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Government, Military and Veterans Affairs Committee
March 17, 2017

[LB111 LB139 LB183]

The Committee on Government, Military and Veterans Affairs met at 1:30 p.m. on Friday, March 17, 2017, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB183, LB139, and LB111. Senators present: John Murante, Chairperson; Tom Brewer, Vice Chairperson; Tom Briese; Joni Craighead; John Lowe; and Justin Wayne. Senators absent: Carol Blood; and Mike Hilgers.

SENATOR MURANTE: (Recorder malfunction)...Veterans Affairs Committee. My name is John Murante, I'm the state senator for District 49, which includes Gretna and northwest Sarpy County, and I'm the Chairman of this committee. We are here today for the purposes of conducting three public hearings. We'll be taking those bills up in the order in which they appear on the agenda outside of this room. If you're here and want to testify on any of the matters before us we ask that you fill out one of these green sheets of paper, which are located on either side of the room. If you're here and wish to demonstrate your support or opposition for any of the matters before us but you do not wish to testify, we ask that you fill out one of these sign-in sheets. Again, they are located on either side of the room. If you do testify, we ask that you begin by stating and spelling your name for the record, which is very important for our transcribers office. The order of proceedings is that our introducer will be given an opportunity to open, then we'll listen to proponent testimony, followed by opponent testimony, then neutral testimony, and the introducer will be given an opportunity to close. We ask that you listen very carefully and to try not to be repetitive. We do use the light system in the Government Committee. Each testifier is permitted four minutes to speak. When the yellow light comes on you have one minute remaining and we ask that you begin concluding your remarks. When the red light comes on your time is expired and we will open the committee up to any questions that they may have of you. At this time I would like to ask everyone to turn off or silence any cell phones or electronic devices, anything else that might make noise. The Government Committee is a committee which is equipped for technology, so you may see members referencing their laptops, iPhones, smartphones, etcetera. I can assure they are paying attention and just taking notes or researching the matters before us. If you have a prepared statement or exhibit, anything you would like distributed to the committee, we ask that you provide 12 copies to our page. If you don't have 12 copies, that's fine, just provide what you have to our page and he'll make copies for you. And our page for the day is Joe Gruber. Joe is from Omaha. And with that, we will proceed to the introduction of members. On the far right of the committee we have Senator John Lowe, Senator Lowe is from Kearney. To his left is Senator Tom Briese, Senator Briese is from Albion. To his left, Senator Mike Hilgers, Senator Hilgers is from Lincoln. Senator Hilgers I anticipate to be with us shortly. To his left, Senator Tom Brewer from Gordon, Nebraska, Senator Brewer is the Vice Chairman of this committee. To my immediate right is Andrew La Grone, Mr. La Grone is the Government Committee's legal counsel. To my immediate left is State Senator Justin Wayne, Senator Wayne represents Omaha. To his left, Senator Joni Craighead, Senator Craighead also

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represents Omaha. To her left, Senator Carol Blood, Senator Blood represents Bellevue and she will not be with us today. And on the far left is Sherry Shaffer, Sherry is the Government Committee's clerk. With our formalities having been dispensed with, Senator Hughes, welcome back to your committee on Government, Military and Veterans Affairs. [LB183]

SENATOR HUGHES: Thank you, Chairman Murante. Members of the Government, Military and Veterans Affairs Committee, I'm Senator Dan Hughes, that is D-a-n H-u-g-h-e-s, and I represent the 44th Legislative District. I come before you today to introduce LB183. LB183 would allow counties with 15,000 or fewer residents to remove the party affiliation label from the ballot in county primary races. This would allow the top two candidates for office, regardless of party affiliation, to advance to the general election, where they would be elected on a partisan ballot. In order to change the primary elections from a partisan to nonpartisan, counties with a population of 15,000 or less can adopt a resolution or the residents can file a petition to place the question on the ballot to change the primary elections to nonpartisan. If the people want to enact a petition to remove the party affiliation label from the ballot, there is a requirement of 5 percent of regular voters in the county at the time of the preceding statewide general election to sign the petition. The question must be submitted at the first statewide general election which will be held at least 60 days after the adoption of the resolution or verification of the signatures. This question can only be submitted to the voters one out of every three years. Finally, if the county ends up exceeding the population of 15,000 residents, the nonpartisan county primary will continue until a vote is taken to change it back. Very frequently, county offices in low-population counties are generally decided in the primary. This is due to the partisan nature of the balloting, which would only allow one person from either party to advance to the general election in most races. It is LB183's intent to allow those advancing to the general election to be the top two vote getters regardless of party affiliation. Then in the general election, the party affiliation would be attached to the candidates in order to aid in the voters' decision-making process. This bill will hopefully increase voter participation by allowing all registered voters to participate in the primary election. Essentially, this will safeguard the election is not over once a candidate advances to the general election ballot on one side of the ticket. I'm aware you will hear two other bills that are very similar to LB183 later today, so I thank you for your time and allowing me to go first this afternoon. [LB183]

