Committee On: Government, Military and Veterans Affairs
Introducer: Nelson
One Liner: Prohibit registering to vote and voting early on the same day

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

Vote Results:
Aye: 5 Senators Bloomfield, Lautenbaugh, Murante, Price, Scheer
Nay: 3 Senators Avery, Karpisek, Wallman
Absent:
Present Not Voting:

Proponents:
Senator John Nelson
Dale Baker

Wayne Bena

Representing:
Introducer
Nebraska Association of Clerks, Register of Deeds, &
Election Commissioners
Sarpy County Election Commissioner

Opponents:
Beth Bazyn Ferrell
Jack Gould
Richard Hedrick

Representing:
Nebraska Association of County Officials
Common Cause Nebraska
Self

Neutral:
Bob Twiss

Representing:
Self

Summary of purpose and/or changes:

LB 565 provides that a person will not be permitted to register to vote and to apply for or vote an early voting ballot on the same day.

The bill also prohibits an election commissioner or county clerk from delivering an application for a ballot to vote early or a ballot, in person or by mail, on the same day on which the applicant registered to vote.

Current law allows that if a person requesting an early ballot is not registered to vote, a registration applications will be mailed along with the ballot. The ballot is counted if the registration application and ballot is returned not later than the closing on the polls on election day. This bill eliminates that language.

Explanation of amendments:

The committee amendment strikes the original sections of the bill and replaces them with the following provisions.

The amendment provides that if a person registers to vote and requests a ballot at the same time, he or she will:

1. present a photographic identification or a copy of a utility bill, bank statement, government check, paycheck, or other government document that is dated within 60 days immediately prior to the date of presentation and shows the name and address of the person;
2. provide a driver's license number or the last four digits of the social security number;
3. present proof he or she is a member or a spouse of a member of the armed forces or Merchant Marines and because of active duty is absent from his or her place of residence, or resides outside of the United States and but for such residence would be qualified to vote in the state;
4. state that he or she is elderly or handicapped and has requested to vote by alternative means; or
5. vote a ballot that is placed in an envelope with the voter's name and address and other identifying information which will be kept securely for counting.

The deadline for being able to register and vote on the same day in person at the election commissioner's or county clerk's office is the same deadline for voter registration.

A ballot cast pursuant to this amendment will not be counted if the acknowledgment of registration sent to the registrant is returned as undeliverable for reason other than clerical error within 10 days after it is mailed. If the acknowledgment of registration is not returned after 10 days, the ballot will be counted.

Bill Avery, Chairperson