

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee February 11, 2026
Rough Draft

ANDERSEN: All right. Welcome to Government, Military and Veteran
Affair Committee. I am Senator Bob Andersen from the-- representative
of the 49th District, northwest Sarpy County and Omaha. This public
hearing's your opportunity to be part of the legislative process and
to express your position on the proposed legislation before us. Please
note that, due to similar topics addressed by the bills, they'll be
heard in a combined hearing. No, stand by. Sorry. [INAUDIBLE] combined
hearings. Now we all know who the real boss is around here. All right.
The purpose of a public hearing is a information-gathering endeavor in
which the senators on the committee are seeking information about
proposed legislation that they do not know or have not thought about.
It is-- it allows individuals representing themselves or a group to
share their unique perspective on a proposed measure. It also serves
as a record about the proposal for future historical and legal
purposes. A key component of the process is the ability for senators
to engage directly with testifiers, to ask questions, and elicit
clarification on information provided. The committee will take up the
bills in the order posted. If you're planning to testify today, please
fill out one of the green testifier sheets for each bill that you are
testifying on. These are on the table at the back of the room. Be sure
to print clearly and fill it out completely. When it's your turn to
come forward to testify, give the testifier sheet to the page or to
the committee clerk. If you do not wish to testify but would like to
indicate your position on a bill, there are also yellow sign-up sheets
back on the table for each bill. These sheets will be included as an
exhibit in the official hearing record. When you come up to testify,
please speak clearly into the microphone. Tell us your name and spell
your first and last name to ensure we get an accurate record. We will
begin each bill hearing today with the introducer's opening comments,
followed by proponents of the bill, then opponents, and finally anyone
speaking in a neutral capacity. We will finish up with a closing
statement by the introducer if they wish to give one. We will be using
a three-minute light system for all testifiers. You'll begin your
testimony with the light on the table will be green. When the yellow
light comes on, you'll have one minute remaining. And the red light
indicates your time has ended. And there'll be-- an audible alarm will
sound. Questions from the committee may follow. Also, committee
members may come and go-- and they will during this hearing. This has
nothing to do with the importance of the bills being heard. It is just
a part of the process, as senators may have bills to introduce in
other committees. A few final items to facilitate today's hearing. If
you bring handouts or copies of your testimony, please bring up at
least 12 copies and give them to the page. If you do not have enough

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copies, the page will make sufficient copies for you. Please note that thumb drives, CDs, DVDs, oversized documents, books, lists and-- of signatures, and similar will not be accepted-- God bless you-- as exhibits for the record. Please silence or turn off your cell phones. You may see committee members using their electronic devices to access more information. Verbal outbursts or, or applause will not be permitted in the hearing room. Such behavior may be cause for you to be asked to leave the hearing. Finally, committee procedures for all committees state that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at legislature-- nebraskalegislature.gov. Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. I will now have the committee members with us today introduce themselves, starting on my right.

HUNT: Hi, everyone. I'm Megan Hunt. And I represent District 8 in the northern part of midtown Omaha.

GUERECA: Good afternoon. Dunixi Guereca. I represent LD 7, which is downtown and south Omaha.

J. CAVANAUGH: Good afternoon. John Cavanaugh. Represent District 9 in midtown Omaha.

WORDEKEMPER: Dave Wordekemper, District 15: Dodge County, western Douglas County.

F. MEYER: Senator Fred Meyer, District 41: central Nebraska.

ANDERSEN: Also assisting the committee today: to my left is our legal counsel, Dick Clark; and to my far left is our committee clerk, Julie Cash. We have two pages for the committee today. They are Luke Perry from Gretna, who is a freshman at UNO and majoring in history and political science; and Grace Harper from Loveland, Colorado, who is a junior at UNL and majoring in political science. Thank you for your assistance today. With that, we'll begin today's hearing with LB305CA [SIC: LR305CA]. Senator Lippincott, welcome to the committee. And the floor is yours.

LIPPINCOTT: Thank you, sir. And good afternoon to the Government, Military Affairs Committee. My name's Loren Lippincott. That's L-o-r-e-n L-i-p-p-i-n-c-o-t-t. And I represent District 34. LR305CA,

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constitutional amendment, is a proposed constitutional amendment that would give Nebraska voters the ability to recall state senators and statewide elected officials, including the Governor, Lieutenant Governor, Secretary of State, State Treasurer, the Attorney General, and the Auditor of Public Accounts. At its core, this resolution is about reinforcing a fundamental principle of Nebraska government, and that is the ultimate authority rests with the people. That is the second house of the Legislature. Nebraska's Constitution places a strong emphasis on citizen involvement and transparency. We're the only state in the nation where every bill receives a public hearing and every Nebraskan has the opportunity to be heard. LR305CA is consistent with that tradition. It recognizes that accountability should not stop at the local level but should apply equally to those of us who serve in elected office. Now, some have questioned the necessity of this measure, noting that state senators and state officials already stand for election every four years and that a recall process would take time to complete. And while that is true, it's also true that an elected official acting in bad faith can do significant harm in the years between elections. This is about providing voters with a constitutional tool of last resort when trust has been fundamentally broken. This is the answer to the question, why are local officials subject to recall but state and statewide officials are not? I believe that Nebraskans deserve a consistent standard of accountability across all levels of government. I do not anticipate that this authority would be used frequently if at all. Implementation details would be left to the Legislature, which would be responsible for establishing reasonable and restrictive parameters for initiating a recall, such as signature thresholds and timelines, much like those already in place for local officials. Other states that allow recalls have shown that this power is rarely exercised and even more rarely successful. I have a handout from the NCSL that outlines the history of recall efforts in other states. Ultimately, LR305CA is about trust in the people of Nebraska. It is about strengthening accountability while preserving stability and about ensuring that the second house retains its rightful role in our system of government. And for those reasons, I respectfully ask the committee to consider LR305CA. And I would be happy to answer any questions.

ANDERSEN: Thank you, Senator Lippincott. Are there any questions for Senator Lippincott? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair. Thanks for being here, Senator Lippincott. Interesting idea. I was just pulling up the Omaha recalls statute. And, and I generally get why you didn't put, like, the very

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specifics in here, but do you have, like, a thought on what you think would be the way we would implement it?

LIPPINCOTT: Yeah. I think the handout that you received has a lot of those things. And just as, as an example, our neighbors to the south, Kansas, those folks require 40% of the most recent voters and getting signatures from the 40%-- which is a pretty high number-- and that would initiate the recall process. So the Legislature itself, they can determine how they want to do that in terms of how many signatures they need. And then in terms of the recall, whether you want on one ballot-- you can have-- this is an example. You could have two different features on the ballot. One could be you recall an individual and then you could have the individual that would be put in place in lieu of that guy or girl.

J. CAVANAUGH: And that would be something that the Legislature could do.

LIPPINCOTT: That's exactly correct. That's right.

J. CAVANAUGH: And-- I mean, it-- obviously there's a big difference between how you do it at a legislative level versus a statewide level, but would it necessitate a special election or would the idea be that it would just be at the next already existing election?

LIPPINCOTT: That too would also be determined by the Legislature.

J. CAVANAUGH: OK.

LIPPINCOTT: Yeah. Good question.

J. CAVANAUGH: Thanks.

LIPPINCOTT: And just FYI, something I did not talk about-- 19 states do this already. Right around us, North Dakota does it, Kansas does it, Colorado, Wisconsin, Minnesota, Michigan. So this is something that-- it's, it's popular. And it's both red and blue.

ANDERSEN: Are there any other questions? Senator Hunt.

HUNT: Thank you, Vice Chair Andersen. Thank you, Senator Lippincott. Something I'm inclined to support, honestly, but one quibble with your opening: Nebraska's not the only state where every bill gets a public hearing. There aren't very many, but we're not the only-- but that's all. Thank you.

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ANDERSEN: Are there any other questions? Senator Lippincott. Thank you for your time. Will you be staying for a closing?

LIPPINCOTT: Yes.

ANDERSEN: Thank you.

LIPPINCOTT: Thank you, sir.

ANDERSEN: First proponent. Welcome to Government, Military, Veterans Affairs Committee.

JESSIE McGRATH: Good afternoon, senators. And I am here to support this resolution. I'm probably a little bit uniquely situated in this because I've been in a state-- oh. Jessie McGrath. J-- J-e-s-s-i-e M-c-G-r-a-t-h.

ANDERSEN: Thank you.

JESSIE McGRATH: I have lived in a state where recall procedures are allowed. In fact, in California, Gray Davis was recalled as Governor, and that is how Arnold Schwarzenegger was elected. More recently-- and not on a statewide basis-- but in LA County-- which is actually, you know, five times the population of the state of Nebraska-- we had a recall petition going for the recall of my boss at the time, George Gascon, who was the district attorney of Los Angeles. It is an effective way to have the citizenry hold elected officials accountable. For example, you could end up in a situation where you have a, a, a government official who engages in self-dealing and does something like see to it that friends or other folks get money from the state that doesn't go through a procedure. You could then have, for example, an Attorney General who refuses to investigate. And this would put in front of the people the ability to hold those officials accountable and hold them officials to doing their job. So I am in support of this, and I just wanted to be able to express my opinion on that.

ANDERSEN: Thank you very much. Are there any questions? Thank you very much for your time. Next proponent. Seeing none. Are there any opponents? People opposed? Seeing none. Anybody in the neutral capacity? Very quiet today. OK. Senator Lippincott, it's yours to close. Online comments: 31 proponents, 4 opponents, and 0 in the neutral capacity. Floor is yours.

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LIPPINCOTT: Just very briefly, as was just stated a few moments ago, for governors, this has only been used, this recall mechanism, four different times. Two of them have been successful, two have not. In 2003, like was just said a few moments ago, Governor Gray Davis out. But also North Dakota back in 1921, they recalled the Governor, Attorney General, the Secretary of Agriculture. And then on the legislative level, there's been 40 different attempts. 53% of those have been successful. And there's been a few of them that they've actually-- bailed out. They resigned before they got recalled. But it's-- this is a mechanism that is used but not very often. Very infrequently. That's all I have, sir.

ANDERSEN: Thank you, Senator Lippincott. Are there any questions? Seeing none. That closes our hearing for LR305CA. Thank you, Senator Lippincott. We will now continue on to LB765. Senator Holdcroft. Yeah. We'll go ahead and stand at ease while we locate Senator Holdcroft or his staff. Senator Holdcroft, welcome to Government, Military and Veterans Affairs Committee.

HOLDCROFT: Thank you, Vice Chair. Good afternoon, Vice Chair Andersen and members of the Government, Military and Veterans Affairs Committee. For the record, my name is Senator Rick Holdcroft, spelled R-i-c-k H-o-l-d-c-r-o-f-t. And I represent Legislative District 36, which includes west and south Sarpy County. This is my third attempt to bring some meaningful reforms to school bond elections. My main goal throughout has been to provide assurance that local school patrons are not saddled with a large property tax burden unless a majority of voters have turned out on election day and made their wishes known. LB765 is a simple, no-nonsense bill with no ambiguity and no complicated motives. There are restrictions on when a school bond election can be held. There are no concerns with contractor shortages or supply chain issues. The simple goal of this bill is to make sure that, if voters are asked to approve the expenditure of large sums of money, a majority of them have made their voices known at the ballot box. When I ran for Legislature, like many of you, I knocked on thousands of doors in my district. Overwhelmingly, the constituents I talked to repeatedly told me stories of how property taxes were rising, and significantly. There were 28 school bond elections in Nebraska in 2025. Of the 16 elections in which the measure was successful, 5 were passed with less than a 50% vote turnout. The most glaring was Millard Public Schools. A \$185 million bond passed with just a 28% voter turnout. And I'll-- and I might also mention that that was six weeks after the general election. LB765 proposes that schools and education service unit elections seeking

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voter approval for the issuance of bonds must have at least a 50.1% turnout of eligible voters before a successful measure could pass. This is a commonsense measure, incentivizing voter turnout and making sure that a minority of patrons are not speaking for the entire district. Additionally, LB765 prohibits public funds from being used to campaign or promote bond elections involving a school district or educational service unit. This should not be controversial. In any election, we would be dubious if tax dollars could be used to support one candidate or issue and not the other. Public moneys used for campaigning or campaigning by school staff on company time are not a proper use of taxpayer dollars and give an unfair advantage over groups that may seek to oppose these measures. When it comes to electing those who govern us, we strive to engage voters and encourage them to make their voices heard. Given the escalation in property valuations and the taxes we pay on those parcels, I think it's equally important to engage as many voters as possible on issues such as bonding because it impacts the property tax we pay. Vice Chair Andersen and members of the Government, Military and Veterans Affairs Committee, thank you for your consideration of LB765. And I would be happy to take any questions you might have.

ANDERSEN: Thank you, Senator Holdcroft. Senator Guereca.

GUERECA: Thank you, Mr. Vice Chair. And thank you, Senator, for bringing this bill up. There any other Nebraska elections that are decided by 50.1% of registered voters?

HOLDCROFT: There's no requirement for that. I mean, most-- I think most of our elections, particularly in primaries and, and general elections, have more than 50% participation.

GUERECA: Right, but--

HOLDCROFT: In fact, the de-- presidential-- the last presidential one in Sarpy County I think was 85%.

GUERECA: But neverthele-- [INAUDIBLE] those elections were determined by 50.1% of folks who voted, correct, citizens who voted?

HOLDCROFT: No. They're, they're a majority. They, they have a majority of those--

GUERECA: Out of those regi-- of those who actually voted in the election.

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HOLDCROFT: Correct. And that's, and that's not my requirement here, that-- just-- it has to be--

GUERECA: 50.1% of registered voters.

HOLDCROFT: To participate.

GUERECA: To participate to validate the election.

HOLDCROFT: Correct.

GUERECA: Is that thre-- is that threshold-- does that threshold exist in any other Nebraskan election?

HOLDCROFT: No. But I would point out that-- I mean, most of the other elections are set for specific times, whether they're primary or general or they are mayoral, for instance, in, in Omaha and, and Lincoln. So they are at specific times when people know. And the school bond issues are typically out of the-- I won't say out of the blue, but they are typically not on a regular basis. They are just given with fairly short notice, and often the taxpayers don't even know that they're occurring.

GUERECA: Thank you.

ANDERSEN: Any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thanks for being here, Senator Holdcroft. I was just wondering about the definition of qualified electors. Is that people who are qualified, like, over 18, citizen, or--

HOLDCROFT: Those that are registered to vote in that school district.

J. CAVANAUGH: Registered to vote in that school district.

HOLDCROFT: And the, and the election commissioners know who those are.

J. CAVANAUGH: Well-- yeah-- I guess does the-- is it clear in this, in this bill that that's who that's-- refers to?

HOLDCROFT: Well, if I need to refine that language, I'm happy to do that. But yeah, we're talking about registered voters in the school district.

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J. CAVANAUGH: And if-- you know, I'm not saying anybody's gaming the system or whatever, but if somebody decided to register a bunch of voters, like, the day before the election to drive up the threshold, would-- is there a date certain by which-- like, when the ballot initiative gets filed or the--

HOLDCROFT: I'd have to check with the election commissioner rules on that. I don't know.

J. CAVANAUGH: OK. Thank you.

ANDERSEN: Are there any other questions? Senator Holdcroft, thank you for your time.

HOLDCROFT: Be here to close.

ANDERSEN: Oh.

HOLDCROFT: Oh.

ANDERSEN: [INAUDIBLE] getting coffee.

GUERECA: Nope, getting coffee.

ANDERSEN: You gonna stay for closing?

HOLDCROFT: Yes.

ANDERSEN: Thank you. The first proponent. Mr. Kagan, welcome to the Government, Military and Veteran Affairs Committee.

DOUG KAGAN: Good afternoon. Doug Kagan, D-o-u-g K-a-g-a-n. Representing Nebraska Taxpayers for Freedom. School bonds accrue significant debt that can last for several years or decades and actually do increase our property tax load despite some not realizing that their property taxes pay off bond principal and interest. Taxpayers complain that holding school bond elections results in lower voter turnout-- partly because of mail-in ballots-- giving advantage to proponents who muster support from their ranks. We have witnessed school districts using nonprofit foundations to promote bond issues with huge sums that opponents cannot match. Many voters ignore special mail-in bond elections because they simply do not vote by mail. Without rigorous restrictions, school districts can approve nonessential projects on a wish list that are not absolutely necessary: for instance, weight rooms, specialized turf. The

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difficulty of passing a bond incentivizes school districts to be more judicious with their spending proposals. Voters reject a bond issue if they do not believe that the proposed projects are necessary, well-planned, or address their specific concerns. Also, anxieties arise about overloaded district debt. Stricter passage requirements like a supermajority vote guarantee that a small, highly motivated group of voters cannot impose a substantial, lengthy tax increase on an entire community, including to homes without school-aged children. Washington and ten other states set a threshold of higher than 50% to pass school bonds. Missouri requires 57%. Seven states, 60%. And Idaho, 67%. Making bonds tougher to pass gives taxpayers a meaningful way to express their concerns about their overall school tax burden. The Bennington School District sparked intense opposition when it splurged on a paid professional marketing company for consulting purposes. Its bond prospectus did not list line items for proposed expenditures, and the bond issue added to the already extraordinary high district bond debt. Also, too many school districts used bond issues to circumvent property tax and spending lids. Moreover, we have seen school employees leave their workplace with bond promotion yard signs in hand and lobby school children in class-- unethical conduct that this bill would cure. Therefore, we support the revised requirements for school bond issues in LB765. Thank you.

ANDERSEN: Thank you, Mr. Kagan. Are there any questions? Seeing none. Thank you very much for your time. Next proponent. Please, welcome to the committee.

LUKE WENZ: Vice Chair Andersen, members of the committee, my name is Luke Wenz. That's L-u-k-e W-e-n-z. And I'm here on behalf of the Platte Institute in support of LB765 because it reinforces the basic but fundamental democratic principle that the people that pay taxes deserve a real and meaningful voice in determining the taxes that are levied upon them. School districts play a vital role in our community, and absolutely no one questions the value and importance of investing in education. But when districts issue bonds, they're not making small operational asks. They're often making multigenerational commitments that can toss tens or hundreds of thousands of dollars over time. These decisions impact homeowners, renters, and businesses alike, often for a generation or more. And historically, many of these bonding decisions happen in special elections with minimal voter turnout. The Tax Foundation's 2025 study on property taxes lists Nebraska as having the fourth highest property taxes in the nation. I know that many of you

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hear from your constituents all the time about the burden that this place is, and we know that about 60%-- nearly exactly 60% of all property taxes are used to fund K-12 schools. The Platte Institute supports LB765 because it makes clear that decisions to further increase said property taxes do not happen without voter-- proper voter participation and consent. It ensures that, when school districts seek to take on significant debt, the majority of the people who will be impacted need weigh-in. And this bill also has some commonsense provisions that I can't imagine anybody would oppose-- excuse me. I'm sorry. I've got something in my throat-- because public participation in, in the political process depends on trusts-- trust. Taxpayers must be confident that public institutions are not using taxpayer funds to rein-- to, to-- funded resources to influence the outcome of elections and that public employees aren't using their time or resurces-- resources to advocate for a political position. LB765 confirms that trust in statute because voters should be informed, not persuaded, by the very entities seeking their approval. At its core, this bill affirms that school districts do not have a right to impose astronomical tax burdens without clear, informed voter participation and approval. Respecting voters does not weaken public education. In fact, it strengthens it by fostering transparency, accountability, and public confidence. For these reasons, the Platte Institute respectfully urges the committee to advance LB765. And as always, thank you for your time for holding this hearing. I'd be more than happy to answer any questions if you have them.