SENATOR MURANTE: Thank you, Senator Hughes. Are there any questions? Senator Craighead. [LB183]

SENATOR CRAIGHEAD: Thank you, Chairman Murante. Thank you, Senator Hughes, for introducing this. Approximately how counties in the state of Nebraska are there with populations of 15,000 or less? [LB183]

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SENATOR HUGHES: Seventy-four of the ninety-three counties... [LB183]

SENATOR CRAIGHEAD: Wow. [LB183]

SENATOR HUGHES: ...are 15,000 or less. [LB183]

SENATOR CRAIGHEAD: Okay, thank you. [LB183]

SENATOR MURANTE: All right. Senator Wayne. [LB183]

SENATOR WAYNE: What was the thought process behind limiting it just to the counties with 15,000 or less? [LB183]

SENATOR HUGHES: In my district in southwest Nebraska, Red Willow County is my largest county and they are about 13,000 population. In the general election in 2014 there were four candidates running for sheriff. The sheriff was retiring so it was an open race. They were all on one side of the ticket, so essentially a percentage of the county voted for the new sheriff in the primary election and the total voters of the counties were not able to vote for sheriff. And that also happened in another county in Perkins County where there were two running for treasurer and they were both of the same party affiliation, so that race was also decided in the primary. And then visiting with other people around the state that has happened numerous times. [LB183]

SENATOR WAYNE: The reason I ask is that happened quite a bit in Omaha with some of our county positions. The primary is the general election, because there's nobody on the other side of the ticket. [LB183]

SENATOR HUGHES: Yeah. The 15,000 threshold was to make sure that Red Willow County, which is my largest county, did fit under that because that was the most glaring example that I could bring. [LB183]

SENATOR WAYNE: Thank you. [LB183]

SENATOR MURANTE: Thank you. Seeing no additional questions, thank you very much for bringing this to us, Senator Hughes. [LB183]

SENATOR HUGHES: Thank you. [LB183]

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SENATOR MURANTE: All right. Is there proponent testimony to LB183? Welcome. [LB183]

J.D. SCHLUNTZ: (Exhibit 1) Thank you. I'm J.D. Schluntz from Huntley, Nebraska, S-c-h-l-u-n-t-z. I'm a Harlan County supervisor. Senator Hughes did such a good job, I don't have much left to say. But if they're decided in the primary a lot of people are left out of the election process. It would save a little money because we wouldn't have to print quite as many ballots. And as far as the partisan, we kind of got a partisan...we had three supervisors through the county board, but they were two Republicans and a Democrat so the party affiliate can't make that much difference. But this bill leaves it up to the voters to choose which method they prefer. I would think that probably the voters got a better idea what's going on out in the county than the Legislature. And I thank you for your time and you got two more bills, I'd like to see you pass one of them, but I think I'll go to the ball game and let you figure it out (inaudible) if that's okay. [LB183]

SENATOR MURANTE: All right. All right. Thank you very much for your testimony. Are there are any questions? [LB183]

J.D. SCHLUNTZ: I can sure use a question. [LB183]

SENATOR MURANTE: How's your day going so far? [LB183]

J.D. SCHLUNTZ: Huh? How's the day going? Oh, got up early and got down here and went to the People's City Mission and gave them some teddy bears. [LB183]

SENATOR MURANTE: Well, I thought I'd toss you a softball, so I hope that worked for you. [LB183]

J.D. SCHLUNTZ: Thank you. [LB183]

SENATOR MURANTE: Thank you. All right. Additional proponent testimony. Is there any opposition testimony? Welcome. [LB183]

BETH BAZYN FERRELL: Thank you. Good afternoon, Chairman Murante, 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 and I'm appearing in opposition to this bill. I'll also be appearing in opposition to all of the bills. The NACO board took a blanket opposition position to the concept of changing to a nonpartisan election process. When this issue came up our board took an in-depth look at whether county officials should be elected on a nonpartisan

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basis or a partisan basis. Full disclosure, there was not 100 percent agreement, always that seems to be the case with a membership such as ours. In other years we have appeared in other positions on this issue. This year the board chose to take a position in opposition. One official summarized it during our board discussion about the position. He said that he enjoys having a party position when he runs for election, because it helps voters determine who he is and what he believes in. But when it comes down to doing his job he doesn't need to be a particular party to do his job. His job is to do what's best for the county. Some of the other discussion that our board had was, well, if nonpartisan elections were extended to all officials, starting at the Governor and constitutional officers and coming right on down to county officials, maybe the position would be different. But at this point, the board chose to take a position in opposition to this bill as well as the others. I would be happy to take questions. [LB183]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? Senator Briese. [LB183]

