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March 1, 2023

Senator Tom Brewer, Chair, and Members of the Government, Military and Veterans Affairs Committee  
State Capitol, Lincoln NE

RE: LB230 (Erdman) Require qualifying identification for voter registration and voting, require in-person voting, provide penalties, eliminate certain fees for state identification cards and certified copies of birth certificates, and change provisions relating to operators' licenses and state identification cards

**OPPOSE** – *Please include this testimony from the League of Women Voters of Nebraska as part of the public hearing record for LB230.*

Dear Senator Brewer and Members of the Government, Military and Veterans Affairs Committee:

The right of every citizen to vote has been a basic principle of the national League of Women Voters since its founding in 1920. The League has undertaken nationwide efforts to promote voter protection and education to prevent the development of processes and laws that threaten to disenfranchise voters, educate the public on new election procedures, and provide voters with the information they need to cast a vote and be sure that vote is counted.

In addition to being contrary to national League principles, the League of Women Voters of Nebraska opposes further action on LB230 because we believe it to be in violation of Article 1, Section 22, of the Nebraska State Constitution, which states that: "All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise."

Like previous elections, Nebraska's 2022 election was found to be safe, secure and certified by the Board of State Canvassers. Forty percent of voters cast their ballots early. The 11 counties that are all vote-by-mail again outpaced the Nebraska average in terms of turnout. These data clearly support continuation of early and by mail-in voting in Nebraska.

A number of proposals in LB230 would serve to discourage voting – especially mail-in voting – and increase costs to both the voter and the state.

In order to either register or cast ballots, the voter must present one of a limited types of color photographic identification (photo ID) in addition to stating their name and address and signing the voter registry. Any election worker or election official who does not follow the procedure to verify the eligibility of each voter to register to vote and vote utilizing a qualifying photographic identification is guilty of a Class V misdemeanor for each offense. The threat of criminal penalty is likely to further discourage serving as poll workers and election officials.

A handicapped voter shall submit a separate request for every election, an undue burden for differently abled Nebraskans. A number of criteria must be met, including a sworn oath that the voter has a condition that qualifies them to request a ballot for early voting as prescribed. This last requirement is an invasion of privacy.

In addition to submitting a color copy of the photo ID with the ballot request, a second color copy of the qualifying photographic identification must be included with the returned ballot. It is not specified how the copies of the identification documents will be maintained. This is problematic because the voter must also have access to a color printer. Similar requirements are identified for members of the armed forces or deployed Nebraska National Guard troops.

It must be noted that signature verification is used in the majority of states when processing mail-in ballots. In 2020, just two states had ID requirements for voters requesting or returning mail-in ballots. The National Conference of State Legislatures' recommendations regarding voting outside the polling place include: "Remove requirements for an affidavit or witness signature on absentee/mail-in ballot requests and instead beef up signature verification."<sup>1</sup> We support training of election officials regarding signature verification for mailed ballots.

LB230 requires that an American flag symbol be placed on the front of each operator's license and state identification card issued to each individual who has verified status as a citizen of the United States. Since citizenship must be a condition of registering to vote, this seems unnecessary. Will all holders of current documents be required to obtain new licenses or ID cards in order to vote? This is likely to result in increased workload at Department of Motor Vehicles officers as well as expenses and inconveniences to voters.

For these reasons, LB230 should not advance from the Government, Military and Veterans Affairs Committee.

Sincerely,

Sheri St Clair, Government Co-Director, LWVNE  
Rachel Gibson, Vice President-Action, LWVNE  
MaryLee Moulton, President, LWVNE

<sup>1</sup>National Conference of State Legislatures. (2022, July 12). *Voting outside the polling place: Absentee, all-mail and other voting at home options*. <https://www.ncsl.org/elections-and-campaigns/voting-outside-the-polling-place>