ANDERSEN: Thank you, Mr. Wenz. Questions for Mr. Wenz? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair. Thanks for being here, Mr. Wenz. Good to see you again.

LUKE WENZ: You too, sir.

J. CAVANAUGH: I mean, I agree. I think I want more people to participate. That's why I brought the bill to move the city of Omaha elections to the on-year because I thought higher participation's better. But at a certain point-- I mean, people's choice not to participate is still their choice, right? They're exercising their own free will and their option. And so changing the law because some people are choosing not to participate-- I guess I don't understand the-- I'm, I'm trying to, to put those two things together.

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LUKE WENZ: I understand your concern, Senator. I think the Platte Institute fundamentally to-- simply believes that higher voter participation is a good thing, and this bill accomplishes that and says that if-- for example, if you're going to raise my taxes, then I should have a responsibility to, to participate in that process.

J. CAVANAUGH: Well, it doesn't guarantee that you have higher participation, necessarily. I mean, the city of Omaha election I think had less than 30% voter turnout. Right? So if you held that standard, you would say, well, we don't have a valid chosen elector-- you know, mayor in Omaha or city council because we had less participation. And-- I don't remember-- I think it was 60-some percent was the general election turnout in 2024, but. I mean, there's, there's a certain point where people register to vote and then just opt not to participate.

LUKE WENZ: Sure.

J. CAVANAUGH: And to say that you can't govern because of a choice by some of the electorate I guess is my question.

LUKE WENZ: Certainly understand your concern, Senator. I think-- again, I'll just reemphasize that the Platte Institute believes that voter participation's a good thing, so we're supporting and thank Senator Holdcroft for, for bringing this bill. And we're supporting that.

J. CAVANAUGH: Well, I agree on that part, at least. Thanks.

LUKE WENZ: Thank you, Senator.

ANDERSEN: Any other questions? Mr. Wenz, thank you for your time.

LUKE WENZ: Thank you, sir.

ANDERSEN: Any other proponents? Good afternoon. And welcome to the Government, Military and Veteran Affairs Committee.

DAN BACKER: Good afternoon, Chairman Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Dan Backer: Dan, D-a-n; Backer, B-a-c-k-e-r. And I am testifying today in support of LB765 on behalf of myself and Nebraska Farm Bureau. With LB765, school bond pro-- approvals can reflect realistic voter turnout and create guardrails around the spending. I am a producer in Wayne County with a cow-calf operation, row crops, and alfalfa. I've been

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around school finance for nearly 30 years. I started serving on my local school board in 1998 and stepped down in 2014. I served as president of the board, and 14 of those years were on the salary negotiation team. I continue to attend the budget hearings every year. In the early start of 2024, our school administration and school board decided to bring in an auditing group to inspect our facilities to prepare to ask the public to vote on a bond. When their report came back, it was a Christmas list that made us wonder how we could even have school in this facility. After a summer of public meetings with school officials, architects, and bond people, the board decided to have a \$9.75 million bond request. We voted on this bond in the general election of 2024. The bond failed by eight votes-- 484 against, 476 for-- with a total of 960 people voting. That same general election year saw roughly 70%-- 76% of registered Nebraska voters cast a ballot statewide, which shows that, when issues are important, Nebraskans do participate. In May of 2025, the board ran a special election where they changed the amount of the 9.7-- \$9.75 million to \$8.75 million. The board did not take anything out of the original plan but decided to pull \$1 million from the special building fund. So they were still spending the same amount of money. The election saw the bond passing with 429 for, 290 against, with a total of 719 voting. We must start to put some clear guardrails in place to slow this out-of-control spending. We often lose sight of the fact that school bond payments are here not just for the moment when you cast your vote but for the next 20 years. This is on top of the general levy. A few years ago, we had a neighboring school district pass a \$25 million bond by one vote. With an only one-vote majority, no one is a clear winner. LB765 would set clear guardrails that would protect and ensure communities are staying fiscally responsible. By increasing the voter turnout requirements, this bill ensures that communities' voices are heard on these bonds and that they show the true will of the people. We need to think about young people and businesses in rural Nebraska struggling to make it. Generations of producers are facing these challenges today. I ask this committee to take LB765 under consideration, as it can help create a threshold necessary for prudent spending. Thank you for the opportunity to testify. I'm happy to answer any questions.

ANDERSEN: Thank you, Mr. Backer. Are there any questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair. Thanks for being here, Mr. Backer. I'm just curious, which-- what school district was that?

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DAN BACKER: I am from the Randolph School District, northeast Nebraska.

J. CAVANAUGH: Woul-- well, the-- thank you for that, but also, which, which is the one that passed by one vote?

DAN BACKER: Laurel, Concord--

J. CAVANAUGH: Laurel--

DAN BACKER: Laurel, Concord, Dixon-- Coleridge now.

J. CAVANAUGH: I, I just gotta look it up for curiosity's sake.

DAN BACKER: OK.

J. CAVANAUGH: I appreciate it.

ANDERSEN: Are there any other questions? Mr. Backer, thank you very much for your time.

DAN BACKER: Thank you.

ANDERSEN: The next proponent. Welcome to Military, Government and Veteran Affairs Committee.

MARVIN LEADERS: I'm Marvin Leaders, M-a-r-v-i-n L-e-a-d-e-r-s. Do I need an address or not?

ANDERSEN: No, please.

MARVIN LEADERS: OK. I am a fifth-generation landowner in Sarpy County. Our family came to Sarpy County in 1881. The first farm was bought in 1882 and still has-- family's been on it ever since. I'm in the Springfield Platteview School District, which is the-- basically the southern 40% of Sarpy County. We had a bond issue yesterday for \$79.9 million in a mail-in ballot. Our mill levy in Sarpy-- in District 46 is very good because of the valuation from Facebook, Google, and a lot of industry [INAUDIBLE], you know. And then-- I have one farm in the Papillion School District. And because of all their bond issues and that, my real estate taxes towards schools-- I split them out-- is 1.9 times what our Platteview School District is. And I don't have a vote there because I don't live in that district. OK? I think this bill is very, very equitable and fair to present these school bond issues to the percentage of the registered voters. So that's why I'm here. And I

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want to get rid of the mail-in, you know, initiatives and put the, the, the, the long, future tax implications, you know, to more of the voters, so. Thank you.

ANDERSEN: Mr. Leaders, thank you very much for your time. Are there any questions? Senator Meyer.

F. MEYER: Thank you for being here. Yes, did that bond issue pass or fail yesterday?

MARVIN LEADERS: Have no idea.

F. MEYER: You haven't heard yet?

MARVIN LEADERS: Haven't heard anything [INAUDIBLE] what I'm saying.

F. MEYER: Thank you.

ANDERSEN: Any other questions? Mr. Leaders, thank you very much for your testimony.

MARVIN LEADERS: Thank you.

ANDERSEN: Next proponent. Seeing none. First opponent. Welcome to the Government, Military and Veteran Affairs Committee.

CHIP KAY: Thank you. Thank you, Vice Chair, members of the committee. My name is Dr. Chip Kay, C-h-i-p K-a-y. Superintendent of Columbus Public Schools. And today, I'm representing NCSA, NRCSA, and STANCE. The acronyms are at the bottom of my letter to save time for all of us. I respectfully oppose LB765 because its provisions are practically unattainable, internally contradictory, and do represent some overreach into local governance. The 50.1% of all qualified electors to vote on this-- to vote on our bond to be valid, that threshold is virtually impossible to achieve. Proponents of these restrictions like LB67-- LB765 often argue that holding bond elections during primary or general elections will increase voter participation. Our own experience proves otherwise. In May of 2023, a mail-in election for a bond in Columbus netted 47% turnout. May '24, in the primary election, 24.3% turnout. And in November of '25, a special mail-in election netted 42.7% turnout. That would be contradictory to some prior testimony. None of our elections, including the mail-in ballot, would have met the threshold. In case you're curious, we failed all three. The bill doesn't create accountability. It creates impossibility. The approach is also inherently discriminatory because it gives greater

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weight to the indifference of those who choose not to participate in an election than the deliberate choice of those who choose to exercise their civic duty. The bill presumes voters need higher participation to make informed decisions, yet it simultaneously prohibits schools from using public resources to educate voters about bond. I'm not talking about advocating or sales. I'm talking about information. The word "promote" I think is, is-- can be used a lot of different ways in here. So school experts cannot use work time to explain facility needs. [INAUDIBLE] materials, which might be factual ones, are now banned from school property. The Legislature has historically argued that voters deserve full information. This bill gags the very entities with the expertise to provide it then faults communities when voters lack engagement. School, school boards are elected by their communities to make decisions about the local facilities. This bill strips that authority. I do provide some data about the number of elections that did not meet the threshold and the pass-fail amount. So in closing, if the Legislature's committed to creating additional barriers for school facility funding, it should also consider providing state support for school construction, as neighboring states do. Nebraska stands nearly alone in providing no state-level funding for school infrastructure. Our community, like many others in Nebraska, needs an ability to address facility challenges through a fair and democratic process, not one engineered to fail. Addressing growth through a bond election's already a mountain to climb. This bill makes that mountain Mount Everest-- Mount Everest. I'd urge the committee to indefinitely postpone LB765. Thank you for your consideration.

ANDERSEN: Thank you, Dr. Kay. Are there any questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair. And thanks for being here, Dr. Kay. I'm just curious about these numbers you have. So the special elections had a higher turnout than the regular scheduled elections?

CHIP KAY: That's correct.

J. CAVANAUGH: Is that people-- the 4,076 who voted on the school bond or people who voted in that election?

CHIP KAY: Voted in the school bond. So those are the total votes or what was voted on in the bond.

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J. CAVANAUGH: OK. And I'm sorry, but I miss-- I don't remember exactly how this bill would read, but would it require-- so even if you have an election where 60% of people turn out and then they don't make it that far down the ballot, then that wouldn't be valid if you didn't get above 50. Is that--

CHIP KAY: I'm, I'm not going to claim to be an expert. My understanding of the bill is 50-- 50.1% of "qualified" electors must vote on the bond question, is how it reads in the bill. So my, my interpretation would be you could have 75% vote on the presidential ballot question, but if only 24.3% vote on your initiative, it's invalid.

J. CAVANAUGH: OK. Thank you.

ANDERSEN: Any other questions? Senator Meyer.

F. MEYER: Yeah. I have a-- I'm kind of curious why in the matter of-- from May '23 to May '24, November '25, you had three special elections. Doesn't-- I mean, the timing of that and amounts kind of-- are some questions in my mind why you--

CHIP KAY: Super. I'd, I'd be happy to-- yeah. I'd be happy to explain, Senator.

F. MEYER: Was that to, to lower the amount so that the bite wouldn't be quite so big on the taxpayer?

CHIP KAY: So in-- during the '22-23 school year, we have to sign every plat that comes into the, the school district. And in '22-23, we were at capacity in four of our elementary buildings, our middle school-- not our high school and not one of our elementaries. At that time, there were roughly about 700 doors that were planned to be built. And so we had developed plans to handle that increased capacity and build to-- for future capacity. That was what the May of '23 bond election was for. In May of '24, we had a stripped down version based on community feedback that would have at least got us to the 700-- to match the 700 doors. Since May of 2020-- 2024, our community has now got planned construction-- some of which has started and been completed-- for 1,800 doors. Our school district is going to grow by close to 600 students by 2029-2030 school year. We still have a district that has capacity of 4,000. I have about 4,150 students. I'll have closer to 4,700 by '29-30. So the November '25 election was taking the new data and a new plan to try to address that growth.

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F. MEYER: So of those three bond elections, which ones passed?

CHIP KAY: None.

F. MEYER: None? OK. What year did you build the new high school [INAUDIBLE]?

CHIP KAY: 2000-- the bond passed in 2014, and it was open in 2017.

F. MEYER: And what was the bond for that amount, do you remember?

CHIP KAY: 50-- around \$50 million. I was not at Columbus Public Schools at the time.

F. MEYER: OK.

CHIP KAY: So-- but I know it's around \$50 million.

F. MEYER: It's a nice-- very nice facility. I've been there.

CHIP KAY: It-- we've, we've been very fortunate to-- that our community supported it. Yep.

F. MEYER: Thank you.

ANDERSEN: There any other questions? Dr. Kay, I got a question for you.

CHIP KAY: Yes, sir.

ANDERSEN: In here, you said that the-- you said this approach is, is inherently discriminatory. Can you explain-- can you provide any additional information about what do you mean by discriminatory?

CHIP KAY: I do. So when you look at other elections held in, in the state of Nebraska-- and I would even go so far as to point out participation in a city bond, county bond, or NRD levies-- none are-- have threshold. Nobody who's sitting at your table had a threshold for your election. This will be the only bon-- vo-- elected ballot issue with a threshold in Nebraska. That's what I mean by discriminatory.

ANDERSEN: OK. And you object to the 50.1%. You say it's too high. It's exclusionary, right?

CHIP KAY: Exclusionary might be a better word, Senator.

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ANDERSEN: OK. So then if-- king for a day, if you were to set a threshold, what would you set the threshold at?

CHIP KAY: I don't know that I have enough data on all the elections that have been conducted to, to make that statement.

ANDERSEN: OK. Thank you. Seeing no other questions. Thank you very much for your time.

CHIP KAY: Thank you.

ANDERSEN: Next opponent. Sir, welcome to the committee.

ERICK LEE: Good afternoon, Vice Chair Andersen and members of the committee. My name is Erick Lee, spelled E-r-i-c-k L-e-e. I am a parent, a small business owner in the community, and an elected school board member serving the Arapahoe-Holbrook School District. I'm also here today representing the Nebraska Association of School Boards as a member of their legislative committee to testify in opposition of LB765. Government is run by the people who show up. Now, whether that ties back to electing you, electing me, or, in the case of LB6-- LB765, the ability for a school district to passed a-- pass a bond, active participation should matter. Whether that ties-- or-- I'm sorry-- our country's democracy relies on citizens directly influencing decisions by being present and active. No matter the issue, prioritizing the right to fill in a yes or a no circle should mean something. Passively or purposefully deciding not to care or put in the effort to make your vote count shouldn't be rewarded. While it is somewhat of red apples to green apples scenario, imagine this bill gets amended further to say a no-show equals a no in your legislative race. In an uncontested race, you received 100% of the votes but have only a 48% total turnout. You then lose. Now that's a vacant seat up for appointment. That's a stretch, but is it? My point is simply that this is inconsistent with every other voting standard that we use in Nebraska. LB765 could suffocate our communities, where strong local leaders see the benefits of growing, thriving school districts, and the value of a bond that would be easily passed under current guidelines now fails because of turnout, more so the "no" votes from those not willing to put in the effort to show up. This bill also places substantial financial strain on local subdivisions. By making bond approval more difficult, you would most likely also be driving up long-term costs. Projects can-- that cannot move forward due to elevated procedural barriers do not become cheaper; they become more expensive. Deferred maintenance, safety risk, inflation, and potential

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need for short-term financing all create heavier burdens on taxpayers. Simply put, reducing flexibility equals increased costs. For these reasons, I'm here today to voice opposition to LB765. Thank you for your time. And I am happy to answer any questions.

ANDERSEN: Thank you, Mr. Lee. Are there any questions? Senator Guereca.

GUERECA: Thank you. Thank you, Vice Chair Andersen. Thank you, Mr. Lee, for being here. When were you elected to the school board?

ERICK LEE: I was elected in 2020.

GUERECA: In 2020. So then you are up again in 2024 then?

ERICK LEE: That's correct.

GUERECA: Do you know what the statewide average of voter turnout in the 2024 primary election was?

ERICK LEE: It was in the 70s percentile. I know-- with-- both of those-- 2020 and 2024 elections were a little popular.

GUERECA: Well-- so statewide, po-- voter participation, the 2024 primary election statewide was 27%.

ERICK LEE: Oh, primary. I'm sorry, I thought you meant general. OK.

GUERECA: No, primary election.

ERICK LEE: OK.

GUERECA: 27%. That means you, I, and several members around this table were elected in the primary election of 2024. Do you think our election should be invalidated because only 27% of our electorate came out to vote?

ERICK LEE: Absolutely not. And my community would also agree that their choice should not have been nullified.

GUERECA: How long was the drive in from Arapahoe today?

ERICK LEE: I'm sorry?

GUERECA: How long was the drive in from Arapahoe today?

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ERICK LEE: About three and a half hours.

GUERECA: Appreciate you coming out, sir.

ERICK LEE: Thank you, sir.

GUERECA: Thank you.

ANDERSEN: Are there any other questions? Seeing none. Mr. Lee, thank you very much for your time.

ERICK LEE: Thank you.

ANDERSEN: Next opponent. Welcome to the committee.

MIKE ROGERS: Good afternoon, members of the committee. My name's Mike Rogers, M-i-k-e R-o-g-e-r-s. I'm a bond attorney with Gilmore and Bell in Omaha. I serve as bond counsel to many school districts around the state of Nebraska. I'm here testifying in opposition to LB765 as an expert on school bond elections. And the, the issues or the, the, the concerns I have with LB765 have already been raised during this, this hearing, and it, it results from the concepts in LB765 being underdeveloped. As we, as we heard, this is a new concept in Nebraska. There are no other elections which require a majority of qualified electors voting, and so we don't have any systems or statutory provisions in place that contemplate how to deal with some of the questions that come up. The first fundamental question is the, the dis-- distinction between qualified electors and registered voters. And we have case law in Nebraska that makes it clear that electors are different than registered voters. When school bond elections are called, they are called to the qualified electors, which, in the, in the constitution of our state, elector qualifications is simply those who are of legal age to vote. Registering to vote is a statutory process that we all go through before we can cast ballots. But the dis-- the, the definition of qualified electors is a very different thing. That phrase is used in the statutory section being amended, but it does not mean registered voters. And there's no accounting or tracking of number of qualified electors in school districts in Nebraska. So as a bond attorney, I would not have clear understanding of when a school bond election would pass because there would be no record to indicate the total number of qualified electors in a school district to measure whether or not that 50.1% threshold had been, had been met. The other, the other issue is if, if the bill were amended to clarify that it means registered voters, the, the other issue that

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was raised earlier is, when do you test that? What date do you test it? Could somebody register to vote the day before the election and have-- impact the outcome by just not showing up to vote? Which they couldn't vote unless they register far enough in advance. As written, LB765 would seemingly count those registered voters the day of the election. There-- a-- as I mentioned earlier, there's no statutory provisions. The, the Election Act doesn't contemplate timing of those issues, so the Secretary of State's Office is not going to know the answer to that. This statute is where that would need to be answered. And the concepts haven't been developed fully to know the answers to either of those two questions in LB765. So I would ask the, the committee to postpone indefinitely this, this bill. And I'm happy to answer any questions.

