

One Hundred Second Legislature - Second Session - 2012

Introducer's Statement of Intent

LR372CA

Chairperson: Senator John Wightman

Committee: Executive Board

Date of Hearing: February 01, 2012

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

LR372CA intends to amend Article III, Section 12 of the Nebraska Constitution to clarify the definition of "one-half of a term" for purposes of clarifying when a member of the Legislature is term-limited. LR372CA defines "one-half of a term" to be service in the Legislature from the first day of a ninety-day session until the first day of the next ninety-day session. Thus any Senator who is sworn into office prior to the commencement of the first day of a new Legislature and remains in office until the commencement of the next Legislature would be deemed to have served "more than one-half of a term" and thus subject to term limits under subsection (3) of Article III, Section 12.

Presently, Article III, Section 12 is interpreted in a manner such that service for more than one-half of a term is calculated by adding the number of days in two consecutive terms and dividing that number in half. This interpretation has lead to disparate treatment of incumbent Senators based on differences in the calendar. LR372CA intends to ensure that similarly situated members of the Legislature are treated equitably with regard to their eligibility to seek re-election.

Principal Introducer: _____

Senator Tony Fulton