SENATOR BRIESE: Thank you, Chairman Murante. And thank you for being here. So if this extended to more elections, more types of positions, you would be in favor of it? [LB183]

BETH BAZYN FERRELL: Possibly. That was one of the discussion points that our members had was, why is it just counties would be changed? There are other positions that are elected on a partisan basis sort of higher up the chain and maybe look at those as well. [LB183]

SENATOR BRIESE: And Senator Hughes mentioned the problem of having a primary with, say, three or four people of one party or the other and excluding a lot of the population from the selection of your county official. How would you respond to that? So in the absence of this bill that would still occur. What are your thoughts on that? [LB183]

BETH BAZYN FERRELL: That is something that we have discussed. And that does happen. And...but the flip answer is, well, somebody could change parties to run a different party in the primary. I don't think that necessarily addresses the policy issue of it and the belief system that someone has to be a part...a member of a particular party, but it is certainly an issue. [LB183]

SENATOR BRIESE: Okay. Thank you. [LB183]

SENATOR MURANTE: Thank you. All right. Seeing no additional questions, thank you for your testimony. Is there additional opposition testimony to LB183? [LB183]

GERALD MICEK: You're going to see me three times. [LB183]

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SENATOR MURANTE: Welcome. [LB183]

GERALD MICEK: Thank you. I'm Gerald Micek from Columbus, Nebraska, Platte County, G-e-r-a-l-d M-i-c-e-k. I represent myself and I'm also a member of the Platte County Board of Supervisors. I'll be very brief on this one. I oppose this one because of the limitation of 15,000 residents. Platte County has over 30,000. And also there's some other things in here that aren't really addressed to what our needs are. So therefore, that's why I'm opposing it, because of the population. I'll address some of the things that NACO said when I come back up. That's all I have right now. [LB183]

SENATOR MURANTE: All right, fair enough. Let's see if you have any questions. Do we have questions? Senator Briese. [LB183]

SENATOR BRIESE: Thank you, Senator Murante. Thank you for being here. Appreciate that. [LB183]

GERALD MICEK: It's a pleasure to be here. [LB183]

SENATOR BRIESE: So if the population limitation was taken out of there would you be supportive of this bill? [LB183]

GERALD MICEK: I would be supportive if this was the only bill that was going to pass. [LB183]

SENATOR BRIESE: Okay. [LB183]

GERALD MICEK: I actually support--and I'll be up for those--but I actually support the third one because it covers everything, it covers the treasurers, the supervisors, everybody that's elected, other than the Governor and whatever else we're talking about. But that's the one I really...but if this was the only one that was going to pass it would be better than what we have. [LB183]

SENATOR BRIESE: Okay, thank you. [LB183]

GERALD MICEK: You're welcome. [LB183]

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SENATOR MURANTE: Thank you. Seeing no additional questions, thank you for your testimony. [LB183]

GERALD MICEK: Thank you. [LB183]

SENATOR MURANTE: Additional opposition testimony to LB183. Is there any neutral testimony to LB183? Seeing none, Senator Hughes waives closing. And that closes our public hearing on LB183. We will proceed to the next item on the agenda, LB139. Senator Crawford. Welcome back. [LB183 LB139]

SENATOR CRAWFORD: Thank you. Good afternoon, Chairman Murante and members of the Government, Military and Veterans Affairs Committee. My name is Sue Crawford, S-u-e C-r-a-w-f-o-r-d, and I represent the 45th Legislative District of Bellevue, Offutt, and eastern Sarpy County. And I wanted to be here today to introduce LB139 for your consideration. This bill is about two fundamental Nebraska principles, local control and the value of nonpartisan governance. As George Norris stubbornly fought for our state legislative positions to be nonpartisan, he argued that partisan state Legislature races bring extensions of our national partisan debate to those races instead of allowing those races to be focused on what's best for Nebraska. The same logic makes sense as we consider our county officer elections. Party affiliation and county officer races can also distort election dynamics at the local level. Beyond this issue of bringing the national partisan questions into local races where they may not be appropriate, it also distorts election dynamics at the local level by making it more difficult to have all qualified candidates consider running to serve their county and all registered voters in a county able to vote in a competitive election for these important county positions. The challenge is particularly difficult for the nearly one-quarter of our registered voters who choose not to register with a political party. These voters cannot vote in partisan primaries for these county races, so they're not voting in the primaries for these races and they're not able to run to serve unless they have a petition that requires a signature of 10 percent of the voters of the county. So, colleagues, our registered voters who are nonpartisans are, frankly, not well-represented here in terms of our work on these election issues, because most of us who are here are registered with one party or the other. I think there's only one of us here who is not registered with one party or another. And so these questions and issues that are critical to our voters in our state who are not registered with a party--and, again, this about a quarter of the voters in our state--are often not well-represented in our debates and deliberations. And I think this bill...this issue about nonpartisan county races is one of the issues where we need to think about those voters who are registered in our state to vote and are active citizens and interested in politics, but they just choose not to register for a political party. So in the case when a race is a nonpartisan race, then when a voter goes to the polls on election day, whether they are a Democrat, or Republican, or registered as a nonpartisan, this race would be on their ballot and all of those voters would get a chance to make a choice in the primary race for these county seats if a county chooses to make