ANDERSEN: Thank you, Mr. Rogers. Are there any questions? Senator Lonowski.

LONOWSKI: Thank you, Vice Chair Andersen. Thank you for being here. So I'm looking at-- trying to look at the, the big picture here. And I would-- as I listen to Mr. Kay and-- he said, you know, it's a \$50 million project. I mean, don't we want to-- maybe we need to work more to engage our voters or, or go out there and say, if I'm paying for a bond with my property taxes increased over the next 20 years, it would behoove me to, to be engaged. So-- I mean, maybe it's like we have to work harder to get people engaged. I don't know. Is-- do you have any remedies that can help out this situation? Do you think there's a 40%, 45% or anything?

MIKE ROGERS: I don't, I don't-- I'm just the bond attorney who helps try to figure out whether something has passed or not and, and give opinions to bondholders as to whether or not they're valid obligations. And these are-- the threshold issues that I have to deal with as to whether or not there's a valid obligation, you got to know whether the election was successful or not. The policy question of whether the Legislature should try to mandate voter turnout somehow, I don't, I don't know whether that's, that's some-- as we heard earlier, that's not something we've had in Nebraska so far, so I, I don't know the answer to that question.

LONOWSKI: OK. Thank you.

MIKE ROGERS: What's the right policy, I'm not sure.

ANDERSEN: Thank you. Any other questions?

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F. MEYER: I have, I have one.

ANDERSEN: Yes, Senator Meyer.

F. MEYER: So how long you been doing this job?

MIKE ROGERS: Since 2001.

F. MEYER: 2001. OK. 2001 to 2025. What was your bond interest rate in 2001 and what is it today? And has that-- that's a pretty direct question. How has that affected the number of bond issues that pass, in your, in your opinion?

MIKE ROGERS: When bond elections are put in front of voters, the voters don't vote on the interest rate.

F. MEYER: No, I know, but everybody knows how it affects their property taxes.

MIKE ROGERS: Sure.

F. MEYER: So how does that interest rate on the bond's indebtedness that is incurred by the school district changed the mood of voters over that period of time to vote yea or nay on a bond issue?

MIKE ROGERS: I'm not, I'm not sure how that would impact voters' mindsets.

F. MEYER: Well, let's, let's keep it simple. What was the rate in 2001?

MIKE ROGERS: I also don't recall that. I'm sorry, Senator. I don't remember what the interest rates--

F. MEYER: Maybe 2%.

MIKE ROGERS: It may have been that low. It was certainly-- certainly in, in 2020 and 2021, it was very, very low, much lower than today's interest rates.

F. MEYER: Today would be what? Five and a half?

MIKE ROGERS: May-- maybe not, maybe not that high. Depends on how, how long the final term is.

F. MEYER: OK.

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MIKE ROGERS: But it's certainly, certainly higher than it has been in the last 20 years. Over the last 20 years, it's gone up and down a fair amount, but not, not nearly to the extremes that maybe were seen in the, in the late '70s or early '80s when there were extremely high interest rates.

F. MEYER: Well, yeah. Sure. But it has affected the--

MIKE ROGERS: Certainly--

F. MEYER: --bond indebtedness amount, how fast [INAUDIBLE].

MIKE ROGERS: Yes, because when, when a bond election is talked about with, with voters-- and I don't typically get involved with the campaign committees or anything like that, but my understanding is, to educate the electorate in a school district, you would talk about, this is our estimate of what debt service would be based on current interest rates, and that annual payment would result in a-- or, require a certain levy amount to, to make those debt service payments. So yes, interest rates do have an impact on what, what a school district would likely ask from the voters to approve and how much they could borrow if-- with lower interest rates that it makes the finance-- the financials better in terms of either a lower, lower levy required or more dollars available for, for a project or whatever the needs of the school district are.

F. MEYER: So on a, on a bond-- sa-- say a school hire-- school district hires you to be their, their attorney for the project. You aren't the one that comes out and meets with the district patrons and tells them, per \$1,000 evaluation on your farm or your house, your taxes will be this for this bond issue? You aren't that person?

MIKE ROGERS: I am not that person. That would--

F. MEYER: Thank you.

MIKE ROGERS: That would likely be the-- either an underwriter or a municipal advisor--

F. MEYER: OK.

MIKE ROGERS: --helping with that.

F. MEYER: Thank you.

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ANDERSEN: Are there any other questions? Mr. Rogers, thank you very much for your time.

MIKE ROGERS: Thank you.

ANDERSEN: Next opponent. Welcome to the Government, Military and Veteran Affairs Committee.

MARSHA WILKERSON: Good afternoon. Thank you, committee. I'm Marsha Wilkerson, M-a-r-s-h-a W-i-l-k-e-r-s-o-n. I'm with BD Construction in Kearney. We're a commercial construction firm. We build everything from factories to fire halls to schools funded by bonds across rural Nebraska. I'm here to oppose LB765 because it adds a 50.1% turnout gate before a school bond election is valid, and that turnout gate changes everything. It creates an incentive not to vote. Let me repeat that. LB765 creates the simplest opposition strategy I've ever seen: don't vote. Don't buy a stamp. Don't drive to the polling place. Just stay home to manipulate voter turnout to fall under 50.1%. I love voting. I study the issues. But as a savvy taxpayer, if I believed a bond was the wrong approach, you can bet I would consider not voting because LB765 turns nonvoting into a powerful tool. This is backwards. We should be encouraging civic participation, not rewarding abstention. I keep hearing that school bond turnout is poor, that districts are sneaking bonds through on light turnout. That's simply not true. According to the Secretary of State's official statistics for school bond elections from 2016 to 2025, nearly 100 elections-- not including generals or primaries-- the average voter turnout is 55%. Not 28%-- twice that. 12 elections had turnout greater than 70%. Only three had turnouts less than 30%. That is an outlier negative narrative that we have low voter turnout. We should not rewrite-- rewrite statewide bond law around an outlier. In the past ten years, 36 elections wouldn't have met the 50.1% threshold, including 25 that passed with majority voter support. Let me give you a real example of the harm this would cause. One year ago, Ravenna voters approved a bond with 71% voting for a \$5.5 million bond to build a secure entrance, add classrooms to keep students under one roof, and improve career and technical education. And it was a net levy decrease. It actually decreased taxes. But under LB765, that bond would have failed because turnout was 45%. Minden passed a levy-neutral bond to replace a 100-year-old school. If this bill had incentivized just eight voters to stay home, that bill would have passed. This bill will block safety, accessibility, and academic needs projects for the children of Nebraska. We should not impede the best way that I as a taxpayer have to have a say about my property taxes. This bill doesn't protect

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taxpayers; it silences them. I urge you to oppose LB765. And thank you for your time.

ANDERSEN: Thank you, Ms. Wilkerson. Are there any questions? Senator Guereca.

GUERECA: Thank you, Vice Chair Andersen. Thank you, Ms. Wilkerson, for being here. Let me see if I got these numbers right. Out of a hundred-- it's a hundred elections, not primary or general elections.

MARSHA WILKERSON: Correct. Special elections only.

GUERECA: So special elections only. Out of those 100, how many were above the 55% threshold?

MARSHA WILKERSON: So the median was also 55. So about half of them would have been over that.

GUERECA: Perfect. Thank you. Just want to get those numbers right.

ANDERSEN: Any other questions? Ms. Wilkerson, thank you for your time. Next opponent. Welcome to the committee.

JOE PICK: Good afternoon, Vice Chair Andersen, members of the committee. For the record, my name is Joe, J-o-e; Pick, P-i-c-k. I'm a resident of Bennington, Nebraska. And I'm here as an individual citizen speaking in opposition of LB765. I sit on our school board, so I have a unique perspective in the challenges of passing a bond. The requirements outlined in LB65 [SIC: LB765] for meeting a 50.1% threshold for a district's qualified electors to vote in a school bond election before a bond can be issued creates a nearly impossible task. Passing a school bond has become incredibly difficult. Bennington had two efforts fail prior to the successful yes vote in 2025. Larger districts as well as small districts that face challenges of lower voter turnout will face an unachievable goal with this bill. For example, Millard has roughly 82,000 registered voters, which means the school bond would need at least 41,000 votes for the bond to be considered for issuance. The voter turnout for their February 2025 bond vote was a little over 23,000 votes. Bennington is a growing district currently sitting around 13,300 voters. That means that we would need 6,657 voters in order for a bond to be considered. Our last voter turnout was 6,536. That's short 131 votes. The difference is crucial, as it is essentially disenfranchising voters. The approval for Bennington's bond in 2025 was 71%, one of the highest in the Omaha area in at least the last decade. But by the standards of LB765, the

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bond would have failed. That means despite over 4,500 residents voting to build a new high school to relieve an over-capacity building, those yes votes would be silenced by only 1,800 who voted against it because the 6,000 absent votes have now made a "no" vote four times more powerful. Bennington's bond serves as a case study against the 50.1% voter turnout. Our community put forth such tremendous effort to get out the vote. Myself and a group of over 100 community members invested tremendous amounts of time canvassing neighborhoods over the incredibly short two-month window. A combination of social media, postcards, and signs were combined with groups of parents and community members going door-to-door. I am not exaggerating when I say entire subdivisions of Bennington had every door visited, and some more than once. Postcards were written out by kids that would be walking in those new school hallways. And every opportunity that parents had crossing paths, they pushed the bond vote. We had folks texting, calling, you name it. It is demoralizing to know that that level of effort we all invested would count for nothing should it happen today. Education funding is already in a challenging environment. Communities being able to support their local schools and vote on a school bond should have the capacity to do so without simultaneously having to worry about voter turnout percentages. Voting is one of the most important things we do as citizens in this country, and we should not be empowering apathy as-- at the detriment of the students who are the most valuable resource we have in our state. Thank you. I'm happy to answer any questions you may have.

ANDERSEN: Thank you very much. Are there any questions? Thank you very much for your time, Mr. Pick. Welcome to Government, Military and Veteran Affairs Committee.

MARK SHEPARD: Thank you. Good afternoon, Senator Andersen and members of the Government, Military and Veterans Affairs Committee. My name is Mark Shepard, M-a-r-k S-h-e-p-a-r-d. I am a K-12 advisor with BVH Architecture. And I'm here before you today in opposition of LB765. Prior to my employment with BVH, I served as a teacher and administrator for a total of 39 years, most recently in Fremont. Throughout my career, I've had many opportunities to work with the boards and work with the community on looking at bond issues, looking at our facility needs, and looking at ways to finance them. I think-- first and foremost, I'd like to also acknowledge and commend the efforts of the Governor and, and you as legislators to reduce the property tax burden on Nebraska taxpayers. These efforts have included property tax credits, an increased state investment in TEEOSA and special eduf-- education, all of which has helped reduce the pressure

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on local taxpayers. At the same time, limitations enacted over the past 27 years on revenue and expenditures have made it increasingly more important for school districts to retain the ability to work directly with local constituents to address facility needs through bonding. I think-- couple of things that really come to my mind. If you have a successful bond issue, it doesn't just happen by chance. It absolutely happens by thoughtful planning, transparency, community engagement, listening to their feedback, and then adjusting your plans accordingly. I think we've heard prior testimony that talks about, you know, somebody not voting represents a "no" vote with this legislation. I think that is bad policy. I think if the Legislature wants to apply that standard to all ballots, that would be a different issue. But they're singling out in this LB765 school bonds. And when we single out school bonds, what we're going to do is we're going to put a lot of pressure on the local taxpayers in a different way. Ultimately, you're gonna have needs in your facilities. Facilities are just like our own personal residences, just like our own personal businesses. And when you get out there 20, 25, 30 years, you have needs, and they need to be addressed. Oftentimes, people criticize the fact that you're going bond for that. It's 20, 25 years that you gonna pay for that bonding. The reality is you're building a 50- to 70-year asset, and you need to maintain that asset. You need to keep it up. I think-- last couple things that I would mention is, you know, I've been fortunate to work with a lot of very dedicated people, community members, and bond committees. And for people that look at the outcome of that election and they look at the turnout, the voter turnout, a lot of times it's because the questions have been answered. They-- people that are the proponents will be there. The "no" vote will always be there. And so if you have less of that "no" vote, you have a less of a turnout, and that's because you've answered their questions, you've done your homework, and you've presented something that people can support. With that said, I would greatly encourage you to not advance LB765. And I would answer any questions you may have.

ANDERSEN: Thank you, Mr. Shepard. Are there any questions? Seeing none. Thank you very much for your testimony and your time.

MARK SHEPARD: Thank you. And I have additional testimony that I'll just hand out, but it was repetitive of what other people were saying.

ANDERSEN: [INAUDIBLE] the pages will take it. Next opponent. Welcome to the committee.

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BRICE KING: Good afternoon, Vice Chair Andersen and members of the committee. My name is Brice King, B-r-i-c-e K-i-n-g. And I serve as the superintendent of Humphrey Public Schools. I'm here today in opposition to LB765. School boards consist of elected officials who are chosen by the registered voters within each school district. These board members are directly accountable to their local communities and are entrusted with overseeing district policy in a manner that reflects the will of those voters. Under district policy approved by these elected officials, the Board of Education is collectively responsible for taking initiative and ensuring that all members of the community have access to updated and accurate information about the public school system. This includes providing the finest possible school programs, qualified staff, and appropriate facilities for students. Our Board of Education has called for three bond elections, as our district has experienced consistent growth over the last several years. The bond elections have been called to address the additional space needed for special education, career and technical education, enrollment growth, and early childhood education. A significant concern with LB765 is its reliance on registered voter participation when voter registration lists may not be accurate or current. These lists include individuals who have moved out of district or are deceased. When policy decisions or governance mechanisms rely on outdated voter data, the result is a distorted representation of community input rather than a true reflection of active, engaged constituents. Additionally, LB65 [SIC: LB765] raises concerns about shifting influence away from those to actively exercise their constitutional right to vote. Granting increased power to nonvoters undermines the principle of representative democracy. Those who participate in elections should not have their voices diluted by inactive voters. LB765 risks weakening both local control and democratic accountability. When a school bond election has been called, the Board of Education is calling on the district patrons to let their voices be heard, exercising their constitutional right to vote. For these reasons, I respectfully urge the committee to oppose LB765. Thank you for your time and consideration.

ANDERSEN: Thank you, Mr. King. Are there any questions? I have a question for you.

BRICE KING: Mm-hmm.

ANDERSEN: So as a superintendent of-- Humphrey Public Schools, right?

BRICE KING: Yes.

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ANDERSEN: When you decide that you want to build a school, are there, are there limitations on how you build it? Are there guidelines? Are, are there certain parameters that you have to budget within? Or is it really whatever, whatever you choose to deem as appropriate?

BRICE KING: Well, the board is tasked really at identifying the needs that they're trying to address. So when we talk about the three bond elections that were called, they were identifying specific needs that were within not only our school but also experiencing within our communities. At that point in time, when they call that bond election, it's not a list of wants or these would be really cool things. It is strictly just to address those identified needs.

ANDERSEN: OK. So you say, hey, I need-- we need a school and we need to educate an additional thousand children--

BRICE KING: Mm-hmm.

ANDERSEN: --right? So I'm assuming there's some kind of standard that says, per child, based on these different ages, a certain number of square feet, and that's how you determine how big the school is, right?

BRICE KING: Correct. Yeah.

ANDERSEN: But pure size doesn't always equate to budget or cost. There are some that-- I mean, you can, you can, you can have the, the lowest level of quality, but you can have a Taj Mahal too.

BRICE KING: Mm-hmm.

ANDERSEN: So what's the regulator that you-- that allows you to determine or pick or de-- you know, decide-- where in there do you actually decide?

BRICE KING: So to give you an example, our first bond election was called for \$39.5 million. That was to build a brand new 7 through 12 and was at a point in time where the diocese in Omaha had indicated to the two nonpublic high schools in our district were going to close and merge into one. We were being told by folks in our communities that they were not in favor of that and that-- we were planning for that additional growth at that time. That bond election had failed. In that meantime, when we went from the first to the second, we took the time to evaluate, as information had changed in that time period. Our second bond initiative was called for \$29.5 million, and we made

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addi-- or, we made changes to the overall layout, construction materials to try to make it at a reduced cost. That election had failed by 66 votes. So in our third attempt, we went back through and we evaluated, collected feedback not only from our district patrons but also from the nonpublic schools in our district, and at that time determined that we were going to solely focus on academic space. So we reduced the amount of the previous bond election, and that was for \$15.9 million.

ANDERSEN: How'd that do?

BRICE KING: That passed last night.

ANDERSEN: That's interesting. Going from \$39 million down to \$29 million down to \$15 million. Had met the threshold when you got to \$15.9 million.

BRICE KING: Mm-hmm. The, the district patrons felt what we had proposed was something that was going to meet our community needs, and at the same time they were able to support that as well.

ANDERSEN: That's interesting anecdotally. Thank you.

BRICE KING: Mm-hmm.

ANDERSEN: Any other questions? Senator Meyer.

F. MEYER: You-- you're in Humphrey?

BRICE KING: Correct.

F. MEYER: What's your general fund levy there?

BRICE KING: Our general fund levy-- our total overall levy when you think of general fund and just our special building, what we have, is 39.7--

F. MEYER: 39 cents.

BRICE KING: Yeah. 0.3975.

F. MEYER: [INAUDIBLE] 39 cents, what's your, your special-- do you take all 14 cents or--

BRICE KING: No. Our special building fund is about 0.69 cents. And then the rest is made up of general fund.

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F. MEYER: And, and what was the levy of the bond issue that passed?

BRICE KING: It would be an increase of 11 cents.

F. MEYER: 11 cents. So even when you add all those up-- I guess I'm trying to come to the point as you come-- go across Nebraska, you-- different school districts, evaluation per student in that district varies widely. So you're an extremely low--

BRICE KING: Mm-hmm.

