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Gov. Heineman Signs Voting Bill, LB 401, into Law

(Lincoln, Neb.) Gov. Dave Heineman, joined by bill proponents who included Secretary of State John Gale and Sen. DiAnna Schimek of the Legislature's Governmental Affairs Committee, signed LB 401 into law today at a public ceremony in Lincoln.

"The bill incorporates several proposed changes to our voting process," Gov. Heineman said. "Each is aimed at increasing the opportunities and means for citizens to exercise the right to vote. This is forward-thinking legislation that places a high priority on local control."

Secretary of State Gale said the passage of LB 401, a comprehensive elections bill, would provide a strong set of measures to make voting easier in a number of circumstances. The Legislature passed the voting changes 39-0 on May 9.

LB 401 would permit precincts in rural counties to hold all elections by mail, allow early voting to take place in satellite locations, help alleviate voter congestion in high-growth areas, authorize expedited ways for Nebraskans living outside the United States to receive and send absentee ballots, and provide a remedy when something goes wrong with an absentee ballot.

It also makes voting rights allowances for the children of servicemen and servicewomen who are born overseas, but whose parents are registered to vote in Nebraska.

"This legislation should prove to be a great benefit to Nebraska voters," said Gale, who serves as the state's chief election officer. "Some of these provisions help address problems that developed in the 2004 general election, such as long lines at polling sites and absentee ballots spoiled without the right to vote by provisional ballot as a remedy."

LB 401 was amended to include bills introduced by Sens. Deb Fischer of Valentine, Mike Flood of Norfolk, Mick Mines of Blair, Rich Pahls of Omaha and DiAnna Schimek of Lincoln. Gale's office was actively involved in helping to craft the legislation.

“Elections must continually be upgraded in terms of modern lifestyles, increased flexibility and modern technology,” Gale said. “This bill is a complete package to address these needs.”

LB 401 contains the following provisions:

- Allows the Secretary of State, only with the consent of an affected county, to establish satellite-voting sites for the 20 days preceding the day of an election. Voting could occur at such sites as shopping centers, government buildings, hospitals and on college campuses. Gale has said he intends to create a pilot program soon.
- Permits counties with fewer than 7,000 residents to apply to the Secretary of State to conduct all elections by mail in any or all precincts in the county. It is hoped that this provision could cut costs and reduce voter hardships in reaching the polls in sparsely populated precincts.
- Allows counties to split precincts into two or more parts between a statewide primary and general election. This could help alleviate the problems of long lines and running out of ballots that can happen in high-growth areas of Nebraska.
- Permits Nebraska residents who are living outside the U.S. to receive and return an early voting ballot using any method of transmission authorized by the Secretary of State. This could include fax or e-mail. Current law allows county election officials to send ballots to voters by fax, but requires that voters return them by mail.

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