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these seats nonpartisan. That's a very important point to realize in terms of access to the primary elections and what it means to our registered voters, including those registered voters who choose not to register with a political party. Now LB139 allows voters of a county to decide if nonpartisan elections for county officers make more sense in their own county. It allows a question to be submitted to the voters of a county to determine if their county officers will be nominated and elected on nonpartisan ballots. As outlined in LB139, there are two different methods by which this question can be submitted to the voters of a county. One, the county board can adopt a resolution requiring the question to go to the voters or, two, 5 percent of the registered voters of a county can file a petition with the county clerk requesting the submission of the question to the voters. These two avenues for submitting a ballot question to the registered voters of a county are similar to processes that we already have in our statutes. Similar mechanisms are used to submit a ballot question allowing voters to decide on the discontinuance of township organization and the number of county commissioners to be elected. And these are outlined in our statutes in Sections 23-292 and 23-296. The process in LB139 creates another avenue for counties to maintain local control and make decisions about their governing bodies and their elected officers. LB139 provides that the question of electing county officers on a nonpartisan ballot shall be on the ballot at the first statewide general election held at least 60 days after the adoption of the resolution or the verification of the signatures. If the ballot question is approved by the registered voters of the county, county officers are to be elected on a nonpartisan ballot in subsequent elections. Now should the voters decide that they want to return to partisan county races, the same process can be used to change the election of county officers from nonpartisan back to partisan. So if the county tries it, decides it's not working, they can use that same process to move back to partisan elections should they choose. LB139 maintains, however, that the question of changing this process cannot be submitted to voters more often than once every three years, so make sure there's some stability, but flexibility; some balance there. The fact that there are three bills before you today from senators of both parties, from different parts of the state that all raise the question of allowing county races to be nonpartisan speaks to the importance of taking this question seriously. What is in the best interest of the voters of our state and our county governments? Consider all of our other local races that are nonpartisan. Why shouldn't counties be able to decide whether to make their local races nonpartisan also? LB139 differs from LB111, which you will hear next, in that it allows individual counties to decide whether partisan or nonpartisan elections make the most sense, which allows for this local control and allows counties to learn from early adopters as they consider this question of moving to nonpartisan elections. LB139 differs from LB183 that you just heard in that it would apply to all counties in Nebraska and not just our counties with a population of less than 10,000 people. Whether we're talking about an election based in a small rural county or one in a large urban county, like my own Sarpy County, the roles and responsibilities of the county officer position remain similar in nature. The county positions that voters could decide to elect on nonpartisan ballots include: county clerk, register of deeds, county assessor, sheriff, treasurer, county attorney, public defender, clerk of the district court,

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and county surveyor. The roles and duties of these county officers are no more or less linked to party platforms in our larger counties than our small rural counties. I see no reason to limit the option to only counties with a smaller population. Although larger counties have a larger pool from which to recruit county officer candidates, partisan races for county positions in these large counties with a dominant party, like Sarpy County, still makes it very difficult to recruit qualified candidates of the minority party. And at all counties, regardless of size, our citizens who register as nonpartisan cannot be involved in the primary phase of these county officer elections and cannot help to narrow the candidates. And in Sarpy, that's 23 percent of our registered voters. In large and small counties with a dominate political party, the races for many county positions effectively happen in the primary for the dominant party, which leaves out our nonpartisan voters and the voters of the minority party. This results in the registered voters of the one party selecting the officers that will represent all residents of the county. Recognizing that political party affiliations can affect different counties in different ways, again LB139 allows the voters of each individual county to determine if a partisan or nonpartisan ballot for county officers is the most appropriate for their communities. And I just respond now to the issue that was raised in the county comment and was raised in an earlier year in a Secretary of State letter on this very issue, a question about getting people using the county party organizations to get people recruited to run for office and the importance of people running for office and then being ready to run for offices up the line. So on that front I would say we have a lot of nonpartisan races. And so having county offices be nonpartisan is an opportunity for people to learn how to run in a nonpartisan race. There are many other nonpartisan races that are available. And it is still the case that our county party organizations get involved in recruiting and helping candidates in these races. It looks different, but there's still a way that those volunteers are accessed and used. It just is the case that in a nonpartisan race, the candidates have an opportunity to pull in other volunteers and pool a bigger group. You still, in many cases, are able to access your county party, which fundamental basis of democracy in America--I'm all for our county parties--but in a nonpartisan race you're able to build on that base and pull in other people to help with the races as well. And so I really think the lessons you learn from running in these nonpartisan races are able to be used as you run for races up the ladder and, in fact, would make you stronger as you run for races up the ladder. And also, there are still important roles for our county party, so I do not think it threatens our county parties. So I appreciate your attention to this matter and look forward to answering any questions you may have. [LB139]

