



LB 912 Opposition Talking Points

1. **Modernization of our election systems is the solution.** Instead of putting some voters in a position to be disenfranchised, Nebraska should embrace policies that modernize our elections, like county-to-county portability, election day registration and electronic poll-books, that provide alternatives to voters returning to old polling locations and voting in the wrong jurisdiction.
2. **It is unclear what LB 912 is attempting to solve.** If LB 912 was introduced to prevent voter impersonation, no evidence exists that voter impersonation is a problem in Nebraska and LB 912 as a solution would just disenfranchise voters in its attempts to solve a nonexistent problem. If it was introduced to prevent voters from casting ballots in their old precincts photo identification should not be required and there are alternative solutions that do not punish voters.
3. **LB 912 perpetuates the problem and is not a solution.** Those individuals that have moved but return to their old polling place may simply fill out a provisional ballot application that re-registers them at that address, removing the NVRA notation for future elections. But leaves open the possibility that a valid, registered voter unable to produce the identification documents on a few hours notice will not have their ballot counted just because they failed to return a small postcard.
4. **Voters will not receive adequate notice of possible voter identification requirements under LB 912.** The only notice to voters that they may be subject to the identification requirement under LB 912 would be via the language on the confirmation card. Checking their voter registration via the Secretary of State website provides only their polling location, it does not list their current registration address nor does the bill provide for a requirement that the voter-check website list the notation.

5. **The identification requirements in LB 912 are different than mail-in registration.** First, LB 912 requires two identification documents for a voter to receive a ballot while an individual who registered to vote by mail need only include or present a single identification document from the list. Second, when filling out the registration application the individual receives notice of the presentation requirement – the voter sought out this application and by mailing it in creates the presumption they read the instructions and received notice. A voter filing out a National Change of Address receives no notice on that application that they may need to show identification when voting, the same presumption of notice cannot be inferred from an NCOA application.
6. **LB 912 requires voters to send sensitive, personal information via the mail with their ballot.** Voters who request to vote by mail would be required to send copies of their bank statement, paycheck, utility bill or other government document with personal information in the envelope with their ballot – potentially breaching the confidentiality of their ballot and private financial information.
7. **The identification documents listed as acceptable in LB 912 are not readily available for all voters.** Beyond the availability of individuals to afford the fees to have a current and valid license, there is no state requirement employers provide employees with a paycheck or paystub where they do direct deposit. In addition, some rental properties include utility bills or some voters may live at an address where the utility bill is under their roommate’s or spouse’s name.
8. **Students would be disproportionately disenfranchised under LB 912.** Students have the constitutional right to vote at their campus address or permanent address, however those students that choose to have mail forwarded to their school address may be unable to vote absentee as their utility bill and paychecks from part-time jobs would be their school address and not their permanent address. Out of state students with out of state licenses that live on campus would be unable to produce the required documentation.

9. **LB 912 thwarts the purpose of the NVRA notation.** The National Change of Address notice in the NVRA was intended to start the clock for election officials to remove inactive voters from the voter rolls. Under federal law the election official must wait two statewide federal elections for the voter to not vote before removing the individual – it was not intended to create a separate class of voters that has less protections than others.
10. **Identification requirements of LB 912 disproportionately impact low-income voters.** Only 65% of respondents to a 2013 study by the Center for People in Need stated their current photo identification was current and valid and this number decreased with their income level. Only 80% of respondents even had a photo-ID.
11. **LB 912 creates inequality among voters.** All voters have the right to vote free of hindrance or impediment under the Nebraska Constitution, however LB 912 creates a second class of voters subject to additional hindrances, additional voter identification requirements at the polls and by mail.
12. **LB 912 has the potential to disenfranchise tens of thousands of voters.** In January of 2014, a total of 116,692 Nebraskans had the notation of “in NVRA”. The Secretary of State estimates that about one third of these individuals show up on Election Day, approximately 35,000 voters.