

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB603

Chairperson: Senator Bill Avery

Committee: Government, Military and Veterans Affairs

Date of Hearing: March 01, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Oaths are required in numerous instances scattered throughout the statutes.

Despite the fact that § 25-2220 provides:

Whenever an oath is required by this code, the affirmation of a person conscientiously scrupulous of taking an oath, shall have the same effect --

few people are aware of its existence and, therefore, believe that they must administer an oath (if they are in the position of one who administers), or that they must "swear" if they are required to be placed upon oath.

Legislative Bill 603 is designed to correct this misapprehension by adding "affirm" (or the appropriate form of the word: affirms, affirmation) where "oath" appears. Not every instance may have been detected, but the "major" ones have been.

Also, the words "so help me God" are eliminated because no person can be compelled to acknowledge "God." Both the U.S. Constitution and the Nebraska Constitution provide that "no religious test shall ever be required" as a qualification to hold any office.

Attached is a copy of the official Oath of Office specified by the Nebraska Constitution -- "swear (or affirm)" -- and the filing form supplied by the Secretary of State for the Learning Community Coordinating Council, whereon I lined-through "swear" and printed above it "AFFIRM".

Principal Introducer: Senator Ernie Chambers