SENATOR MURANTE: All right. Thank you very much for your opening. Are there any questions? Seeing none, thank you very much, appreciate it. [LB139]

SENATOR CRAWFORD: All right. Thank you. And I am going to see how long I can stay. We're talking about long-term care next door, so. [LB139]

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SENATOR MURANTE: Okay. Equally exciting. All right, thank you. Are there any proponents to LB139? Welcome. [LB139]

BRI McLARTY HUPPERT: (Exhibit 1) Thank you. Good afternoon, members of the Government, Military and Veterans Affairs Committee. My name is Bri McLarty Huppert, that's B-r-i M-c-L-a-r-t-y H-u-p-p-e-r-t, and what I'm passing out right now is written testimony with an excerpt from our 2016 Primary Election report. I'm going to have this just be for LB139, as well as LB111, just to save a little paper and save a little time. So with Nebraskans for Civic Reform's position in taking support on this bill, we really looked at it from the view of the voter. And so I would agree with what Senator Hughes as well as what Senator Crawford said about the accessibility of nonpartisan voters actually being able to have a say in who's elected at some of these partisan county levels. But also what I wanted to share with you was the excerpt from our election report that it actually goes beyond the ability to have a voice in who's being elected and what they actually have to experience as nonpartisan voters and what we have in Nebraska as a partially closed primary election, where we have a combination of nonpartisan offices on the ballot as well as partisan. So two specific things I'd like to share with you was one voter that we had here in Lancaster County. She was actually trying to vote in LD25. And as she was checking in and announced that she was a nonpartisan, one of the poll workers actually kind of in passing walked by and said, oh, you're nonpartisan? You can't vote in primaries, it's closed for primaries. And so she was actually turned away at the polls. We actually didn't find out about it until about 7:45 at night where we couldn't remedy the situation. But she did live in LD25, which was a highly contested legislative district race, so she didn't have a chance to vote in that. So there is a lot of misinformation about whether or not nonpartisan...registered nonpartisans can actually vote in primaries. And expanding nonpartisan elections to the county level would, we believe, be one of the ways that we could remove some of that misinformation and provide a greater visibility that nonpartisans can participate in the primary elections. The second thing I wanted to draw attention to is just widespread confusion from poll workers about the different ballots when it comes to partisan elections. This would kind of help alleviate some of that in that it would put...there are going to be more candidates that are in nonpartisan offices that would make it more of a focus in training that they have to...since there's more issues on the ballot there will be more situations where they have to deal with that. With all of our many public subdivisions, some don't have that issue at all, others they kind of see it consistently. So I just wanted to draw attention just to give a little history on what registered nonpartisan voters deal with in primary elections, how expanding more offices to be nonpartisan could be one of the many tools we can do to work on that. I know with Nebraskans for Civic Reform we are trying to educate registered nonpartisans about their rights to vote in the primary. So we're trying to do our part. We just saw this as an opportunity to talk about it and to share our support as one of the ways that we could alleviate this problem. So with that, I'd answer any questions. [LB139]

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SENATOR MURANTE: All right. Thank you very much for your testimony. Just for clarification purposes, you want your testimony in this letter to serve as support for both LB139 and LB111, is that correct? [LB139]

BRI McLARTY HUPPERT: Yes. I'll just quickly come up, give my green sheet and say it again. But to save all of your time, I think once is enough. [LB139]

SENATOR MURANTE: Perfect. Wonderful. Thank you very much. Senator Lowe. [LB139]

SENATOR LOWE: You have it for LB139 and LB111, but not LB183? [LB139]

BRI McLARTY HUPPERT: Yeah, we were...because the 15,000, my policy board didn't take a position on that. They just had us watch that bill. But because this had the opportunity to expand to all voters across Nebraska, either with Senator Crawford's local control opportunity as well as Senator Hansen's would be it just kind of across the board, since it would go across the state. That's why they decided to take a position on these two bills. And we're just watching Senator Hughes's bill just to see if it gets out. We'll probably weigh in later if that's where it goes, but that's kind of what, yeah. I figured I'd get that question. [LB139]

SENATOR MURANTE: All right. Thank you. And seeing no additional questions, thank you for your testimony. [LB139]

BRI McLARTY HUPPERT: Thank you. [LB139]