F. MEYER: --levy district. So passing a bond issue is not quite the hurdle it would be in a 90-cent levy district and--

BRICE KING: Corr-- I would say correct in that standpoint. Our district is very unique, and it's our size, is that we have four nonpublic schools in our district. And so being able to-- we share resources. We have students from the nonpublics that come over for our CTE courses. And so that was a big part of our project as well, that it would show the benefits to them at-- that they would have access to that as well. We provide early childhood preschool classes. We saw a-- this last three years, we've had to deny preschool applications because we were at capacity. This last year specifically, in our four-year-old group, we can take up to 19 per Rule 11. However, we had 36 applications. And so for us to be able to continue to address that need, be-- because not only was our preschool full, a private preschool was full, and the nonpublic was full, that there were still families in our district that did not have access to that preschool setting. And so this allows us to have the ability to add another preschool teacher when that new school is built.

ANDERSEN: Thank you. Senator Guereca.

GUERECA: Thank you, Vice Chair. So the, the levy that passed last night, that did include funds for more preschool space?

BRICE KING: Mm-hmm. Yep. That's part of our plan. Our current facility is a pre-K-12 under one roof. The bond that passed last night will fund a 7 through 12 academic space only. It does not include a gym or any type of that nature, so.

GUERECA: Thanks.

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ANDERSEN: Just out of curiosity, going from the first proposal to the one that passed, was there a difference in square footage? If so, by how much?

BRICE KING: The first, the first one was approximately 125,000 square feet. That included two gyms. Again, we were anticipating more students coming our way according to what we were being told in the community. The one that passed last night is approximately 56,000 square feet. So it drastically came down from the first to the second, which we had taken a lot of feedback from our constituents.

ANDERSEN: Any idea what the cost and the difference-- between the two, from the first to the last, the difference in the cost per square foot?

BRICE KING: I, I don't have that acc-- accurate number in front of me for that.

ANDERSEN: If you could provide that, I, I surely would appreciate it.

BRICE KING: OK.

ANDERSEN: Because, you know, that's one of the challenges, is that you need to provide good academic facilities for children to learn, but sometimes they become exorbitant and then to-- of course, the, the tax burden is on the same people that were struggling with now how to, to lower property taxes and all that. But yeah, I'd, I'd love to see that. Anecdotally, with-- your story's fantastic for me. Senator Lonowski.

LONOWSKI: Thank you, Vice Chair. And thank you for your testimony. Do you know by chance what the turnout was of each of your elections?

BRICE KING: So in the first election, which was a special election, that was in August of '23. I believe that was 67%. In the general election that we ran in 2024-- obviously, with it being a more contested election, that came out to about 80%. And then our February special election, which was just held yesterday, that was approximately 62% out of-- or, that's unofficial. Official results will be made next Tuesday.

LONOWSKI: OK. Thank you.

BRICE KING: Mm-hmm.

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ANDERSEN: Senator Meyer.

F. MEYER: I guess, just to be really fair, I want to give you a shout-out for working with all of the citizens in your community. I mean, that-- that's a real tribute when you've taken input and looked at the parochial schools in your district-- which are taxpayers in your district-- and tried to come up with a compromise that the academic community in your school needed. And I, I want give you shout-out for coming and answering some tough questions. But hats off to you.

BRICE KING: Thank you. Thank you.

ANDERSEN: Any other questions? Mr. King, thank you very much for your time.

BRICE KING: Thank you.

ANDERSEN: Next opponent. Welcome to the committee.

MARK RECKMEYER: Thank you, Senator Andersen and members of the committee. My name is Dr. Mark Reckmeyer. That's M-a-r-k R-e-c-k-m-e-y-e-r. I work for Boyd Jones Construction as our director of Education Services. In Nebraska's construction-- I work in Nebraska's construction industry and bring an extensive background in education as a former teacher, consultant, and researcher. Today, I specialize in education-focused construction. From that perspective, school bond projects are not abstract budget items or simple tax questions. They are paramount to providing safe, modern learning environments for students and teachers, supporting local contractors and skilled trades, and strengthening communities built around our schools. LB765 would negatively impact all of those groups: Nebraska voters, Nebraska economy, and Nebraska students. For voters, LB765 fundamentally changes how bond elections work. Requiring 50.1% voter participation means nonvotes automatically count as "no" votes. This shifts decision-making away from engaged voters and toward an auto--artificial turnout threshold and result that does not reflect the meaning of our right to vote or our right not to vote. It undermines the voices of citizens who actively express their right to participate and support bonds they believe are necessary for students in their communities. For Nebraska's economy, stalled bond projects have immediate and measurable consequences. Delays increase construction costs, extend schedules, and ultimately force districts to pay more for the same facilities-- just later and at a higher price. This bill

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also harms Nebraska construction companies and trade partners, including electricians, plumbers, HVAC technicians, suppliers, engineers, and architects-- many of them small local businesses. Education projects are a large part of our business, and fewer projects means reduced revenue, fewer hours for skilled workers, and less taxable income generated for Nebraska. That reduction ultimately affects state and local revenue-- revenues that also helps schools fund and essential services. For students, failed bonds mean delayed or canceled improvements to their safety, accessibility, HVAC systems, and learning spaces. They also threaten Nebraska's growing emphasis on career and technical education. Preparing students for skilled trades, technology, and the modern workforce requires updated labs and industry-aligned facilities. If fewer bonds pass, students lose access to critical, hands-on learning opportunities, which will result in Nebraska, its workforce, and its students falling behind. And a note on the Springfield Platteview vote that did pass last night, with a 60-- over 68% for vote and about 38% participation. So I thank you for your time. And I urge you to reject this bill.

ANDERSEN: Thank you, Mr. Reckmeyer. Are there any questions? Seeing none. Thank you very much for your time.

MARK RECKMEYER: Thank you.

ANDERSEN: Welcome to the committee.

KYLE FAIRBAIRN: Vice Chair Andersen, members of the Government, Military and Veteran Affairs Committee, my name is Kyle Fairbairn, K-y-l-e F-a-i-r-b-a-i-r-n. I represent the Greater Nebraska Schools Association, GNSA. My organization represents 25 of the largest school districts in the state. Those 25 schools educate 70% of all the children in the state and 88% of all the minority children in the state. Come to you today opposed to LB765. Some of the points that I've already heard, so I'll just hit a couple of them that I have. One of the things that continue to come up is everybody thinks that all these bond issues sail through. In the last three years, '22, '20-- '23, '24, and '25, 62% of bond issues across the state of Nebraska have failed. I'm not sure what we're trying to get at is-- we're trying to make sure that nobody passes a bond issue. But when 62% are failing already, the, the rules are pretty, pretty clear. A few of my districts grow by more than 500 children a year. The average, the average elementary in the school I represent are about 500 kids. When you're growing by 500 children a year and you can't pass a bond issue, should we put all those kids in trailers? Because you have to have

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space for children when they're growing a district by 500 children a, a year. The bill, in my view, is actually extremely anti-democratic. If a, if a group is seriously opposed to a bond issue in their community, their best course of action is to tell their folks not to vote. Don't go to the polls. That shouldn't be the basis for what we're basing bond, bond votes on. Let the local elected school boards do their job and take care of the children in their communities. That's what they're elected to do. Sure answer any questions if you have any.

ANDERSEN: Thank you, Mr. Fairbairn. Are there any questions? Senator Guereca.

GUERECA: Thank you, Vice Chair Andersen. Thank you, Mr. Fairbair, for-- Fairbairn, for being here. So do you think the 62% of bonds failed because the elector was uneducated or because the electorate knew what they were voting for?

KYLE FAIRBAIRN: I think they--

GUERECA: [INAUDIBLE] property tax bill and said, hey--

KYLE FAIRBAIRN: I think they knew what they were doing. And, and the gentleman that was here bef-- just before me, the superintendent, they went at it three times and they got to a place where their community was smart enough to realize that that was the number. Local, local electorate school boards have to do this. And, and I believe that an educated electorate-- 62% of them failed in the last three years.

GUERECA: The school board members that are part of the-- the districts you represent, they're elected by their constituents, right?

KYLE FAIRBAIRN: Yes.

GUERECA: They have fiduciary duty to their constituents and their taxpayers?

KYLE FAIRBAIRN: Yes.

GUERECA: They'll get voted out if their taxpayers are unhappy with the votes that they take and how they handle their school's finances?

KYLE FAIRBAIRN: That should be how the democratic process works, Senator.

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GUERECA: I agree. Thank you, sir.

ANDERSEN: Any other questions? Thank you, Mr. Fairbairn.

KYLE FAIRBAIRN: Thank you.

ANDERSEN: Next in opposition. Welcome to the Military, Government and Veteran Affairs Committee.

DAN SCHEER: Thank you. Yeah, my name is Dan Scheer, D-a-n S-c-h-e-e-r. I'm from St. Paul, Nebraska. And I'm-- been on the school board for 20 years in the St. Paul Public School System. And I've agree-- agreed with most everything that's been said in opposition to this bill, but I just want to give you a little history of what happened in St. Paul in 2024. In March of 2024-- well, first of all, we, we have a 100-year-old building. It's a three story, 100-year-old building-- as many small towns in Nebraska have-- that has just outlived its usefulness. Leaky roof, water problems in the plumbing, electrical shortage, outlets in all those old buildings. Just a lot of problems. That-- the, the community decided it was time to maybe do something-- build something new. So the community got together. We had several community meetings, a lot of input. And the decision was to tear that building down and build a new classroom space, and the bond was gonna be at \$18 million. And that was in March of 2024. We sent out 2,543 ballots. And the vote came back, and we were 182 votes short. It lost by-- it, it was voted down by 182 votes. So we-- that was \$18 million. We decided to come back in November of 2024 at the general election and try another ballot initiative for \$14 million. We took out a few things that we-- the community really wanted, but we decided, well, let's see if we can get the main things done that we really want to get done. And we, we tried a \$14 million bond issue. And that one failed by 189 votes. So I know everybody's been talking about we need to have more voter participation and more engagement with the voters, but I think this bill really works in, in, in the opposite. I think anybody that wants to stay home is-- their vote is counted as a no. So I just-- I, I, I think this bill is, is unnecessary, as, as it shows in St. Paul how, how the voters had their chance to say no, and they did. And we didn't have any restrictions on some 50.1% threshold to meet, so. Be happy to answer any questions.

ANDERSEN: Thank you very much. Any questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Chair. Thanks for being here, Mr. Scheer. When you sent out those 2,500 ballots, who'd you send them to?

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DAN SCHEER: All the registered voters in the St. Paul Public School District.

J. CAVANAUGH: So every, every elector--

DAN SCHEER: Every patron in the district.

J. CAVANAUGH: OK.

DAN SCHEER: Some of our patrons are in other counties. Actually, we have some in Greeley and some in Lawton [PHONETIC], mostly in Howard County, but everybody that is in our voting district for the school.

J. CAVANAUGH: And, and what was-- you said it lost by 180-some, but what was the-- how many people returned those ballots?

DAN SCHEER: We had 602 for and 784 against, so that was a 54% return of ballots.

J. CAVANAUGH: OK. So that one would have qualified but for it didn't pass.

DAN SCHEER: Can I add a-- if, if, if this problem that we still have is still there of the 100-year-old building, someday we're going to have to do a bond to replace it. And the way prices are going, it's going to be over \$18 million. Probably won't-- we finally get around to it. And I don't want to have this threshold where we just barely met it last time and then have a, a bond initiative fail because we didn't meet the 50.1%.

J. CAVANAUGH: Yeah. Thank you for being here.

ANDERSEN: Any other questions?

DAN SCHEER: Thank you.

ANDERSEN: Thank you, Mr. Scheer. Next opponent. Welcome to the committee.

LISA NICHOLS: Good afternoon, committee. I am Lisa Nichols, L-i-s-a N-i-c-h-o-l-s. And I have served on the Pleasanton Public School Board for 26 years. LB765 disenfranchises the voters. You just heard from others how LB765 changes incentives in a dangerous way. I am here to tell you what that looks like on the ground when you're the local school board responsible for students, facilities, safety, and

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taxpayers. A bond for a rural Nebraska school doesn't start with a wish list. In our district, it starts with years of planning, facility assessments, community committees, public hearings, whittling down to the basic needs-- not wants, needs-- and hard trade-offs. School board members only put a bond on the ballot when they can look the taxpayer in the eye-- taxpayers who are our neighbors, our fellow business owners, and our small business customers-- and to say to them, this is needed, this is the cost, and here's why we chose this plan. Our district passed a bond in 2013, and, since then, our school enrollment has grown by 25%. The bond allowed us to build more space, a secure entrance, and to create a K-12 facility instead of as separated schools where the students had to cross the streets daily in the winter and the summer. This new facility replaces a 1937 building that was too small and expensive to maintain. These improvements made our district more attractive. Since then, we have lots of new housing and several business additions to the community. We are not building fancy facilities. We are solving safety and academic needs. Rural communities are fighting to keep young people in the community. We are fighting to keep qualified staff. The Greater Nebraska Youth Survey shows many rural students want to live near where they grew up if they can get a good job and raise a family in a safe community. Students say strong schools are one of the biggest pieces of that puzzle on-- of returning home. In February, our community showed up for a second bond initiative. Here's the need our school board struggled with. We were so tight for space that high school students are taking classes in the elementary classrooms during recess. Some classes are held in the cafeteria. We also wanted to meet Nebraska workforce needs by offering more career and technical education for students so that they could get trained to get jobs closer to home. Under LB765, it only takes a small change in our behavior for a bond to fail, even when the community supports it. Please vote against LB765.

ANDERSEN: Thank you, Ms. Nichols.

LISA NICHOLS: Thank you.

ANDERSEN: Are there any questions? Senator Lonowski.

LONOWSKI: Thank you, Vice Chair. Thank you for being here. So you're from Pleasanton High School, is that correct?

LISA NICHOLS: Pleasanton K-12.

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LONOWSKI: I'm, I'm just curious. It doesn't really have a lot to do with the-- with this count. If Pleasanton builds a, a larger school with more capacity, do they draw in more kids from the Kearney area or--

LISA NICHOLS: We have, we have-- we've-- have a lot of new growth in housing in our own district. And then the majority of our kids coming from Kearney are teachers' kids.

LONOWSKI: OK. Thank you.

LISA NICHOLS: Thank you.

ANDERSEN: Thank you. Next opponent. Good afternoon, and welcome to committee.

CLEVE REEVES: Good afternoon, Senator Andersen and members of the Government, Military and Veteran Affairs Committee. My name is Cleve Reeves, C-l-e-v-e R-e-e-v-e-s. And I am respectfully submitting testimony in opposition to LB765 personally as an architect who works with many schools and on behalf of AIA Nebraska, the professional organization for architects in the state of Nebraska. I'm going to go a little off script because most of my points have already been made. And I might be able to address some of the questions that have come up. I do agree that the 50.1% applied only to schools is unfair. The Speaker of the Legislature, one member of this committee, and 600 other senators would have had their votes invalidated to be seated were that applied equally to every vote in Nebraska. If this bill were to pass, Nebraska design and construction firms who work with schools would need to choose to focus their efforts separately on those schools with higher voter turnout. This will further the rural and urban divide in Nebraska rather than be able to provide services equitably across the state. In short, we would study those that we think are going to be successful and those that are not. The ability of school districts to provide quality education in the classroom is directly impacted by the quality of the educational environment. Legislation like this will absolutely hamper schools' abilities to provide quality learning environments. One point I-- an additional point I want to make is that I'm not sure why the disallowing of public funds is written into this bill. It is already covered, as I understand it, in Revised Statute 49-14,101.02 and enforced by the Nebraska Accountability and Disclosure Commission. Nearly every district that we work in brings in the commission to make sure that they are following those rules that are already in law. I believe

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you're seeing the public process and the vote of the people in action in Pleasanton, in Columbus, in St. Paul, in Humphrey, and in many other communities across the state. There is no community, no schools that we work with that do not do an extensive amount of outreach to educate their citizens of the ballot measure because it is so hard to pass the bar to pass a vote in Nebraska right now. In summary and in closing, as an architect who works regularly with school districts, I know firsthand that that par-- that bar is ve-- set very high. Adding unjust and undemocratic thresholds to the process is wrong for Nebraska. I urge you not to advance LB765. And I'm willing to answer any questions you may have.

ANDERSEN: Thank you, Mr. Reeves. Are there any questions? Seeing none. Thank you very much for your time. Next opponent. Welcome to the Government, Military and Veteran Affairs Committee. Good afternoon.

SHEILA O'CONNOR: Thank you. Good afternoon. My name is Sheila O'Connor, S-h-e-i-l-a O-C-o-n-n-o-r, executive director of the Associated General Contractors, Nebraska Building Chapter. And I'm here today on behalf of the construction industry and the communities we serve. The Building Chapter is a leading association for commercial construction. We represent more than 120 of Nebraska's top firms that build vertically in local, regional, and national markets. We wish to oppose LB765. You've heard a lot of my testimony today, but I think there's a couple parts in here that we've not heard. Education is one of the best investments in a community. A vibrant, local school not only educates students but it's also a haven for students, a local gathering place, provides jobs, and is a local economic driver. Schools are a strong part of the infrastructure of our state. Residents and those looking to move to Nebraska consider schools in the mix of practical needs, lifestyle fit, and long-tern opportun-- long-term opportunities. Education is a top consideration, along with cost of living and housing, jobs and economic opportunity, quality of life, climate and environment, and family and community. Most of my other points have been covered in here, so I appreciate your time and attention this afternoon. If you have any questions, I'll be happy to try and answer them.

ANDERSEN: Thank you, Ms. O'Connor. Are there any questions? Seeing none. Thank you very much for your time. And next opponent. Welcome to the committee.

SCOTT SHIFFER MILLER: Thank you, Vice Chair Andersen and committee members. My name is Scott Shiffer Miller, S-c-o-t-t S-h-i-f-f-e-r

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M-i-l-l-e-r. And I'm here today representing AIE Nebraska and DLR Group to testify in opposition to LB765. I oppose LB765, which would require more than 50% of registered voters to participate in a school bond election in order for a bond to pass even when a clear majority of participating voters support the measure. This proposal departs from the long-standing democratic principle that election outcomes are determined by those who cast ballots. By introducing a turnout threshold, LB765 creates a barrier that could prevent communities from making timely and responsible investments in their public schools. So like as we've talked about with some of the other opp-- opponents here today, through research we know that student success is significantly influenced by their physical learning environment. This can be a positive or a negative influence. By delaying, preven-- or preventing necessary school facility improvements, this bill will negatively impact learning environments and, ultimately, the outcomes of students across Nebraska. School bond initiatives are essential to creating safe, healthy, and functional learning environments where students can thrive. These projects, they fu-- they fund investments such as secure entrances, modernized classrooms, accessibility upgrades for students of all abilities, improved indoor air quality, and resilient infrastructure designed to protect children and educators. So again, delaying or preventing these investments directly affects student safety, educational outcomes, and overall community well-being. I think as some, some of the opponents had pointed out earlier as well, it's important to understand that deferring maintenance compounds over time. Costs of materials are just going up. And so this bill could, could serve to increase the financial burden on taxpayers because of that. LB765 would further disrupt responsible planning by preventing most defeated bond measures from being resubmitted for six months. This, this restriction creates uncertainty in project timelines, increases the likelihood of higher future costs, and delays the needed safety improvements for students and staff. For those reasons, I respectfully urge the committee to oppose LB765. Thanks for your time and consideration. I'll take any questions.

