



From the Office of Secretary of State

John Gale

402-471-2554

[www.sos.ne.gov](http://www.sos.ne.gov)

**For Release**

February 14, 2013

**Contact:** Laura Strimple

402-471-8408

[laura.strimple@nebraska.gov](mailto:laura.strimple@nebraska.gov)

**Sec. Gale testifies in support of reducing in-person early voting days**

LINCOLN – Secretary of State John Gale testified today in support of LB271 which would reduce the number of in-person early voting days in Nebraska from 35 to 25.

The bill, sponsored by Senator Scott Lautenbaugh, arose from a complaint filed under the Help America Vote Act against the Lancaster County Election Commissioner's office by a visually impaired voter. She was unable to vote in early October, due to the unavailability of the AutoMARK machine, which allows disabled voters to cast an unassisted ballot at their precinct.

Following a hearing on that complaint, the hearing officer recommended that in-person early voting days be reduced to 25. Speaking to the Government, Military and Veterans Affairs committee, Gale said that the recommendation made by the hearing officer and supported by the proposed legislation, was the simplest and most accommodating way to address the problem.

"When you have the deadlines that are necessary to get ballots certified and printed and then get the machines coded, the timeframe simply doesn't allow that to happen in a 35 day period," said Gale. "Going to 25 days ensures us an additional 10 days to meet the requirements to have the AutoMARK ready for the visually impaired and handicapped."

If approved, the change would only apply to early in-person voting, but would not change early voting by mail. According to the National Conference of State Legislatures (NCSL), the national average time for in-person early voting is 22 days.

“While this proposal would reduce the number of in-person voting days, it would still leave us above the average among those states which offer early voting,” explained Gale.

“This solution also addresses two issues that come into play, one of which happens in presidential election years. While we may be able to guess which presidential and vice presidential candidates appear on the ballot, we cannot add the names until they are certified to us by the political parties. That’s something that seems to be happening at a later and later date.”

Gale said the other issue relates to the petition initiative process in Nebraska. “In the past decade, every year when a petition was submitted there was also a court action regarding the issues involved. While the courts have been accommodating in expediting these cases, generally they are not resolved until early September or later.”

Gale said delaying the start of in-person early voting would allow that process to be completed, have county election officials certify the petition initiative and get it on the ballot in time for those ballots to be coded.

“The goal here is to ensure that all voters are treated equally. This really is the most appropriate solution.”

###