SENATOR MURANTE: Continuing on proponent testimony to LB139. Welcome back. [LB139]

GERALD MICEK: I'll follow the young lady there; I'll do the same thing. I'm going to be a proponent...you need my spelling again? [LB139]

SENATOR MURANTE: Please do, yes. [LB139]

GERALD MICEK: Okay. Name is Gerald Micek, G-e-r-a-l-d M-i-c-e-k, Columbus, Nebraska, Platte County, and myself. I'm a proponent for both LB111 and LB139. The difference being one is done by election, the other one is put in. And the reason for it, as a lot of it's been stated already, I'm going to give you an example of the nonpartisan people. The Democratic Party allows them to vote in the primary. With that said, the primary was held in Platte County this year and of the nonpartisan that actually voted it was less than 1 percent. So they could have

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voted, but it just doesn't get out there. The other thing is, is the ballot. You have, as stated, people going through these ballots have to pull out special ballots with nonpolitical, political, and so on. One example for myself is I ran as one party against another gentleman in the same party and first time I ran for county supervisor and I got beat by 15 votes. My wife was working the polls and people were coming...going in and say, I want to vote for Gerry. Well, they couldn't vote for Gerry, because they weren't in the right party. So with that said, the next year or the next time I changed parties--first time in my life--and ran against the same opponent and of course I was elected and then reelected. And, unfortunately, this last time again we were both in the same party. Fifteen percent of 2,700 voters elected me. That's not right. There's no politics--and I'm not picking on the big cities--but we don't have the politics like in Omaha and Lincoln. You don't have a Democratic or Republican "chairmans" anymore and I can go back when I was a Democratic and a Republican chairman. I can go back in the days of the caucuses. Some of you are too young even to remember what a caucus was. That's when the Democrats and the Republicans would select their candidates. They'd go to a county convention and that's who the party would be ran by. Then I was on the city council for 25 years. The first six years was as a political person. After that, the state Legislature changed it to nonpolitical. Much better. I see that yellow light. I'm going on and on here. But my point is, let's let the...let's represent the public. NACO, of which we are a member, that board has no right to oppose this bill. We represent the taxpayers of this state and that's who you represent. Those people's voices should be heard. And if you took a poll of all the counties in northeast Nebraska, none of them would be against either one of these bills. So that's all I have really to say. Not really, but I'd better shut up. [LB139]

SENATOR MURANTE: All right. Thank you for your testimony. [LB139]

GERALD MICEK: Okay. [LB139]

SENATOR MURANTE: Are there any questions? Seeing one, thank you for coming down. Much appreciate it. Still on proponent testimony to LB139. Are there any additional proponents? Is there opposition testimony to LB139? Welcome back. [LB139]

BETH BAZYN FERRELL: Thank you. Good afternoon, Chairman Murante and 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, and I'm appearing in opposition to LB139. I can restate my testimony from the previous bill, but it would be just the same. So unless you'd like me to do that, I will just say we are in opposition to this bill. [LB139]

SENATOR MURANTE: (Exhibit 2) All right. Thank you very much for your testimony. Are there any questions? Seeing none, thank you. All right. Additional opposition testimony to

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LB139. Is there any neutral testimony to LB139? I see Senator Crawford. Is she back in committee? So she waives closing? Senator Crawford waives closing. I do have a letter of support from Nancy Josoff, the Cass County Election Commissioner. And that closes the public hearing on LB139. And we will proceed to LB111 when Senator Hansen arrives. Senator Hansen, welcome back to your Committee on Government, Military and Veterans Affairs. [LB139 LB111]

SENATOR HANSEN: Yes. Thank you for having me and thank you for waiting a few minutes (inaudible). Good afternoon. Chairman Murante and members of the Government, Military and Veterans Affairs Committee, my name is State Senator Matt Hansen, for the record, M-a-t-t H-a-n-s-e-n, and I represent District 26 in northeast Lincoln. I'm here today to introduce LB111. I had the opportunity to listen to most of Senator Crawford's testimony in my office. In her bill introduction I think she did actually a very good job of introducing my bill as well, so I will reference that. I think there are many different policy considerations in terms of access to elections, the structure of candidates, as well as kind of the role of a lot of county offices and what their (inaudible) levels would be. That's why I've been interested in this issue and interested in making it a nonpartisan election. I drafted LB111 and introduce it this year based on my experience actually serving on this committee, hearing several of these bills in the past two years. And kind of what's stuck out to me was there was often some sort of population threshold, local vote, some various mechanism that would create a kind of nonuniform standard across the state, whether or not that's a series of local control decisions or by size or other criteria. So I was thinking this is an issue I'm interested in. This is an issue I think we should look at. And I wanted to make sure we see what a proposal to just move it statewide and be consistent would be. So that was my thought and my intent behind LB111. And I'd be happy to answer any questions. [LB111]