ANDERSEN: Thank you, Mr. Shiffer Meyer [SIC]. Are there any questions? Seeing none. Thank you very much for your time.

SCOTT SHIFFER MILLER: Thank you.

ANDERSEN: Next opponent. Seeing none. Are there any in the neutral capacity? Seeing none. Senator Holdcroft, you're cleared back up.

HOLDCROFT: Thank you, Vice Chair.

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ANDERSEN: Online comments: 15 proponents, 59 opponents, and 0 in the neutral position. Senator Holdcroft, the floor is yours.

HOLDCROFT: Thank you very much, Vice Chair Andersen. First, let me talk about qualifying electors. There was a question from Senator Cavanaugh about that. That is already in statute, and, and the idea that the liction-- election commissioner doesn't know what his qualified electors are for a school district. Let me just give you the example. When you go to vote, you give your ID, and the person looks at it, looks you up, and then tells someone behind them what the number of ballot they should pull for that individual. Why is that? Because that individual is probably-- maybe in a cit-- maybe in a city. He might be certainly in-- there are different school districts within the county. So-- I mean, if you're in-- if you live in Sarpy County but you're in the Bellevue School District, you're-- you get a different ballot than someone who is in the Papillion School District. So the election commissioner knows exactly how many qualified electors there are per district, because he has that many specific kinds of, of ballots in the primary and the general election. So this idea that on the day of the election we wouldn't know how many qualified electors are is, is, is ludicrous. The other thing that was mentioned was that there's a six-month delay for a failed ballot initiative. That is not in this bill. That is already in statute. So, so that's-- we can, you know, we can take a look at that, but that's the way it is. My bill doesn't touch that requirement. There are a lot of numbers that pa-- some very "counterdictory." And we heard that the average return for an election is-- was in the 20s or 30s for, for elections across Nebraska. And then we heard that all bond elections, most of them are at 60%. So let us do a little bit of research for the committee and go to the Secretary of State and try to get some ground truth on what some of these numbers are in truth. You know, I brought this bill for the taxpayers because I knocked on doors and, and they complained about their property tax. That seems the big, the big issue, at least in my district. And when you ask them about, well, did you vote for the last bond election? They said, what bond election? They just don't know. Because these, these school bond elections happen whenever they want and typically they are not well-advertised, they're conducted by mail, and we get low participation. Well, we need to change that. We need to-- it's kind of like, you know, having a meeting where you have to have a quorum to vote for something. OK? So we're saying you need to have a quorum before the election is valid. So that's-- and that quorum is 50.1%, in my opinion. It's interesting. I brought this for the taxpayers. My proponents were all taxpayers, including Marvin.

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Came on his own. Every one of the opponents was either from the school board, superintendent, or from con-- from construction. And they all talked about how hard it's gonna be to meet this threshold. Well, for the people of Nebraska-- and I just got an email the other day from a couple who said, if my, if my property taxes keep going up, I'm gonna have to sell my house. OK? We need to do something about controlling the, the growth in property taxes due to education. And with that, I'm happy to answer any questions.

ANDERSEN: Thank you, Senator Holdcroft. Are there any questions for Senator Holdcroft? I have a question for you. One, I appreciate your comments. And I, I came up with the same observation you did about how the, the opponents were basically the school districts or construction companies. Real-- thought was interesting. If you look at the, the Platteview bond that just passed, they did-- they converted it over to a mail-in ballot. Does your bill allow for mail-in ballots, or is it all--

HOLDCROFT: Yes. I think most of-- it allows for mail-in ballots. I think that's the way most of these are done today. Most of them I think are. I, I did not require that we do a, a, a in-person ballot.

ANDERSEN: So, like, some of the commentary has been, well, it's anti-democratic because they're just going to stay home and they're disenfranchised. Well, if you're staying home and it's a mail-in ballot, you're at home, it's a ballot, right?

HOLDCROFT: Right. You can mail it in. How hard is it to put a stamp on it?

ANDERSEN: You're a great, straight man.

HOLDCROFT: Yeah.

ANDERSEN: Thank you. Any other questions? Thank you, Senator Holdcroft.

HOLDCROFT: Thank you, Vice Chair, committee.

ANDERSEN: And that concludes our hearing on LB765. We will now open on LB884. And Senator Lonowski.

LONOWSKI: We're going to take about two minutes here while they clear out.

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[BREAK]

LONOWSKI: Senator Andersen, welcome to the Government, Military and Veterans Affairs Committee.

ANDERSEN: Good afternoon, Acting Chair Lonowski and members of the Government, Military and Veteran Affairs Committee. I'm Senator Bob Andersen, B-o-b A-n-d-e-r-s-e-n. I represent District 49, which includes northwest Sarpy County in Omaha, the best district in Omaha. I'm introducing LB884 as amended to strengthen the integrity of Nebraska's election process. The handout is the, the amendment, the white copy amendment, which was AM2045, white copy amendment with changes resulting from discussions with the Secretary of State's Office and multiple county election commissioners. While we in Nebraska have safe and secure elections, we know there's always room for improvement. Over the interim, I heard many thoughts from constituents regarding election integrity. LB884 introduces four procedural changes as part of the continual effort to improve our election process. First, LB884 requires the Secretary of State's Office to use the Systematic Alien Verification for Entitlements, or SAVE, program to verify citizenship of registered voters. To clarify, SAVE is not a new database. It is a metadata triage tool allowing user agencies to create query case files singularly and bulk to compare voter registrations against information already compiled and available to the Social Security Administration, Department of Homeland Security, and other government sources. It then returns an answer on status to the user agency-- in our case, the Secretary of State-- who then determines the best course of action. SAVE does not-- SAVE does not remove people from the voter rolls. Rather, it is a triage tool used to verify a voter's citizenship. This is a quick and smart way to confirm, as per law, only United States' citizens are voting in our elections. There'll be a representative from the Secretary of State's Office who can speak to this in greater detail. Secondly, LB884 codifies current pro-- practice by ensuring political party affiliations is not visible on the outside of envelopes for general and specia-- special ballot-- special election ballots. Third, the bill maintains the integrity of the ballots while being transported. It stipulates transporters will make no other stops besides predetermined, centralized locations and other polling locations. It also ensures, except in such counties that conduct midday pickup of ballots on election day, ballots are not removed from the ballot box without proper security and supervision. For the counties who conduct midday ballot pickup, they can only transfer ballots if poll watchers for the two different parties are present and observe the transfer.

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Lastly, LB884 updates the provisions surrounding observation of the ballot-counting process. If watchers are viewing the process via closed circuit television or similar device, they must have plain view of all actions. Watchers also shall be permitted the opportunity to observe the counting process for early voting. I've worked closely with the Secretary of State's Office as well as numerous county election commissioners to ensure these changes are practical. LB884 as amended is a commonsense, straightforward reinforcement to an already robust election system. There should be testifiers here who can provide additional information. I thank you all for your time and attention. I'm happy to answer any questions at this time.

LONOWSKI: Thank you, Senator Andersen. Are there any questions of Senator Andersen? Will you be here for close?

ANDERSEN: Yes.

LONOWSKI: Thank you. Proponents to LB884.

DOUG KAGAN: Good afternoon, Doug Kagan, D-o-u-g K-a-g-a-n. Representing Nebraska Taxpayers for Freedom. Despite arguments to the contrary, many reliable sources prove that illegal aliens are voting in U.S. elections. In August 2025, Texas, Alabama, and Virginia released reports showing that they had removed a combined 16,000 noncitizens from their voter rolls, including illegal aliens. The existing laws make it difficult to require proof of citizenship at the point of registration. A loophole in the National Voter Registration Act of 1993 and the Biden administration refusal to enforce immigration law potentially allow noncitizens to vote. Individuals who confirm their citizenship through state motor voter laws under subsequent review by SAVE database system revealed them as noncitizens. Social media has shown fliers distributed to U.S.-bound migrants in Mexico urging them to vote for candidates of one party, underscoring how serious is the threat. Under provisions of a no-- a 2021 Biden executive order, U.S. Marshals were required to provide everyone in their custody voter registration information, including illegal aliens. Therefore, we believe that this bill would cure this travesty by requiring the use of SAVE to cleanse and safeguard our Nebraska voting rolls. SAVE would require Nebraska to obtain documentary proof of U.S. citizenship and identifying the person when registering an individual to vote in a federal election. It would require us to remove noncitizens from our current voter rolls and give us free access to Department of Homeland Security and Social Security Administration databases to verify individuals. SAVE usually provides

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an automated response within seconds. The speedier we avail ourselves of federal databases made available to states, the less probability that a Nebraska citizen would become improperly disenfranchised. Nebraska elections should appear free and fair, not subject to foreign influence. The legal aliens have no right to be in America, so they certainly shou-- certainly should not be voting. In October 2024, Gallup poll found 83% of Americans support requiring reproof-- proof of citizenship when registering to vote, including a majority of registered Democrats. We must restore public confidence in our electoral process. Bill provisions must crucially be in place before the November election to help guard against irregularities and questions about election integrity that could undermine voter confidence in the outcome. Thank you.

LONOWSKI: Thank you. Are there any questions of Mr. Kagan? I see no questions. Other proponents?

LIZ ABEL: Good afternoon. Liz Abel, L-i-z A-b-e-l. Cheaters cheat and liars lie. If it weren't for this, LB884 wouldn't be necessary. It is already unlawful for non-U.S. citizens to vote in Nebraska, but it is sometimes hard to detect who's a citizen and who is not. You'd think it'd be driver's licenses, but that's not necessarily true. There are many undocumented people who have driver's licenses. Some have them by rights, others not. So it rests on the truthfulness of a person when they apply to vote. If they lie about their citizenship, this bill, if pressed into law, will have to verify through the SAVE program that legal citizenship corresponds with the reg-- registered voter. I appreciate the attempts to stop people who may lie and attempt to vote when they do not have that right. As a poll worker in 2024 general election, I recall in online training that anyone delivering ballots to a centralized pickup location or two-- in my case, the Douglas County election office or drop off-- was to drive directly and make no other stops, but this would be the law if this bill was passed. It's my belief that there were more poll watchers in 2024 after the malfeasance in national 2020 elections. I would say personally in my poll working precinct, poll watchers were held back from clear sight lines to everything that was happening. In debriefs from poll watchers, I do believe there was not always the ability to see and hear all actions taken during the counting of ballots. Likewise, I heard some poll watchers complained they were not able to watch the process of signature verification and opening of the envelopes relating to early voting. LB884 would rectify this. As a Nebraska resident and U.S. citizen, I hope we don't stop here. I would like to see us as a nation restore election day voting as the primary method

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of casting ballots. I'd like to see limited absentee voting. I would have all third-party harves-- ballot harvesting prohibited and would require strict chain of custody documentation for all absentee ballots and imposition of strict criminal penalties for anyone who is found guilty of breaking election laws-- something that is not always done now, even here in Nebraska. Additionally, I believe all machines must be removed from elections. I've included some information about Fulton County election, but I won't go through all that in-- to save time. My point in bringing this up and including it in this testimony is that if it can happen in Georgia, it can happen in Nebraska. I hope that the Nebraska voter files-- which Secretary Evnen is providing to the U.S. Assistant Attorney General this week-- shows no abnormalities. Thank you, Senator Andersen, for attempting to make election integrity a priority with LB884. And I just ask that you not stop here. There's much more to do. Thank you.

LONOWSKI: Thank you. Are there any questions of Ms. Abel? I see none. Thank you. Other proponents? Welcome.

WAYNE BENA: Good afternoon, members of the committee. For the record, my name is Wayne Bena, W-a-y-n-e B-e-n-a. I serve as Deputy Secretary of State for Elections, and here on behalf of Secretary of State Bob Evnen in support of LB884. I'd first like to point out the Secretary of State's Office did not have any part in the actual drafting of this bill. I-- the Secretary of State's Office read it just as, as all of you did when it was dropped on, on the day that it was introduced. Upon reading the bill, as a former election commissioner myself in Sarpy County for eight years, I anticipated that some of our clerks were going to have some issues and there were some unintended consequences with this bill. We reached out to Senator Andersen's office, and I would like to say that he and his team have been absolutely fabulous working through the issues that the county clerks and election commissioners had meeting with me and our election commissioners regarding this and-- what you have before you in the white copy is the result of those efforts. And so I am able to speak to any questions regarding the white copy amendment and the things Senator Andersen brings before you in this bill today. And our office stands in support. And I believe some of our clerks will be testifying in the neutral capacity a ler-- little later on that you can ask them specific questions about the administration aspect of these in their elections. With that, I'll pause and answer any questions that you may have.

LONOWSKI: Thank you. Yes, Mr. Guereca.

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GUERECA: Thank you.

LONOWSKI: Senator Guereca.

GUERECA: [INAUDIBLE] Vice Vice Chairman. Thank you, Secretary Bena, for being here. How many noncitizens have voted in the state of Nebraska in the last 40 years?

WAYNE BENA: Would not have that information because the-- those are things that are hap-- have been investigated in the past.

GUERECA: So not many then.

WAYNE BENA: I don't-- I'm not aware of any prosecutions.

GUERECA: Thank you.

LONOWSKI: Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Vice Chair. I do like the title. Thank-- thanks for being here, Mr. Bena. Can you talk a little bit about what this Systematic Alien Verification for Entitlements program is?

WAYNE BENA: Yeah. I've had to do a lot of research myself over the last few years regarding this, but it is not something that is new. This body actually asked five, six, seven years ago in a bill that Senator Murante brought to have the Secretary of State's Office run every one of the registered voters in the state of Nebraska through the same program. The issue at the time-- which has frustrated election officials across the, the country-- is that it wasn't necessarily a user-friendly system for the voter process. At the time, there was a cost to do this. You had to do it one at a time. And you had to have an alien registration number in order for the system to be effective in order to figure out if someone had actual legal presence for-- so at that point, if they wanted us to do that in six months, it was going to-- I was going to have to hire 600, 700 people, take a floor of, of a hotel for six months with computers to be able to do that one at a time. Over the course of the last few years, election officials from across the country have, on both sides of the aisle, have asked the administration to make that system a little more user-friendly. And-- let me back up. This program-- and it is not a database. It is a program that queries other databases-- is something that the Secretary of State's Office, Business Services Division, Notary Division uses right now. In order to get a government service or be able-- eligible, we need to know that you have lawful presence.

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So for a notary, they check-- they checked in a-- against the system to make sure they had lawful presence so they could be eligible to be a notary. That was easy because these were one-at-a-time type of applications. It's not so simple when you're talking about voter registration. So over the course of the last, I would say, year spanning over both administrations, USCIS-- which is a division underneath DHS-- has worked with election officials in a-- working groups to figure out how to make this system better. And so over the last six months, we have seen improvements that would all-- the cost has been eliminated if used for these purposes. We can also do bulk uploads. So it's not one at a time. It can be one, it could be millions in the case of some states. And also, instead of having to have something like an alien registration number, you could use things such as-- at one point, all nine of a Social Security number. It is now down to last four of a Social Security number. So if those records are uploaded into a system, then it queries against various databases that the federal government has to determine whether or not someone is a citizen, potentially a noncitizen. And if in the original search it comes back undetermined, they will do a manual search-- a, a manual look at before sending results back to a state as a way to determine these are citizens, these are not, these are ones that probably need more information. So as an overview, that's kind of what it looks like in regards to how election officials can use this system.

J. CAVANAUGH: OK. And then the wha-- reading of the current statute is Secretary of State shall develop a process to use the information in possession of or available to his or her office. So with that-- the way it's currently written, does that mean you cannot currently use the, the SAVE system?

WAYNE BENA: Again, it would be the position of the Secretary of State that we can use the SAVE system regardless if this was passed into law.

J. CAVANAUGH: OK. So that maybe is superfluous language that's being added there. And-- so you-- you addressed this a little bit, but I guess I'm curious if somebody gets mistakenly kicked off the voter rolls. What happens?

WAYNE BENA: I, I would say is, is that the use of this system wouldn't be the sole reason by which someone would be removed from the rolls. However, in the scenario that you say, if someone over the course of whatever investigation is done has been mistakenly removed from the rolls because of, of whatever that issue, we do have a fail-safe in

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the state of Nebraska in regards to the provisional ballot. So in this case, if someone was mistakenly removed from the rolls and they went to their polling site, tried to vote, they could vote provisionally, and then come back to the election office after the election to try to determine why they weren't in the book. And if it was because that they were determined a noncitizen and-- they would bring their-- let's say their naturalization paperwork or what have you. It'd be considered administrative and their ballot would count.

J. CAVANAUGH: And are you aware of anything like people being kicked off voter rolls as a result of this system anywhere?

WAYNE BENA: Yes.

J. CAVANAUGH: OK.

WAYNE BENA: I, I, I would say is-- not because of the results, because it gave something to start a possible ad-- administrative action or a investigation in regards to why they're on the rolls. And there-- it could have been not of the voter's fault. It could have been because a DMV examiner accidentally checked-- or, put yes instead of no. Or a, a form got back that-- I know I've heard of situations in which a per-- a noncitizen might have filled out a voter registration form, actually checked no as not being a U.S. citizen, and they were mistakenly registered anyway. So this might not be something that is necessarily on purpose. I can remember-- you know, out-- outside of this system, I can tell you of a situation when I was in Sarpy County. A gentleman came to my office and said that he was in the process of getting-- being naturalized. And determined that he-- the-- was determined during his naturalization process that he was registered to vote. He had not voted. He did not know he was registered to vote. He came to the office to cancel it as part of the-- being able to take the next steps of able to be naturalized. So I've, I've seen this happen in the past.

J. CAVANAUGH: So the-- those are examples of folks who were not eligible to vote who were accidentally registered in some capacity. I'm more concerned about somebody who would be eligible to vote but then is mistakenly removed and then have these extra hurdles that they'd have to go through.

WAYNE BENA: I, I will say in regards to the same data, it is not supposed to be the end all be all. It's, it's a, it's a-- I'm not trying to be cliché-- a tool in the toolbox to start other proceedings

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of maybe reaching out to the voter and finding out, is this a mistake? Are you actually a naturalized citizen? It's not the, if you come up on this SAVE list that you're removed from the rolls. Far be it.

J. CAVANAUGH: OK. And then would-- how, how much would they have to go through to prove? I mean, if, if they just say, yes, I am a naturalized citizen, then you say, OK. Good. Established.

