

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB451

Hearing Date: Wednesday March 01, 2017
Committee On: Government, Military and Veterans Affairs
Introducer: Murante
One Liner: Change various provisions relating to elections as prescribed

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Blood, Brewer, Briese, Craighead, Hilgers, Lowe, Murante, Wayne
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator John Murante
Wayne Bena
David Shively
Beth Bazyn Ferrell
Frank Daley

Representing:

Introducer
Sarpy County Election Commissioner
Lancaster County Election Commissioner
Nebraska Association of County Officials
Nebraska Accountability and Disclosure Commission

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 451 makes multiple changes to election law.

First, it eliminates the prohibition against election commissioners running for elected office.

Second, it moves the date that certain political subdivisions must certify to the appropriate filing official information regarding offices to be filled in an upcoming election from July 1 of an even numbered year to June 15 of an even numbered year.

Third, it changes provisions for filling a vacancy in the Legislature. Currently, if a vacancy occurs within 60 days of a general election, the vacancy will be filled in that election. A senator appointed during that intervening period shall only serve until the new senator takes office. Under the bill, the 60 day period would be expanded to be before February 1 of a year that has a general election.

Fourth, the bill makes the same changes for filling a vacancy on the Board of Regents. Currently, that period is 75 days.

Fifth, the bill codifies procedures for delivering an early ballot to a qualifying voter and for a voter returning an early ballot.

Finally, the bill closes a loophole that currently allows a candidate to fail to file a statement of financial interest and still appear on the ballot under certain circumstances.

Explanation of amendments:

AM 1137 adds LB 314 to the bill.

LB 314 has two operative provisions.

Section 1 lengthens the time before an election in which a city city must file a proposed economic development plan with the election commissioner or county clerk in the following ways:

- If the plan is to be voted on in a special election, it must be filed no later than 50 days prior to the special election. This is an increase from the current 41 day requirement.

- If the plan is to be voted on in a primary election, it must be filed no later than March 1. This is an increase from the current 50 day requirement.

- If the plan is to be voted on in a general election, it must be filed no later than September 1. This is an increase from the current 50 day requirement.

Section 2 allows the Secretary of State to use funds appropriated from the General Fund for its centralized, computerized voter registration list. Currently, the Secretary is limited to using funds in the Election Administration Fund for these purposes.

The remainder of the sections make no substantive changes, but conform statute to previously enacted legislation.

AM 1137 also makes three changes to the original bill.

First, it alters the minimum number of days prior to an election that an election notice must appear in the relevant newspaper. Current law sets the requirement at 40 days prior to an election. The original bill increases this to 45 days. The amendment reduces the increase to 42 days.

Second, the original bill eliminated the prohibition on election commissioners running for office. The amendment reinstates this prohibition, but limits it to filing for office.

Finally, the amendment clarifies language on ballot envelopes.

John Murante, Chairperson