SENATOR MURANTE: Thank you, Senator Hansen. Are there any questions? Seeing none, thank you for your testimony. [LB111]

SENATOR HANSEN: Thank you. [LB111]

SENATOR MURANTE: And we will proceed to proponent testimony to LB111. Proponents. Welcome back. [LB111]

BRI McLARTY HUPPERT: (Exhibit 1) Thank you. For the record, my name is Bri McLarty Huppert, that's B-r-i M-c-L-a-r-t-y H-u-p-p-e-r-t, and I'm here as the director of voting rights with Nebraska for Civic Reform. As I said earlier, we are in support of this legislation, so just quick. And if you have any questions. [LB111]

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SENATOR MURANTE: All right. Senator Briese does have a question. [LB111]

BRI McLARTY HUPPERT: Oh, you mulled it over a little bit. [LB111]

SENATOR BRIESE: Thank you, Chairman. Thank you for being here again. But do you have any preference between the last two bills? I think your testimony maybe said you didn't, but any one you prefer? [LB111]

BRI McLARTY HUPPERT: Nope, we don't have a preference. When my policy committee discussed it, one of the things they looked at was really from the focus of the voter. And with Senator Crawford's it has the opportunity of voters in that county to push the issue and get that. Here, with Senator Hansen's, the voters across the state would have the nonpartisan county. So we don't have a preference. [LB111]

SENATOR BRIESE: So the two competing interests there are local control versus uniformity. It's a wash, in your opinion? [LB111]

BRI McLARTY HUPPERT: Yeah. And local control isn't something that NCR specifically focuses on, so we'll leave that up to the esteemed members of the committee to decide that one. [LB111]

SENATOR BRIESE: Okay. Thank you. [LB111]

BRI McLARTY HUPPERT: Okay, thanks. [LB111]

SENATOR MURANTE: Thank you. And seeing no additional questions, thank you for your testimony. [LB111]

BRI McLARTY HUPPERT: Thank you. [LB111]

SENATOR MURANTE: Welcome. [LB111]

MARY BOSCHULT: Thank you. It's allergy season. [LB111]

SENATOR MURANTE: It is, indeed. [LB111]

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MARY BOSCHULT: My name is Mary Boschult. I am the current president of the League of Women Voters of Lincoln and Lancaster County, it's M-a-r-y B-o-s-c-h-u-l-t, and I'm here to testify in support of LB111. And I also want to thank the committee for the opportunity to reconnect with a cousin from Huntley; that was most interesting. The League of Women Voters is a nonprofit organization and a nonpartisan political organization, as is the Legislature. It works well for us, it works well for our Legislature, and I think the people in our state respect it and expect it. The League does not support or oppose individual candidates, so it's kind of interesting to come and speak to candidate offices. We don't often do that. But what we found as we register voters is that there's an increasing registration of nonpartisan voters and voters who feel disenfranchised from both parties, both of the dominant parties. So when there are folks who want to run for offices they decide...and decline to run because they need that...they have to register as a partisan or they have to connect and embed with a party that they may or may not believe everything or agree with everything the party says they believe in. And I think all of us want to have the most qualified person to hold the offices in our state and in our county and the people who run want to do what's best for their county. So probably...and I was not trained to testify on bills leaving it with a question, but the question we would leave you with is, why not? Thank you. [LB111]

SENATOR MURANTE: All right. Thank you for your testimony. Are there any questions? Seeing none, thank you for testifying. Mr. Leach, welcome back. [LB111]

NATHAN LEACH: Mr. Chairman, members of the Government, Military and Veterans Affairs Committee, my name is Nathan Leach, that's spelled N-a-t-h-a-n L-e-a-c-h, and I'm speaking in favor of LB111. This is the first time you get to hear me take a stance on a bill, so I'm sure you're excited. I am representing a grassroots organization called Nonpartisan Nebraska. And the mission of our organization is to empower and expand nonpartisan governance in our state. And I'm sorry I didn't necessarily prepare my remarks, but I think one of...I'm a registered nonpartisan voter. And I think one of the questions that I ask myself when we talk about partisan primaries and putting partisanship on the ballot is, why is the government funding basically advertisement for private organizations on a publicly funded and paid for ballot? I think a lot of the voters really...candidates should run based on the issues that they have, not the R, D or L or I next to their name. And that it becomes especially frustrating in districts like Kearney, Nebraska, where I grew up, oftentimes only in our legislative races you have one member of a specific political party run in the legislative races. And in most states that have partisan primaries that would mean that the primary would be done. Senator Lowe, for example, would be the presumptive senator in the Kearney district after the primary, but fortunately or unfortunately for "Kearneyites," we had an opportunity to have a competitive election because of our nonpartisan elections. And that same principle applies to our county elections. And it was mentioned before that, some people even switch their partisan affiliation so that they can run or just get the presumptive nominee in the county election and it just...it really doesn't make a lot of sense anymore. Political parties