WAYNE BENA: Again, that process is still being de-- developed. But in some states, it would be the-- I, I have heard from some of my colleagues that have used this system and are doing this. They would send a letter to the voter and say, is that-- we have information to believe that you are a noncitizen and registered to vote under-- against the law in that state. If you believe this is a mistake and you are a citizen, please provide citizenship documentation to your election office or here's a voter cancellation form, you can cancel your voter registration if you are in fact a noncitizen and, and not on the rolls.

J. CAVANAUGH: All right. Thank you.

LONOWSKI: Thank you, Senator Cavanaugh. Other questions? Senator Guereca.

GUERECA: Thank you, Senator. Just to follow up. So just because this SAVE system is highlighting this bill doesn't necessarily trigger, like, a full upload of all 124,000 citizens of Nebraska through the system, though?

WAYNE BENA: No.

GUERECA: OK. Because that would be expensive.

WAYNE BENA: It would be free, actually--

GUERECA: The initial upload is free.

WAYNE BENA: Correct.

GUERECA: But then a secondary inspection, the-- believe-- I know they-- they expanded the SAVE system in 2025. But before that, I believe it was running at 18% nee-- needing a secondary manual verification. And that ran at \$3.10 of verification.

WAYNE BENA: The manual doesn't cost for voting.

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GUERECA: It doesn't cost? So that's excluded from--

WAYNE BENA: Correct.

GUERECA: OK. Well, that's good to know.

WAYNE BENA: The-- and that might be the case for, like, say, are-- when we do it for a notary. But for voting, it is-- there is no cost for any of that process.

GUERECA: You just saved the state \$700,000 there, Deputy Secretary. So, so good job. But-- so let's say-- in, in my case, you know, I have a unique name. Let's say somehow it gets kicked back that I am a, a nonvoter. The-- you get that information. So you-- you're--

HUNT: Noncitizen?

GUERECA: Noncitizen. Right. Noncitizen incorrectly registered as a, as a, as a voter. It's-- that would be your department or this-- or the local county registrar who then has to launch the investigation to determine whether or not I am a citizen?

WAYNE BENA: Since the process hasn't been fully thought out regarding this, I, I-- we would think we would start with our office, so-- not to burden our county election officials. But we may have those-- you know, as part of this, have them go to their county election office to provide the proof versus having to work to give it to the Secretary of State's Office.

GUERECA: But that there would be some sort of cost to your staff taking the time to field that question, do a little background, then make the phone call.

WAYNE BENA: As, as we are the customer service agent for my 93 counties, there's always a cost to doing anything for my counties. But we're here to help.

GUERECA: I'm just looking at the fiscal note and it says zero, but I'm trying to dig down into what it actually is. Thank you, sir.

LONOWSKI: Thank you, Senator Guereca. Any other questions? Yes, Senator Hunt.

HUNT: Thank you. Thank you, Mr. Bena. Appreciate your expertise. How does-- or how would-- if this was in place now or if we were to

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implement this, how would the SAVE program interact with the current voter data lawsuit that Nebraska's going through?

WAYNE BENA: It's separate.

HUNT: OK. I should have asked this to-- oh, go ahead.

WAYNE BENA: I-- it, it-- it's two separate issues. One is our obligation under state law to make sure that our voter rolls are of just citizens. The second is the--

HUNT: Which is already the case, for sure.

WAYNE BENA: Yeah. And, and this could-- this is one of those tools that we haven't ha-- been able to have in the past that has now been-- now can be at our disposal to be able to use to verify that. The second is the DOJ's request under federal law to have the voter rolls in regards to their authority under the Civil Rights Act, the National Voter Registration Act, and the Veri-- Vote Act to make sure the list activities are done correctly by the states.

HUNT: If someone, if someone gets kicked off the voter rolls who does have the right to vote and they can do the provisional ballot and they can come in the office and show you their papers and all this stuff they have to do to, to fix that, the process by which that they would have to go through-- whether they get something in the mail or however they get notified-- is that determined by your office or is that something-- where, where did-- where would that directive come from?

WAYNE BENA: The-- what do you--

HUNT: The process of, like, oh, we got a ballot. It looks like this isn't a citizen. We're going to send them a letter or a phone call or an email or how-- the, the way that they're notified, I guess.

WAYNE BENA: Again, until this, you know, this is set and we can develop a full process-- I, I mean, I can speculate, but, I mean, I think the fu-- the-- what I have-- one thing I do like too is learn from what other states are doing in regards to this. But the, the use of the SAVE program has very specific terms that there needs to be a, a adjudication process or a-- an appeal process, I-- let's say, in regards to any decision that would be made. You can envision a situation in which a, a letter could go out from the Secretary of State's Office-- again, saying, we have reason to believe that, based upon our search and our records, that you may not be a non-- you be--

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may be a noncitizen. Please, you know, you-- here is a-- you can cancel your voter registration. You can provide information to your county election office or the Secretary's of State Office that you are a citizen. At that point, you either have a person who's aut-- removing themselves from the voter rolls or providing information that's saying that they are a citizen. So you're clearing up those. Anybody that--

HUNT: Ideally, if they get the message--

WAYNE BENA: Correct.

HUNT: --and of course, we have lots of research about snail mail and all that stuff that people are not receiving it.

WAYNE BENA: The-- and that's fair enough. I, I, I think the-- just because you don't respond to that doesn't mean necessarily you're going to be removed from the voter rolls. That might need an extra step of some type of investigation that would have to find out whether or not that person is a citizen or not, which would-- beyo-- beyond the authority of the Secretary of State's Office to conduct such investigation.

HUNT: Right. But would your office-- the Secretary of State would be making the rules for the process, whatever that would be?

WAYNE BENA: Under laws that currently stands, as directed by this Legislature, we shall develop a process to determine the citizenship of, of our-- the voters on the voter registration list.

HUNT: OK. And to follow up with people who may be removed.

WAYNE BENA: Correct. Well-- again, we are not going to be removing-- as part of this process, either-- again, a voter is going to self-- take themselves off the rolls. They're going to show that they are a citizen. And again, at, at that point, we don't have any authority from this body to remove someone from the rolls because they're in the SAVE database. An investigation outside of the Secretary of State's Office would have to occur and be adjudicated before we would remove someone from the rolls.

HUNT: OK. Thank you.

LONOWSKI: Thank you, Senator Hunt. Senator Wordekemper.

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WORDEKEMPER: Thank you for being here. I, I just want to understand. So if I-- I currently live in Dodge County and I would go to Madison County and I want to register to vote because I, I moved or I moved out of state. The SAVE program would be monitoring that or the input that's getting put in in these different counties or with your office-- it's constantly getting updated. Is that how the process works?

WAYNE BENA: The-- we would-- you would use the system and upload it at a, at a-- you could do it-- yeah, you could it daily, but you probably wouldn't want to. But there would have to be-- of how often you would do it. And so you would probably want to make sure you're doing it prior to, you know, elections. But you could to it monthly. You could do it quarterly. I'm-- and so-- but in the situation that you are describing, moving, we do-- already do a, a separate check against the change of address list twice a year. In fact, today is the deadline for-- by which my counties need to finish the-- this first one to help identify people that may have moved to determine whether or not they are still at their address. They may be a snowbird or they've moved out of state and want to be removed from the rolls. So that situation specifically isn't necessarily part of what SAVE is. It's more of-- to determine and-- that you are a citizen or not a citizen. We do separate checks in regards to change of address.

WORDEKEMPER: OK. Thank you.

WAYNE BENA: Yep.

LONOWSKI: Thank you, Senator Wordekemper. Are there questions? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Vice Chair. Thanks, Mr. Bena. All right. So you, you told me you could already do what the SAVE Act-- or, you can already use the SAVE Act. And I think we heard that the, the ballots already don't have party on the outside when they get mailed.

WAYNE BENA: The-- in the initial bill, it was-- it couldn't have party on the outside of the envelope at all. In current laws, we-- as one of the discussions we had with Senator Andersen, in primary elections, party is on the outside of the envelope on-- in the label because, as one part of the check, we need to make sure that the ballot that is associ-- associated with the voter is the correct ballot style. Of course, you can have situations in which a, a spouse may be of different parties and they switch ballots and it has to be the correct

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ballot. Or in the case of, you know, accidentally putting both ballots in, we know that one ballot would be correct and the other one needs to not be-- so what-- it, it is current practice that general elections and special elections-- because party is not a part of the county board process-- is not-- Senator Andersen just wanted to cement the fact that it would never be a part of it--

J. CAVANAUGH: OK.

WAYNE BENA: --so.

J. CAVANAUGH: And then this election worker delivering it to a centralized location, is that already current policy?

WAYNE BENA: This was-- this-- and I'm, I'm going to-- because we have 93 counties, there's-- can be 93 different ways that things can occur. What Senator Andersen wanted to do and what I facilitated with our county election officials is what happens during the midday pickup of ballots. Not all counties do a midday pickup of ballots. But what this bill says is that if you decide to do a midday pickup of ballots, which-- Douglas County I know does, Sarpy County does, and Hall County does, which are three of the commissioners that met with Senator Andersen-- they-- in some counties, they too-- switched out ballot boxes and then brought them back to counting. In the case of Douglas County at the time, previous to this election, they would take the ballots out of the ballot box, put it into a secure, sealed transfer box, and take it back. And-- so that-- so there were different ways in which the midday pickup would occur. Douglas County, starting with Brian Kruse and now with Danielle Jensen, have bought an extra ballot box for every precinct in Douglas County and are going to do that anyway. And so this is just going to cement the fact that now we can get all counties on the same page, that if you decide to do a midday pickup, your ballot box remains locked and you and switch it out for another one. The second part of this is that Senator Andersen wanted to make sure that, in the transport of the ballots from the polling site to the election office to be counted, that you either direct-- you sent them directly to the election office or-- the only other place it could be stopped is another polling site that could be in full view of election observers or what have you. There were some instances in which in-- for example, in Douglas County, the inspectors went to a centralized location to give it to one car to take them all back to the election office. And what this bill says is if you want to do that, that centralized location has to be a polling site. And in some counties, like in Sarpy and in Hall County, they had a team-- a

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bipartisan team that went to seven different polling sites and picked up the ballot boxes and took them back to the election office. What this is saying is that's allowed, is you can go to different polling sites, but you can't go to something that is not a polling site to collect those ballots to take them back to the election office. So this is codifying the current practice now that we see of, of, of what a midday pickup would look like with any-- not any unintended consequences of election night procedures.

J. CAVANAUGH: So I guess my question just is in general. It sounds like everything that's in this bill is something you're already-- can do. Is there anything in this bill that you need a statutory change to be able to do?

WAYNE BENA: So wha-- what I'm saying is, is that before is-- these situations that I tol-- that I said happened differently in each county now are going to have to be uniform. They cho-- the-- these counties chose to do it this, this way on their own. However, this is going to cement the fact they're not going be able to go back to an old way of, during midday pickup, taking them out of the ballot box and putting them into a transfer box. So it's going to set a uniform standard across the state of how a midday pickup would be used.

J. CAVANAUGH: OK. And-- so that's the only change in this that would be a change from what your current authority is?

WAYNE BENA: I will say is-- each county could determine the best way to handle their midday pickup. This standardizes the way under state law of how that process looks like. That cannot be deviated from.

J. CAVANAUGH: OK. Thank you.

LONOWSKI: Thank you, Senator Cavanaugh. Any other questions? OK. Thank you--

WAYNE BENA: Thank you.

LONOWSKI: --Mr. Bena. Are there other proponents? I see none. Opponents, please, to LB884.

REX WALTON: I'd like to thank the Legislature and the committee for inviting us to comment as citizens. My name is Rex Walton, R-e-x W-a-l-t-o-n. I've lived in Lincoln since 1974. I spent four years in the military, the Air Force during the Vietnam era. So I understand the great sacrifice that we have given, and a lot of that focuses for

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me directly on elections and ballot security. I've spent almost 20 years in Lincoln working as an inspector and a judge, et cetera, at 10F14, which is my precinct number, down at Good Shepherd Church on South 84th. This is an emotional situation for me. What is, what is crucial here is that, as we have heard from the senator from the 7th District the number of, of individuals that have been taken to court and convicted of election fraud in any way shape or form in the state of Nebraska is infinitesimal. It is not an issue. This is something searching for something else, some other sort of action they want to take, and I think that's interfering with what I call the sacred duty of us to, to hold to our election systems that we have now, which have been worked on and are continually observed, examined, and discussed at the county level and the state level. I've known many of the people that have been on the boards and have been here in the Lancaster County election systems. And it's quite important to me to be here and uphold all of the hard work and the dedication that they have. So we have zero people in jail in Nebraska for this problem. It is not a problem. This is, this is complicating the factor. We are bringing in a lot of questions, as you heard before. We have many, many aspects of this procedure that this bill is proposing that, that have not been worked out at all. And we are in an election year now that is probably one of the most crucial that we've seen in our century or the last century. And so right now, my point is we do not need the SAVE program. The SAVE program brings in an extra complicating factor. How this is going to happen, I don't know. Are they going to take everyone that's on the election rolls and send all that information through the system to sift through it and see what they find? If, if they are going to do that, what are the time limits and schedules going to be set up so that if someone does receive a letter or a notification that there's a question as to what the SAVE system has shown, how long do they have to fix that? I've been, as I said, working every year for 20 years. We have a provisional ballot process. Works wonderfully. We have a, a wonderful six-step system that's set up so that every clerk and every judge and every inspector that's there knows exactly what to do. And we do that. And that pro-- provides wonderful security for our elections. Thank you very much.

LONOWSKI: Thank you, Mr. Walton. Are there any questions of Mr. Walton? Thank you. I see none. Thank you for your testimony.

REX WALTON: Thank you.

LONOWSKI: Other opponents?

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NICK GRANDGENETT: Well, good afternoon. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm a staff attorney with Nebraska Appleseed, testifying in opposition to LB886. Specifically, we're opposed to the portion of the bill that would require someone's citizenship to be verified through SAVE. First of all, Nebraska's elections are safe and secure. There is no evidence of electoral fraud or noncitizen voting in Nebraska. For the Legislature, it's critical to ensure that changes in the law do not create barriers that end up suppressing voter participation in Nebraska. If the Legislature requires all voters to have their citizenship verified through SAVE, Nebraskans across the state will face sig-- significant obstacles when trying to register to vote. First, just to highlight for the committee, historically, SAVE has not included information for people who are natural-born citizens. It's a database that only includes information from people with existing immigration status. We heard that with the existing A number that the Secretary of State te-- testified to. So while there may be changes going on at the federal level to accommodate this, there are-- there still is not clear that SAVE contains sufficient records to be used in this manner. Certainly this pre-- presents a significant problem for Nebraska because 90% of Nebraskans are natural-born citizens. Moreover, the immigration files in the system do not necessarily reflect in real time what someone's current citizenship status is. Certainly this is why public benefit programs that are historically-- use SAVE are designed to have a grace period so that, if somebody's information is falsely flagged as being inaccurate, they can go through a process through which it's corrected. Thank you. And I'm happy to answer any questions.

LONOWSKI: Thank you, Mr. Grandgenett. Are there questions? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Vice Chair. Mr. Grandgenett, did you hear Mr. Bena's testimony?

NICK GRANDGENETT: Some of it, yes.

J. CAVANAUGH: So he said-- and I read about section of the statute, and I can read it to you, but-- this might be-- which one's the origin-- that's the original. Sorry. I've got two copies here because there was another [INAUDIBLE] handed up. All right. Here we go. So in the laws as written right now, it says that the Secretary of State-- the Secretary of State shall develop a process to use the information in possession or available to his or her office. And then the bill adds in, including the federal sys-- Systematic Alien Verification for

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Entitlement program, to match and verify citizenship. So I asked Mr. Bena if, excluding the, the added language, just the-- in their possession or available to the office includes the SAVE program, and he said yes. So Mr. Bena's testimony is the Attorney-- or, Secretary of State's Office can already use the SAVE program. Does that-- I don't know if you want to comment on that.

NICK GRANDGENETT: I guess-- I don't know if I'd have a comment to that specifically. I think my understanding, though, is if-- it would be a requirement that all people before they are registered to vote have their information verified through SAVE, I think that's where the, the barriers lie. Again, I think the-- maybe the primary thing to flag is, historically, this has not included the information of, like, natural-born citizens, which would be the vast majority of Nebraskans. Even if there are efforts to change that at the federal level, I think there's no-- there's not good evidence that it would be sufficiently prepared to handle this kind of effort. We've also talked to folks at USCIS about how programs like E-Verify and SAVE operate. They flagged that one of their concerns and-- at least thoughts in this-- is that, you know, something like SAVE is, again, designed to be used for public benefit programs, which is a smaller universe of people, right, that are going to apply for SNAP or TANF or whatever. It's not necessarily designed to accommodate everybody and-- who would be eligible to vote. That's a much larger population of people. It's a much larger universe of people. So I don't know that their, their internal systems are designed to handle that, that new draw on capacity.

J. CAVANAUGH: The-- on the, the federal side--

NICK GRANDGENETT: On the federal side, yeah.

J. CAVANAUGH: OK. I guess I'm just curious. If they already have the power to do this, why are we here putting it into law, is really my question.

NICK GRANDGENETT: I'm not sure. That's a good question.

J. CAVANAUGH: Thanks.

LONOWSKI: Thank you, Senator Cavanaugh. Other questions? Thank you, Mr. Grandgenett, for your testimony.

NICK GRANDGENETT: Thank you.

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LONOWSKI: Other opponents to LB884? Welcome.

