COMMITTEE STATEMENT
LB 76

HEARING DATE: February 17, 1993
COMMITTEE ON: GOVERNMENT, MILITARY AND VETERANS AFFAIRS
TITLE: LB 76 (Withem, Baack, Schimek) Adopt the Election Act

ROLL CALL VOTE, FINAL COMMITTEE ACTION
    Advanced to General File
Y Advanced to General File with amendments
    Indefinitely Postponed

Vote results:
5 Yes Cudaback, Janssen, Robinson, Schimek, Schmitt
2 No Haberman, Witek
1 Present, not voting Pirsch
0 Absent

PROPONENTS	Representing
Senator Ron Withem	Principle Introducer
Nadine Heath	Lincoln County Clerk
Patrick J. Vuchetich	Nebraska Association of County Officials
David Hunter	Nebraska Democratic Party
Margaret Jurgensen	Douglas County Election Commissioner
Jack Gould	Common Cause Nebraska
Deanna Frisk	League of Women Voters
Bridget Sheehan	self
Patty Hansen	Lancaster County Election Commissioner

OPPONENTS	Representing
Steven G. Bode	Libertarian Party of Nebraska
Philip M Young	Nebraska Republican Party
Keith J. Kafka	Libertarian Party of Nebraska
Jerry Kosch	Libertarian Party of Nebraska

NEUTRAL	Representing
Delmar Maier	Seward County Clerk
Joyce J. Schram	Sarpy County Election Commissioner
Bob Twiss	self

Summary of purpose and/or changes:

LB 76 recodifies, reorganizes and makes numerous substantive changes to the various election laws in current statute. Some of the major changes:

Establishes an Election Advisory Board and State Election Commission to administer elections within the state. (Sec. 21-26)

Eliminates rotation of names on ballots. (Sec. 230)

Creates uniform terms and raises Election Commissioners minimum salaries. (Sec. 29, 39)

Gives county boards authority to remove election Commissioners appointed by them. (Sec. 36)

Adds certain offices to those who do not hold primary if slate not full. (Sec. 227)

Makes various deadlines 'a date certain rather than number of days before. (Sec. 170, 176, 187)

creates uniform billing method for political subdivision election expense. (Sec. 358-365)

Restricts use of voter registration lists. (Sec. 88)

if petition signed more than once, both signatures are rejected. (Sec. 383)

Prohibits special elections being held within 150 day window around elections. (Sec. 151)

Clarifies that incumbent may not resign after incumbent filing deadline and file for another office. (Sec. 170)

Political parties review eligibility of partisan candidates and subdivision review qualification to hold office. (Sec. 166, 174)

Allows initials to be used on petitions. (Sec. 194)

List of poll workers can not be given out. (Sec. 62)

Allows affidavits withdrawing signature on petition to be filed until 5 days after filing. (Sec. 196)

Poll workers inform independent voters of availability of ballot for congressional candidates. (Sec. 249)

Allows persons unable to get to polls on election day to vote absentee. (Sec. 274)

Removes requirement that petitions be available at election commissioners' or county clerks' offices. (Sec. 380)

Allows agent to receive more than two absentee ballots if for family members. (Sec. 279)

Poll workers can not be required to work at regular job during election duties. (Sec. 62)

Creates state voter registration form to be accepted by any county. (Sec. 77)

Allows trained deputy registrars to register voters in any county. (Sec. 68)

Homeless persons use election commissioners or county clerks office

as registration address. (Sec. 71)

Explanation of Amendments, if any:

The Committee Amendment makes numerous revisor-type and substantive changes to the original bill. The major changes include:

Strikes the election board and administrative functions. (amendment section #1)

Removes political party review of partisan candidate qualifications. (#1)

Reinstates powers and duties of Secretary of State. (#1)

Requires political subdivisions to allow the use of their facilities as polling places. (#1)

Eliminates the uniform terms for gubernatorial appointed election commissioners and deputies. (#4, #5)

Returns salary for election commissioners and deputies to current statute. (#8)

Removes provisions prohibiting poll workers from being required to work at regular job on election day. (#14)

Prohibits private residences from being used as permanent registration sites except in incorporated villages. (#15)

Requires deputy registars to inform election commissioners or county clerks of registration plans prior to publication deadline. Also allows election commissioner or county clerk to disapprove those plans. (#15)

strikes language requiring clerks of district court to inform county clerks of convicted felons. (#19)

Has homeless people use their approximate living location for voter registration purposes. (#20)

Uses date mail-in registration received as effective date for petition purposes. (#21)

Amends purpose of primary election to include those offices elected rather than nominated. (#6)

Reduces the period prohibiting special election from 150 to 90 days. (#29)

Inserts language regarding vacancies an school district boards that do not nominate at the primary. (#33)

Includes a warning of penalties on commercial use of voter registration. (#25)

Requires county clerks and election commissioners to publish filing deadlines. Also requires subdivisions to provide necessary information. (#37)

Restricts use of initials for petition purposes. (#40)

Allows public inspection of petition signatures during verification process. (#41)

counts one of duplicate signatures. (#42, #72)

Reinstates ballot rotation. (#46, 47)

Removes requirement that independent voter be informed of partisan ballot availability. (#52)

Removes agent's ability to request more than two absentee ballots for family members. (#36)

Removes provision that person contesting initiative or referendum election have voted. (#66)

Removes registration costs as billable election expense to subdivision. (#68)

Allows county clerks or election commissioners to bill subdivisions by either itemized bill or as otherwise provided by statute. (#69)

Allows defeated primary candidates to petition on the ballot if a vacancy exists.

Chairperson