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play a very important role in today's society. They recruit candidates. They allow for political ideas to be expanded. And nonpartisan Nebraska and myself definitely don't hate political parties, but I believe that their role, especially in our election processes, become outdated. Twenty percent of Nebraska voters are registered nonpartisan, I'm a registered nonpartisan. And I become very frustrated when I go to the primary, which I pay for and I'm told by my government that I can't participate in an election that I'm paying for. So with that, I think there's a lot of testimony that has already been shared that supports this. And I sincerely hope that you'll think about it and advance it to General File. [LB111]

SENATOR MURANTE: All right. Thank you very much for your testimony. Senator Brewer. [LB111]

SENATOR BREWER: Thank you, Mr. Chairman. I just want to tell you that I find it refreshing that you came in here today. You had a focus, a purpose, it wasn't a shotgun blast, it was just a general statement. So well done. [LB111]

NATHAN LEACH: Mr. Chairman, Senator Brewer, thank you. [LB111]

SENATOR MURANTE: All right. And seeing no additional questions, thank you very much for your testimony. [LB111]

NATHAN LEACH: Thank you. [LB111]

SENATOR MURANTE: Much appreciated. Welcome back. [LB111]

J.D. SCHLUNTZ: J.D. Schluntz, S-c-h-l-u-n-t-z. Kind of (inaudible) NACO's...I go to all their conventions and I talk to a lot of people. One person was dead set against that and he's part of your Legislature now, Erdman. Couple more things. Same time I got elected, friend of mine decided to run. He went to the clerk and he wanted to run. She says, well, what party? And he says, I'm Independent. Well, you can't run in the primary as an Independent. He says, well, what's Ruby? That was the person that was on there. She's a Republican. Well, I'm a Republican, too. Let's get it over with in the primary. So that's basically all I wanted to tell you. And as far as a party being no...I don't know if everybody in the county knows what party I belong to, but they know I'm a tightwad. [LB111]

SENATOR MURANTE: I think we say fiscally conservative, but yeah. Are there any additional proponents? Welcome. [LB111]

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GERALD MICEK: Thank you, Mr. Chairman. Gerald Micek, G-e-r-a-l-d M-i-c-e-k, Columbus, Nebraska, Platte County. Senator Brewer hit it right on the nose. I want to echo what the young man said from Kearney. It's really all about the voters. And for all the voters in Nebraska to be able to vote in county elections nonpartisan is the way to go. They can vote in the primary and the general. It has been stated over and over again the primary, because of the party affiliation it may work in the big cities where maybe as Democrats and Republicans are still very well organized, but in Platte County and other counties of our size, 35,000 and under, it's just not that way anymore. So I ask this committee, due diligence, and remember you're all nonpolitical as far as being elected, but you all belong to a party. It hasn't stopped you from being in a national and presidential, senator, and Legislature, but you were nonpolitical when you ran for office. That's all we're asking of you and the Legislature here in Nebraska to allow that to the county officials. Thank you for your time and you all have a great afternoon. [LB111]

SENATOR MURANTE: And thank you for your testimony. Are there any question? Seeing none, thanks for coming down today. [LB111]

GERALD MICEK: You're welcome. [LB111]

SENATOR MURANTE: Additional proponent testimony to LB111. Is there opposition testimony to LB111? Welcome back. [LB111]

BETH BAZYN FERRELL: Thanks. Good afternoon, Chairman Murante, 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 opposition to LB111. Again, I could repeat the testimony we had on the other bills, but I think you know that we are in opposition to this bill. So I'd be happy to answer questions. [LB111]

SENATOR MURANTE: All right. Thank you for your testimony. Are there questions? Seeing none, thanks for coming down. Is there any additional opposition testimony to LB111? Is there any neutral testimony to LB111? Senator Hansen. [LB111]

SENATOR HANSEN: I will close just by saying I'd be more than happy to work with the committee members, Senator Hughes, Senator Crawford, and other interested parties on this issue going forward. And this is my last bill I'm introducing in the committee this year and I'm glad I got to spend it with all you guys. [LB111]

SENATOR MURANTE: We'll miss you, Senator Hansen. Are there any final...Senator Brewer. [LB111]

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SENATOR BREWER: I just think it should be noted that Senator Blood did not have a chance to discuss this issue with you and you will appreciate that you will never have that opportunity. [LB111]

SENATOR HANSEN: Thank you. [LB111]

SENATOR MURANTE: (Exhibit 2) I do have a letter of support from John Dickerson, the Nebraska Association of Commercial Property Owners, Inc. And that closes our public hearing on LB111 and ends our public hearings for the day. [LB111]