JOHN NEAL: Thank you. Good evening. And thank you for the opportunity to speak with you this afternoon. My name is John Neal, J-o-h-n N-e-a-l. My comments are also about the SAVE program. I respectfully ask you to remove the edits proposed on lines 4 and 5 of the introduced copy that includes the Systematic Alien Verification for Entitlements program as one of the database systems used by the Secretary of State. This action is necessary because election integrity and the access to voting are both important. Nebraska's elections are already conducted with integrity and they are welcoming to voters. Little evidence exists to the contrary. So the inclusion in LB884 of the SAVE program appears to be a solution looking for a problem in Nebraska that doesn't exist. The SAVE program in fact may cause more problems than it solves. Federal data shows the very few voter verification cases are returned as noncitizens from the SAVE program. In a report published in August 2025 with data from DOGE, the Social Security Administration, DHH, and USCIS, it shows that, to date, only four-hundredths of a percent of responses for voter verification indicated a U.S. noncitizen. On the other hand, the National Conference of State Legislatures in, in a 2024 report indicated that over 9% of voting-age U.S. citizens say they can't readily access documentary proof of citizenship. And only 2% say that they do not have an-- excuse me-- 2% say they do not have any form of proof. Why risk in-- disenfranchising upwards of 2% of U.S. citizens of voting age to stop four-hundredths of a percent of potential noncitizen voters? The report does not even confirm that the SAVE program correctly identified the four-hundredths of a percent of individuals as noncitizen. Recently, Anthony Nel is a prime example of an individual who was inaccurately identified as a noncitizen in Denton, Texas. He, along with 84 others, were flagged by the SAVE program as noncitizens and removed from the voter roll even though he is a U.S. citizen and held a valid U.S. passport for more than ten years. The letter he received from county election officials placed the responsibility of correcting the federal government's SAVE database error on his shoulders. He would have to use his time and his funds to correct the federal government's information. So he would have to pay to fix it to-- in order to rec-- recover his right to vote. Not everyone has the funds to pay to fix the federal government's errors. Beyond the risk of errors, utilizing the SAVE program would seem to establish the federal government's SAVE program and various databases in the federal government as the arbiters of Nebraska's voter rolls. Nebraska didn't elect the programmers. It

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didn't elect those database managers to do that work. And looking at the existence of the errors already shown to happen in the SAVE program in other states, I would rather Nebraskans be more responsible for managing Nebraska elections, not less. To close, please remove references to the SAVE program in LB884. It is not that the program doesn't solve a problem, but it will likely create a greater problem in Nebraska. We trust our existing systems. It's already working well. And to Senator Cavanaugh's questions of a couple testifiers, I, I do think it's superfluous. It is a program that could be used. But once you start adding it into the bill itself--

LONOWSKI: Thank you, Mr. Neal. Are there any questions? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Vice Chair. Can you finish what you were saying?

JOHN NEAL: I'm, I'm worried that, through an amendment, a floor amendment or a motion, after the bill gets to the floor and has momentum, all of a sudden the bill has momentum and a small change takes it from a database that might be used or is available to one that all of a sudden is required like in a state like Texas. And, and I think that's why it's so important that it be removed before it leaves committee.

J. CAVANAUGH: Thank you.

LONOWSKI: Thank you, Senator Cavanaugh. Senator Hunt, you have a question?

HUNT: I was scratching my head.

LONOWSKI: Sorry. Are there any other questions of Mr. Neal? OK. Thank you for your testimony.

JOHN NEAL: Thank you.

LONOWSKI: Other opponents to LB884?

KIERAN KISSLER: Howdy. My name is Kieran Kissler. That is K-i-e-r-a-n K-i-s-s-l-e-r. And I am the director of Public Policy at Civic Nebraska. We are here in opposition today to LB884, and we are in opposition to Section 1, the SAVE verification program, as has been explained by previous testifiers. To be clear, the SAVE program has been existing since the early '80s as an individual query system for

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folks at the time of application to be screened for citizenship, status, and eligibility. So if I'm applying for SNAP, at that moment, I am then told whether I'm eligible. In 2025, as an effort of DOGE, it then expanded to become a larger scale voter verification process. However, before its expansion, up to 18% of cases needed manual verification. So we know that this is a program that is already error-prone, which leads us to the fear that folks can be erroneously purged from their rolls. We also have the benefit of seeing how other states have implemented this. If you go to the last page of the fact sheet, you can see about five states that have taken steps to implement this into their voter rolls. Most have done it whole scale through their voter rolls. As you can see, very, very small numbers of citizens have been flagged. And in fact, most of those citizens were erroneously flagged. The vast majority that were flagged actually are deceased or have moved out of county and are no longer eligible to vote in that county. What is troubling, though, is that once a citizen or a noncitizen, someone suspected is flagged, it is then up to the Secretary of State's Office to determine the sy-- the system for how they will then be notified. In some states, that has fallen on the counties. Actually, I'll say in most states that has fallen on counties to conduct that outreach. And one state in particular, Tennessee, they referred 42 individuals to the FBI before conducting that outreach. That in itself has a chilling effect on voters. I am someone who's born in this country, but the last time I updated my voter registration, I was not married. Let's say that my name is flagged because the name has been changed. If I am then sent to the FBI rather than contacted by county clerks, Secretary Sta-- of State's Office, I'm going to have real hesitation about my desire to vote going forward. We also know there are no instances of noncitizen voting in Nebraska according to both the Secretary of State's Office and according to a Heritage Foundation study, which is attached in my comments as well. Most troubling-- and I want to also make sure this is on the record-- is that there is an expansion from the SAVE program and from DHS to include residential addresses into this. So this also allows DHS, Department of Homeland Security, to use this information in the SAVE program for any purpose of criminal enforcement, which includes administrative criminal enforcement or immigration criminal enforcement. This does open up Nebraskans to further contact with the federal government. I'll pause for any questions.

LONOWSKI: Thank you, Ms. Kissler. Are there any questions? I see none. Thank you for your testimony.

KIERAN KISSLER: Thank you.

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LONOWSKI: Other opponents for LB884?

ANNE DeVRIES: Thanks. Good afternoon. Anne DeVries, A-n-n-e D-e-V-r-i-e-s. With a Nebraska judge dismissing a lawsuit that would have blocked the state from releasing our voter registration data to the federal government, LB884 is another example of the federal government being allowed to interfere in our rights. The federal government does not have any right to be involved in our elections, per the Constitution. We are moving to a fascist government and possibly are already there, with federal occupations in many cities and particularly in Minnesota. ICE occupation in these areas has violated states' laws and people's rights. ICE has numerous violations of the Constitution, like using force that judges have said are not allowed, and ICE employees killing civilians. All these actions seem to have immunity to arrest or any way to stop their illegal actions. The peaceful protests result in many injuries from the illegal actions of ICE. The constitutional due process rights of immigrants and citizens are not being respected by the federal government. With such a dysfunctional federal government, how can you expect a federal tool to be an improvement to Nebraska's already well-functioning elections? LB884 would allow federal interference into our state elections that can be damaging to our state's rights, similar to how ICE has damaged Minnesota's rights. Using the federal immigration database called SAVE, Systematic Alien Verification for Entitlements, as part of the voter registration and voter roll process is just wacko. SAVE was created for immigration and public benefits, not elections. And it is known to produce errors and outdated results. Others have and will detail the problems, and I won't take your time to repeat them. I oppose LB884 and see no reason to try and shoehorn an existing federal database into our state elections. Nebraska already has secure, accurate elections without creating new barriers or expanding federal access to voter data. I ask the committee to stop this bill from advancing and protect Nebraskans from these undue barriers to our voting process. After hearing the supporters say that they would trust the federal government's data to bar people from voting, it reminds me of how misguided people can be. Based on the fascist government we will soon have, it will be easy for this SAVE database to include many, if not all, Democrats on that list and block them from voting.

LONOWSKI: Thank you, Ms. DeVries. Are there any questions? I see none. Thank you for your testimony. Other opponents? I see none. Are there anyone-- is there anyone in the neutral capacity?

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TODD WILTGEN: Good afternoon, Senator Lonowski, members of the Military-- I'm sorry-- members of the Government, Military and Veterans Affairs Committee. My name is Todd Wiltgen. It's T-o-d-d; last name is W-i-l-t-g-e-n. And I'm the Lancaster County Election Commissioner. And I appear to testify in the neutral capacity on LB884 on behalf of myself as well as the Lancaster County Board of Commissioners and the Sarpy County Election Commissioner. I'm also distributing a letter from the Hall County Election Commissioner. There was a fiscal note originally on this bill submitted by Lancaster County. It was \$30,000. The white copy amendment does resolve that issue. What happened was the original draft had in it that would require counties that do not provide space for observation to provide closed-circuit monitoring with sound capabilities. In Lancaster County, that would have been an, an expensive upgrade. In almost all other county, that would have actually required the implementation of a closed-circuit TV system, which would be very cost-prohibitive, which is one of the issues we talked about with the introducer, Senator Andersen, on Monday, was the fact that when we look at bills like this, as election officials, we are answerable to our county boards. We get our budgets adopted by them, and then that is ultimately paid for by county taxpayers. And through the lens of unfunded mandates, that's something that we have to work with on a constant basis with our county boards. And so we were grateful that Senator Andersen listened to our concerns about the unfunded mandate and removed that requirement. But also the other provisions that we had concerns about involving-- as, as you were told, the information about the labeling of party affiliation on envelopes and ballots as well as the issues involving the midday pickup. Those are all issues that-- again, we have 93 counties. Each county has some autonomy, but we all act under the Election Act as well as supervision of the Secretary of State's Office. With that, I would be happy to answer any questions that you may have.

LONOWSKI: Thank you, Mr. Wiltgen. And thank you for clearing up the fiscal note--

TODD WILTGEN: Yes.

LONOWSKI: --idea there. Are there any questions of Mr. Wiltgen? I see none. Thank you for your testimony. Are there any other in the neutral capacity? Hello.

DANIELLE JENSEN: Good mor-- good afternoon. Yes. Thank you, Chair-- Acting Chairman Lonowski-- instead of Vice Vice Chairman-- and members

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of the committee. My name is Danielle Jensen, D-a-n-i-e-l-l-e J-e-n-s-e-n. And I am the Douglas County Election Commissioner. I am here to testify in a neutral position on LB884, as we are opposed to the bill as written but not opposed to amendment. With over 366,520 voters, midday collections are important to Douglas County's operations. As a trial run, Douglas County conducted the 2006 general election without midday collection and counting. That year, the final unofficial results from election day were released just after 5 a.m. the next day. The results were not timely, and it was physically taxing on those who worked long hours, including some who worked 24 hours, and had to return the same morning to begin work on provisional ballots. As written, LB884 would eliminate our current 21 midday collection sites and send 234 cars to our office during the day when our 34 tenant neighbors are open and conducting business. In addition, those election inspectors would be away from their polling places for longer due to the in-- distance to reach our office versus an assigned collection site. The intent of Senator Andersen's amendment to utilize polling places as midday sites is a good compromise. Out of 21 contracted collection sites currently used, 14 of them are already polling places. In addition, as Mr. Bena stated earlier, Douglas County will be utilizing a second ballot box at each of its precincts so that the first one remains sealed and is transferred directly to that midday collection location. We would like to thank Senator Andersen for his time and willingness to work with us on this good compromise. I have provided extended remarks to you as well as photos in the diagram of our end-of-day collection so you can see how that could hamper us during a midday collection. I am happy to answer any questions that you have. Oh, and I would also like to note that our fiscal note would basically be negated with this amendment, so. It was a pretty large one as well. Thank you.

LONOWSKI: Thank you, Ms. Jensen. Are there any questions? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you. I'm gonna stick with Vice Vice Chair. Thanks for being here, Ms. Jensen. So-- I guess my-- well, first question is, are any of your practices going to change if this bill goes into effect as amended?

DANIELLE JENSEN: The only prac-- practice that will change is, out of those 21 collection sites, you know, only 14 are polling. So we'll have to designate seven different centralized locations-- just pick seven different polling places to act as that centralized location.

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J. CAVANAUGH: That's it, the whole bill?

DANIELLE JENSEN: Yeah.

J. CAVANAUGH: OK. And then in terms of the question that Senator Guereca asked of Mr. Bena, what happens if somebody comes to you and says, I was wrongfully kicked off the ballot-- or, off of the, the voter rolls?

DANIELLE JENSEN: Then they would, you know, provide the documentation. And I would defer to the Secretary of State's Office and how they would want that to proceed since they are the chief election officer of elections, so.

J. CAVANAUGH: OK. So there's not a system in place right now for somebody that gets mistakenly--

DANIELLE JENSEN: I would have-- I would like to ask my election managers to address that. I'm 29 days in, so-- and while I've been going over voting processes, we have not come across that yet, so.

J. CAVANAUGH: OK. Thank you.

DANIELLE JENSEN: Uh-huh.

LONOWSKI: Thank you, Senator Cavanaugh. Other questions? I see none. Thank you for your testimony. Are there any other neutral people for LB884?

BETH BAZYN FERRELL: Good afternoon--

LONOWSKI: Good afternoon.

BETH BAZYN FERRELL: --Senator Lonowski, members of the committee. For the record, my name is Beth, B-e-t-h; Bazyn, B-a-z-y-n; Ferrell, F-e-r-r-e-l-l. I'm with the Nebraska Association of County Officials. I'm appearing neutral on LB884. When we looked at this bill initially, our position was in opposition. With the amendment that we worked on with Senator Andersen, that takes us to a neutral position. So I'd just like to express our appreciation for the work that he has been willing to do with us. And I would be happy to take questions.

LONOWSKI: Thank you for your testimony. Are there any questions for Ms. Bazyn Ferrell? I see none. Thank you. Are there others in opposition-- or-- excuse me-- in the neutral capacity for LB884? I see

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none. Online opponents-- while Senator Andersen's coming up to close: 67 proponents, 147 opponents, and 1 in the neutral for LB884. Yes, Senator Andersen.

ANDERSEN: Thank you, Vice Vice Chair Lonowski. A couple comments on some of the, the testimony earlier. The midday, midday pickup, I think Senator Cavanaugh was talking about-- the biggest key was making sure there's watchers from both parties there, that they open a ballot box and they pull out any ballots. There's observers from both parties there. And if they had [INAUDIBLE] transfer them, [INAUDIBLE] observers and there's actually security presence. The fiscal note was already mentioned. Took it down to zero. Quick comment on the SAVE-- the, the SAVE tool. The SAVE program is simply taking and sending names to verify the citizenship. So if you send 100 names and they come back and 93 says, yes, these are U.S. citizens, the other seven are flagged to say, this could be somebody's married name or it could be a misspelled [INAUDIBLE] name or they could misspell Cavanaugh or something like that. And that's what the-- then the Secretary of State has to go back and adjudicate. So that's-- there's no auto removal from the voter roll or anything else. It is simply one more tool that they can use to do the triage of mass [INAUDIBLE] data. Right? That's a smart way of doing it. The-- Nebraska elections are secure and some people say it's a solution looking for a problem. My whole intent is that, yes, our Nebraska elections are secure and are accurate, but there's no reason why we can't continually improve our process. Just because it works doesn't mean it can't be better. Right? And that's really the whole point of what this bill is, is to do continual and perpetual refinement of the process to continue to make it better and continue to give the general public the knowledge, understanding, and confidence that the elections are secure and are in fact intact. That's really the whole point. As you guys-- as you all know, I brought election [INAUDIBLE] bill last year. This, this is another one in a series of two so far. And we'll look at other-- for next year other options of things that we could do to make things better. So I thank you to the Government, Military and Veteran Affairs Committee. Thanks to Wayne Bena and the Secretary of State's Office for their collaboration and support. I also want to thank the election officials from Lancaster, Douglas, Sarpy, and Hall counties for their time in helping us to work through solutions that meet the spirit and the intent of the bill but also for the practical applications that they have to do out in the field. So greatly appreciated. Together we're committed to maintaining and strengthening the integrity of Nebraska's election process. I thank you all for your time. And I look forward to

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working with the committee to move LB884 to the floor for consideration by the entire body. With that, I'll answer any questions you might have.

LONOWSKI: Thank you, Senator Andersen. Are there any questions? Yes, Senator Cavanaugh.

J. CAVANAUGH: Thank you, Vice Vice Chair. Senator Andersen, thanks for the, the conversation in the bill. For my conversation with Mr. Bena-- I mean-- well, first-- I mean, there's 166 opponents. I haven't-- admittedly have not read all of them, but it seemed like everybody who was here was opposed to adding the SAVE section in there. And based off my conversation with Mr. Bena where he said they already have the authority under the way the statute's written, would you consider taking that section out? Because that seemed like-- everybody seemed to be OK with everything else in the bill. But-- and maybe-- I might be misrepresenting other people, but I'm just-- shorthand.

ANDERSEN: I appreciate that. That's a great segue into one of the notes that I, I didn't have flagged but really wanted to bring up. I got a significant amount of email on this, and it seems as if there's a lot of confusion about the whole SAVE, right? And the confusion comes in that this is simply one more tool-- [INAUDIBLE] triage tool, as I said. But it gets confused with the SAVE Act that's moving through Congress that some people are adamantly opposed to. So they kind of correlate the two together and they think they're one united effort when that's absolutely not the fact. They are not connected. They are not the same thing. The same thing as was mentioned by one of the testifiers talking about the ongoing dialogue between the Department of Justice and the Secretary of State's Office about releasing Nebraska voter roll information. This has nothing to do with that either. But I think-- again, people-- we have a confluence of crossings of streams of different programs, some that have elicited emotional responses that I think are now transferred over to this. So therefore people get upset about something they don't-- shouldn't be-- I don't think-- got to get upset about because of a different action somewhere else.

J. CAVANAUGH: Well, well, I would say-- that might be the case on some of the online comments. I-- like I said, I haven't read all of them. But the folks who came and testified today I think very specifically addressed the-- this, this particular program. And I guess my question still is, if Mr. Bena-- according to Mr. Bena's testimony, the

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Secretary of State can already access this program. So why do we need to put it in statute if they can already do it?

ANDERSEN: I think it's a, a good-- all it does is directs them to use all the tools available to their-- in, in their toolbox and the tool they should be using that's set up for specifically that purpose.

J. CAVANAUGH: All right. Thank you.

LONOWSKI: Thank you, Senator Cavanaugh. Other questions? OK. Senator Andersen, I have one. So Senator Guereca said, what happens if you come around and they look at his name and they see it's a funny name? Is-- wasn't that your wording?

GUERECA: No.

LONOWSKI: It is a paraphrase then. I-- my bad. So-- but not everyone's name gets put in, is that correct?

ANDERSEN: Everybody's name gets put in what?

LONOWSKI: Into the SAVE program.

ANDERSEN: I believe now-- Mr. Bena's a-- he's the expert, not myself-- but they send the, the voter roll information and query-- to use the triage tool to query citizenship and it comes back and says, yeah, they're good.

LONOWSKI: OK. All right. Thank you. Are there any other questions?

ANDERSEN: They simply designed it. They just redid the MOU recently, which is wha-- again, why the, the fiscal note is zero, to allow batch queries so that you can take a whole list of appeals and, and send it off and then get it-- a bulk result back.

LONOWSKI: OK. Thank you. Senator Hunt.

HUNT: Thank you. At the risk of really wanting to get out of here, I, I want to share kind of the lens that I'm listening to this-- through which I'm listen to this, which is I'm really wary and concerned about increased surveillance in this country. And that takes a million gazillion forms. And whenever I hear database and, like, requiring a new ba-- database to be used, database-- you know, people's data, that raises a red flag for me about the surveillance state and who gets caught up in those dragnets by mistake. And I think that some of us

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tried to tease out the answers to some of those questions about, what about eligible voters who are unwittingly removed from the rolls? You know, what's the process like for them to get that right back and-- it's possible, but it's just more hurdles. It's just more friction. And any time you want to prevent behavior or decrease behavior or make it harder for someone to do something like voting, you can do that by increasing the friction. And I guess a philosophical question I have for you, knowing that you are a big proponent of election security, as we all are-- you know, I think we have different ideas about solutions for that-- but how far should we really go? I mean, a-- another database is indeed another tool in the toolbox, but so would be requiring every voter to bring in a copy of their birth certificate. So would having, you know, armed guards at the doors of each precinct to ensure that people without birth certificates aren't coming in. So-- I mean, there's, like-- you can hy-- you can hypothesize, like, so many lengths that we could go to to make elections more and more and more secure. And I guess I just wonder, when do we finally say, you know what? The election is secure and we have processes in place to, to get justice for people who break the laws around elections. Those processes are working. Fraud is so rare and that's how we know the process is working. So-- you know-- you can respond, obviously, but I guess my hypothetical would just be, how far do we go and when do we just trust the process which is in fact working? Thanks.

