



**Testimony in Support LB 197**  
**Nebraskans for Civic Reform**  
**March 9<sup>th</sup>, 2017**

I would like to submit testimony in support of LB 197 in my official capacity as Director of Voting Rights with Nebraskans for Civic Reform, a nonpartisan nonprofit advocacy organization that works to create a more modern and robust democracy. LB 197 would create an online portal where a voter may request a mail ballot and use their Nebraska driver's license or state identification number to pull their electronic signature from the DMV for the application.

Currently a voter may request a mail ballot in person, by mail, by fax or via electronic mail with an attached PDF or picture of the application with an original signature. In 2016, Douglas County and Sarpy County sent voters three-part mailing that included a pre-addressed vote-by-mail application. The application included instructions on returning the application, including an email where a picture of the application could be sent. Douglas County Deputy Commissioner Chris Carithers at the time estimated about 10-15% of those applications were returned via email. Lancaster County also accepted photo applications via e-mail, however, unlike Douglas and Sarpy, Lancaster did not have a designated email to accept electronic applications. As part of its election protection program, Nebraskans for Civic Reform fielded several questions from voters about requesting early ballots and heard several reports of smaller counties refusing to accept electronic applications, insisting that applications could only be sent via mail or fax.

Creating a statewide online portal would alleviate the misinformation and improper enforcement of current law reported to NCR in 2016. In addition, a truly electronic application and process would reduce error due to illegible handwriting, lessen the impact of unpredictable mail delivery, expand the time available for voters to request a ballot without changing the deadline, and has the potential to save the counties money. In Maricopa County Arizona, it was estimated that it cost the county 83 cents to process a paper voter registration application, but only 3 cents for an application submitted through the DMV or online. It also found that electronic applications were five times less likely to contain errors.<sup>1</sup>

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<sup>1</sup> Brennan Center for Justice, "Voter Registration for the 21<sup>st</sup> Century", July 10, 2015. Last accessed 3/8/17  
<https://www.brennancenter.org/analysis/fact-sheet-voter-registration-21st-century>



As more Nebraskans choose to utilize by-mail voting, an investment should be made to improve the process. In 2010 approximately 16% of those voting in the general election voted early, including by mail. In 2014 this number rose to about 22% and then 26% in the 2016 general election<sup>2</sup>. In Douglas County roughly 34% of cast their ballots early in person or by mail.

Other states have set up online portals for voters to request a mail ballot, approximately 11 states offer, in some capacity, an online application to request a mail ballot<sup>3</sup>, in addition to the three states that conduct elections entirely by mail.<sup>4</sup> While the Legislature may soon be debating the merits of all-mail elections, it is clear that with the increasing popularity and use of vote-by-mail and the possibility of all-mail voting, an investment should be made in providing a mechanism for voters to readily request a mail ballot to their voting or mailing address. Maine and Vermont have their Secretary of State host and administer the online application while Virginia and Louisiana utilize a voter portal. California and Illinois are constructed and administered by the individual counties. Four states have a program similar to what is proposed in LB 112 where the availability of the online application is limited to those with a Nebraska license or ID card so the Secretary of State can obtain an electronic signature.<sup>5</sup>

## Conclusion

Investment by the state in an online portal is a worthwhile expenditure that will increase accessibility to voters across the state and result in cost-savings at the county level. Regardless of how elections involve in Nebraska, continuing with the precinct-based model or switching to all-mail, a mechanism is necessary for voters to notify election officials of new mailing addresses or request mail ballots to a specific address and utilizing technology that can reduce error and increase efficiency is the best course of action.

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<sup>2</sup> Statewide early voting numbers for 2016 do not include all-mail precincts. The Secretary of State began reporting those turnout numbers separate from early voting numbers in the 2016 general election report.

<sup>3</sup> Maine, Vermont, Maryland, Virginia, South Carolina, Louisiana, California, Illinois, Minnesota, North Dakota, Oklahoma

<sup>4</sup> Washington, Oregon, Colorado

<sup>5</sup> Vermont, Maryland, Minnesota and North Dakota. Minnesota also allows the individual to input the last 4 digits of their social security numbers.