

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB608

Hearing Date: Thursday February 07, 2019
Committee On: Government, Military and Veterans Affairs
Introducer: La Grone
One Liner: Change and eliminate provisions regarding counting methods under the Election Act

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

Vote Results:
Aye: 6 Senators Brewer, Blood, Hansen, M., Kolowski, La Grone, Lowe
Nay:
Absent: 2 Senators Hilgers, Hunt
Present Not Voting:

Oral Testimony:

Proponents:	Representing:
Senator Andrew La Grone	Introducer
Robert Evnen	Secretary of State
Westin Miller	Civic Nebraska

Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

LB 608 would remove the requirement that receiving boards have at least three members in precincts using electronic voting systems. The bill also updates the law to authorize the Secretary of State to approve write-in space for other voting systems in the same manner that the Secretary is required to approve write-in space on optical-scan ballots.

The bill would provide that a paper ballot printed to reflect a voter's choice is what constituted a valid vote under the Election Act. Under current law, merely "causing such mark to be recorded" constitutes a valid vote.

LB 608 removes language providing for consolidation of precincts and polling places for the use of electronic voting systems. It also provides that voters in the process of physically depositing a ballot in the ballot box are within an exception to the general rule that no person other than election officials may be within eight feet of a ballot box or counting board.

The bill adds language relating to the right of a voter to be notified in the case of an optical ballot scanner indicating an overvote or an undervote, and that voter's further rights under such circumstances. The bill also allows for counting of ballots at polling places in addition to at a centralized location and provides a procedure for counting ballots manually when it is impracticable to do so with optical scanners. Finally, the bill would provide a process by which an election commissioner or county clerk could apply to the Secretary of State for approval of a counting method other than those already approved for that county. The Secretary of State would be required to approve the method if it is determined that such method meets the objective guidelines contained in the current version of Section 32-1041 (See LB 608, page 15, lines 11-18).

Explanation of amendments:

The committee amendment, AM 137, strikes the new language relating to the process for application by the election commissioner or county clerk for approval of a new counting method other than those already approved for that county. The material stricken is the new material on page 15 of the bill as introduced.

The provisions of LB 608, as amended by AM 137, were included in the committee amendment (AM 511) to LB 411.

Tom Brewer, Chairperson