ANDERSEN: I'm not sure which of those questions to take on first, but on, on the surveillance state, I, I share your, your thoughts on that. I am anti-surveillance state, whether that is-- there's different bills that I brought that was on countering Chinese foreign surveillance inside Nebraska and providing states si-- the security of the state and everything else to ensure that. I think if you're speaking directly about the SAVE program, in, in and of itself, it's not a database. It's a tool-- again, not the expert, so this is my macro [INAUDIBLE] level understanding, is it is the mechanism to query other databases that already exist that have the data security, have the cybersecurity, that have everything intact to ensure the privacy of the individuals. So it's simply the mechanism to-- as a, as a go-between. I think-- I know when I was in the military there was always the continual improvement process and people would make recommendations, say there's a better way to do this or there's a more efficient way to this. And I think this is really along that same kind of mindset, is, you know, just because we are safe and secure and integrity is impa-- maintained, does that mean that we stop looking at better ways to do it? And, and I-- but the answer i-- to that is no.

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Including data security. We should always be on guard for that to make sure there isn't leakage and, and things like that. I, I don't know if that answered your question.

HUNT: No, I appreciate that. Thanks.

LONOWSKI: Thank you, Senator Hunt. Are there any other questions? I see none. That concludes the hearing on LB884.

ANDERSEN: Thank you. All right. Now we will open the hearing on LB1075. You have the floor opening on behalf of Senator Sanders.

KENNETH PANCAKE: Thank you, Vice Chair Andersen and members of the Government Committee. Speaking of funny names, my name is Kenneth Pancake, K-e-n-n-e-t-h P-a-n-c-a-k-e. And it is my honor to serve as legislative aid for Senator Rita Sanders of Legislative District 45, which is much of the Bellevue and Offutt community in eastern Sarpy County. Senator Sanders regrets she cannot join you today, and I'll be introducing in her stead. Senator Sanders introduced LB1075 at the request of Secretary of State Bob Evnen. It's the regular responsibility of the Government Committee chair to propose updates and cleanups to our election laws. LB1075 is this year's omnibus bill. The ideas in this bill came from election workers in our countries-- counties and at the state level. Our goal is to improve election processes to ensure fair and accurate elections. LB1075 addresses the following topics: village board vacancies, election worker appointments, special elections, candidate filings when a candidate changes their name, unaffiliated voter participation in primaries, publication of sample ballots, voter ID processes, poll watcher participation, electioneering, voting abstract delivery deadlines, signature forgery, local precinct boundary adjustments, and management of public voter records. Following me, Mr. Wayne Bena from the Secretary of State's Office will testify with more details about the proposed changes. Thank you for your time.

ANDERSEN: No, we can't question him.

J. CAVANAUGH: It'll be nice.

KENNETH PANCAKE: Of course.

J. CAVANAUGH: [INAUDIBLE] say welcome back.

KENNETH PANCAKE: Thank you, Senator.

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J. CAVANAUGH: [INAUDIBLE]. He's back. I didn't know you were back.

KENNETH PANCAKE: Yeah. Actually, today's my first day back.

J. CAVANAUGH: Oh. Welcome.

KENNETH PANCAKE: And I'm introducing a fil-- a bill on my first day [INAUDIBLE].

J. CAVANAUGH: Welcome back. Good to see you.

KENNETH PANCAKE: Thank you.

ANDERSEN: All right. First proponent.

WAYNE BENA: [INAUDIBLE] time while the paper gets around. Good afternoon again, members of the committee. My name is Wayne Bena, W-a-y-n-e B-e-n-a. I serve as Deputy Secretary of State for Elections. Here on behalf of Secretary of State Bob Evnen in regards to LB1075. Thank you to Senator Sanders for sponsoring our annual election cleanup bill. I am-- I also know what the clock looks like. And so this is the shortest omnibus bill that I've ever introduced, but there is some length to it. And so what I have done is provide the committee a section by section summary of all of these. I know-- I, I, I hope that this bill is the reason why Senator Meyer wanted to come back and be on this committee specifically because how, how important this bill is. And I, I have a little bit of fun with that, but what I say is this bill is some of the more important legislation that we work on because we are trying to improve our processes from election to election. I was proud to say in the last election performance index by MIT, Nebraska ranked fifth in the nation in election administration. And it's bills like this that allow us to adjust in any different situation. As I always like to say during the COVID elections of 2020, we only had to adjust two laws to be able to get it done in the primary election. And because of bills like this, allows the ebb and flow of us to adapt to any given election situation. So in a bill of this size, as you can imagine, if you want to make one change, you have to do it in multiple sections. And in some instances, you may see underlined, but it's not new. It's because we are moving it because sometimes a law is hidden within a law that you didn't realize that, that the heading-- it was actually in there. So during the cleanup, we move it into a spot that future election officials can easily find it. So what I'm gonna do is go through this summary document. I ask the committee's indulgence. This is gonna be a little more than three

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minutes. But I-- if I skip a section, it's because it's one of these reorganizations or a codification. Happy to answer any questions, but I won't go through each one of these lines, only the ones that actually make the substantial changes. First, village board vacancies. This happens more often than you think. We have many villages across the state in which people are quitting and they lack a quorum. And once a quorum doesn't exist in a village, it is our responsibility as the Secretary of State's Office to become the political subdivision to call for the special election to fill those vacancies. The first question that I get from every village clerk, how am I going to pay the bills? How am I going to pay my-- how the board gonna pay my own salary? And I usually say, call the League of Municipalities or some other organization. Not my call. But I've had this happen so often, including even today-- I'm gonna have to ru-- call for a special election in the village of Scholes in Wake-- Wayne County. We need to take some action in this. And so what this is going to allow for is that villages need a standing resolution at the beginning of each year saying that in the event of a lack of a quorum that the village can continue to pay the bills. But until such time that the quorum comes back, then the board has to look through every one of those bills to make sure that it was an appropriate use of funds. That way the lights can stay on, the garbage can get picked up, the payroll of the village can occur. So I think you'll hear from some other testifiers in regards to this in a little bit later. Section 3, 4, 8, and 9 will allow poll worker appointments and notifications to be sent in other methods other than just mail-- email if we need to get it to them fast. Section 6. In statute, we literally have to do-- say "by petition" on the ballot in capital letters even though that it's probably better to do it just by petition. So we're changing statute to just say if we have to do by petition on the ballot, it is the lower case by petition. Section 7, it codifies the deadline for candidates who-- whose legal name has changed since their filing to update it in the inclusion in regards to a special election. We already allow for a deadline in, in general and primary elections. Section 11 and 12, publication responsibility. Explicitly states that county election officials are responsible for publishing election notices unless otherwise po-- provided by law. Section 13, precinct size. This is actually something-- a, a law that we worked on in 2012 when I was an election commissioner. This sets the maximum number of voters that can be put into a precinct. The intent of the law-- and, and-- of-- when we expanded this in 2011 was that when taking into account the 1,750, the 1,750 were voting voters at the polling site. It could go over that. It can include early voting. So we're actually

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stating in here you can go over 1,750 if you take into account early voting and turnout percentages in this so that only-- you can have 2,000 people in a precinct, but you can't have any more than 1,750 people you think may go to that polling site on election day. But this way, it helps save on costs, especially as early voting is growing here in the state of Nebraska. Section 15, which I'm going to-- this is the curing deadline for voter ID purposes. Currently, it is the Tuesday after election. And this-- after this election will move to the Friday after the election. We took a look at-- after the first iteration of voter ID, that-- we actually had a very, very low amount of people that needed to cure their ballot. And the deadline going a full week is cra-- causing some certification deadline problems for our counties, especially in the cities of Omaha and Lincoln in their off-year elections because how they are com-- how they are compact. The agreement I made with the counties is I want one more year and one more gubernatorial election to look at this curing deadline. And so why we're doing it now is because if it passes now, city of Lincoln can utilize the new deadline in their city elections the other-- the, the next time around. If I see that after the data from this election we may need to relook at this, I would bring a bill back to clean up this after the next election. But this is specifically to help also our city of Omaha and city of Lincoln. As many of you know, if you make a mistake on your ballot, it's called a spoiled ballot. And so under state law-- and specific-- and this is a new one for me, doing this for 15 years-- state law says you can only write invalid or void on the ballot even though we all know it is spoiled. It's now saying you can actually write spoiled on the ballot when you actually spoil your ballot. And use of other words-- spoiled when using this process. Section 17. We have an outdated process now-- it's called SDRV, which is same-day voter registration, which is a, a process in which there needed to be an address verification if someone wanted to register to vote and early vote in the office on the same day. With voter ID, this is, this is an outdated policy and we're mov-- and we're, we're moving this process from state law. 20 and 29, due to the personal information that is on a reasonable impediment certification and driver's license numbers being on early vote applications, it would now prevent those from being records requestable because of the PII. And if the form was needed, then those could be redacted for those-- that driver's license information. Section 22 and 24 codifies the current practice of how you request and verify the need for a replacement ballot. And Section 23, this is going to change the date by which-- in special elections by mail and in all-mail precincts. They can start sending their ballots 22 days right now. It's going to

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25 days. We're seeing with the adjustments of delivery standards of the post office, we need to give as much time in our special elections and our by-mail precincts to get those ballots out to voters so we can ensure they have them with plenty enough time to make that decision. Do I want to actually put it back in the postal service or use one of the drop boxes? So adding a few extra days. Instead of the Monday, it's now backwards to the Friday before, giving a few more extra days. Next, in our efforts for election integrity and counting watchers, there are just some counties that just don't have the room within the counting room to be able to watch within the room or don't have the resources to create closed circuit television. In this instance, we would allow a-- it could be within the 8 feet, could be closer if there was a window that they could watch everything. So this is a, a compromise to allow for the counting of ballots in a situation where they might not be 8 feet but there is a window and a wall that would separate and allow the actions to still be watched and the counting to move forward. Right now, we are required to have the physical certification work by the counties in physical form the-- one week prior to us as the state canvassing the election. And sometimes, the day before or the Friday before, we may find a mistake and there's no ability to be able to get that physical form to our office by the deadline. And state statute says I have to send a state patrolman to get that. And I don't necessarily want to do that in these situations. What this will allow us to do is say that the, the forms-- the certifications can be emailed. And then within three days after that-- of that deadline, we can have the physical back, which they would most likely overnight. So we can still get our work done and not have to send the state patrol to grab these physical documents. This will-- in regards to people that want to pay for a recount-- doesn't happen very often, but there wasn't necessarily deadlines by which-- and cost estimates to be provided to the candidate. This provides what the cost estimate's going to be, the deadlines by which they have to pay in order for a automatic-- or, a recount that is not automatic to be scheduled. Finally, Section 38. We had put in the bill last year that will prohibit circulating petitions within 200 feet of a ballot drop box. There was concern about that distance, so we removed it from the final version of the bill. We've had-- our election officials have had various conversations with senators that had issues with this. We've now dropped that down to 50 feet. And also would allow for if someone is accidentally within 50 feet circulating a petition, they could be told by an election official or law enforcement that they're in violation and they would not get in trouble. However, they continue to do it, that's when a-- that's when a violation would occur. There are

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a, a few portions of this that you may see that we needed some amendment. There were some drafting errors in some of these situations that I'll provide to legal counsel after the hearing that we've determined after the introduction of the bill. Just some things between versions of the bill that, that got missed. And we'll provide those. But we did put in there-- those spots there needs to be an amendment. And with that-- that's the fastest I've ever gotten through the election omnibus bill. Thank you for your time and attention. And again, not the sexiest of bills, but it, it does move the ball forward. And hopefully this summer when the new rankings come out we are in the top four.

ANDERSEN: Thank you, Mr. Bena. Are there any questions for Mr. Bena? Senator Wordekemper.

WORDEKEMPER: Oh. And just-- if we pass this, does it need to be done before the primary?

WAYNE BENA: No.

WORDEKEMPER: OK.

WAYNE BENA: None of these are mission critical before the primaries. Some of these things will-- some of these things are date certain. So they-- it does have an emergency cl-- so the stuff that we desperately need-- not even desperately-- does have an emergency clause. Then there's another section that would, would be on the normal course after passing a bill. And some are delayed effect to even at the end of the year, so.

WORDEKEMPER: OK. Thank you.

WAYNE BENA: Yep.

ANDERSEN: Any other questions? All right. Mr. Bena, thank you very much. Any of those-- proponents. Welcome back.

TODD WILTGEN: Great to be back. Good afternoon, Vice Chair Andersen and members of the Government, Military and Veterans Affairs Committee. Again, my name is Todd Wiltgen, T-o-d-d W-i-l-t-g-e-n. And I'm the Lancaster County Election Commissioner. And I'm here testifying in support of LB1075 on behalf of myself as well as the Lancaster County Board of Commissioners and the Sarpy County Election Commissioner. I am distributing a letter that was drafted by-- or, submitted by the Douglas County Election Commissioner. As Mr. Bena had

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mentioned, there's several provisions of this bill. I'll only touch on the one that really affects Lancaster County. And he mentioned it. As many of you know, city of Lincoln has our elections for municipal as well as LPS every odd year. And that creates a challenge because those elections, the primary and general, are four weeks apart. And so initially when voter ID passed, I met with the mayor of Lincoln and I advised her that we need to change the city charter. This will create a hardship for my office as well as the election. There's not a huge appetite in Lincoln to change the charter. They like the schedule. Even though Senator Cavanaugh had passed legislation that would allow us to change our, our elections here in the city. However, at this point, there's not really, again, any desire to do so. So what that creates is that compresses a-- basically three weeks for us to, you know, deal with general election. Our ballots go out the following Monday. And so right now, we basically have three days to-- and that really affects our mail-out process. Fro-- from the time we certify it as primary election, we have to turn around and mail out those ballots within three days. So it's really creating a hardship, and that's why we proposed-- and we did work with the other 92 county officials. And this is-- again, because of the success of voter ID, you're just not seeing the number of provisional voters who do not show up on election day. And when you do-- and you see most of them either the day of the election come in or the day after. It's very rare for them to come in after-- the Friday after the election. And that's why we don't have exact numbers, but that's why we agreed to the implementation deadline being pushed back to January 1, 2027 so that we will get data from all 93 counties for this election cycle. With that, I would answer any other questions.

ANDERSEN: Thank you, Mr. Wiltgen. Any questions? Seeing none. Thank you. Next proponent.

TRACY OVERSTREET: Senator and committees, thank you for your time today. Tracy Overstreet, T-r-a-c-y O-v-e-r-s-t-r-e-e-t. I am the Hall County Election Commissioner from Grand Island. Also on the Election Law Committee for the County Clerks, Register of Deeds and Collecti-- Election Commissioners Association. We strongly, strongly, strongly support this bill. As Mr. Wiltgen just testified, we had surveyed all of the election officials, the county election officials across the state. And for that curing deadline to be moved up to help with election administration, 82 of the 93 election officials in Nebraska strongly support it. Of the 11, there were no one who was against it. 11 people were either neutral or undecided. And of those 11, most of those are new clerks who had never worked an election or they didn't

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have any ballots that needed to be cured and they felt like it didn't really apply to them so they didn't weigh in. So there's strong support for that. The other thing that I wanted to make you aware of: Mr. Bener-- Mr. Bena testified that the provision in LB1075 that would protect personal identifying information-- he identified, like, the driver's license on the early ballot request form. One of the other things that we're seeing numerous times in our office is face sheets that come in. We really applaud the Legislature for the flexibility in those people who don't have driver's licenses to have other photo ID requirements that they can utilize, like a face sheet from a nursing home. But what we're saying is that they come in unredacted. So we have the face sheet that shows the voter's name, address, and picture but also their full Social Security number, their medical diagnosis, their doctors, their insurance information, their pharmaceutical information, all of the stuff that really no one would want out in the public. We don't have the ability to redact that. If a family member brings that in, we ask them to redact it before they submit it. But for those that are mailed in, we don't have any ability to have that redacted. So this would put that protection in for those voters. I would be happy to answer any questions.

ANDERSEN: Thank you very much. Are there any questions?

TRACY OVERSTREET: Thank you so much.

ANDERSEN: Thank you very much for your time, Ms. Overstreet. The floor is yours.

BETH BAZYN FERRELL: Thank you. Good afternoon, Vice Chair Andersen, members of the committee. For the record, my name is Beth, B-e-t-h; Bazyn, B-a-z-y-n; Ferrell, F-e-r-r-e-l-l. I'm with the Nebraska Association of County Officials. I'm appearing in support of LB1075. We'd like to thank Senator Sanders for carrying the bill, Secretary of State Evnen and his deputy, Wayne Bena, for always including county issues in the annual cleanup bill. I would be happy to talk about some of those issues, but given that Mr. Bena has described them very well and Mr. Wiltgen and Ms. Overstreet, I would just offer to answer questions.

ANDERSEN: Thank you very much. Are there any questions? Get off easy. Thank you very much for your time.

BETH BAZYN FERRELL: Thank you.

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ANDERSEN: Welcome to committee.

CHRISTY ABRAHAM: Thank you, Senator Andersen. My name is Christy Abraham, C-h-r-i-s-t-y A-b-r-a-h-a-m. Here representing the League of Nebraska Municipalities. We just want to echo-- we thank Senator Sanders, the Secretary of State's Office, and particularly Wayne Bena for including our sweet, little villages into this bill. As he mentioned, this is actually an issue we hear about all the time, and that is that there are enough vacancies on a village-- they don't have a quorum. And then they, they call Mr. Bena, but I think they actually call me even more, and say, what do we do? How do we pay the bills? How do we keep the lights on? And this really will allow them, the clerk, the ability-- the short-term ability to pay those bills that, that they need to pay until a quorum can be reached on the village board. And then the village board can go back and approve all of those claims and payments that were made just to make sure that they are-- that they are doing OK. But this is a huge help to our villages across the state, and we just want to say how grateful we are.

ANDERSEN: Thank you, Ms. Abraham. Are there any questions? Thank you very much for your time.

CHRISTY ABRAHAM: Thank you so much.

ANDERSEN: Are there any other proponents? Are there any in opposition? How about neutral? OK. There is no close. Online comments: 0 proponents, 2 opponents, 1 neutral. And that closes our hearing on LB1075 and our hearings for the day.