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Government, Military and Veterans Affairs Committee February 6, 2025  
Rough Draft

**SANDERS:** [MALFUNCTION] Military and Veterans Affairs Committee. I am Senator Rita Sanders from Bellevue, representing District 45, Legislative District, and I serve as the chair of the committee. The committee will take up bills in the order posted. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out a green sheet that was at the table in the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify, but would like to indicate the position on-- your position on a bill, there are also yellow sheets in the back of, of the room on the table. These sheets will be included as the exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name. Spell your first and last name to be sure we get it accurate for the record. We will begin each bill hearing today with the introducer's opening statement, followed by the proponents of the bill, then opponents, and, finally, anyone wishing to speak in the neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We will be using a 3-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you will have 1 minute remaining and the red light indicates that your time has ended. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bill being heard. It's just part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have any handouts or copies of your testimony, please bring up at least 12 copies and give them to the page. If you do not have 12 copies, the page will make sufficient copies for you. Please silence your-- or turn off your cell phones. You may see committee members using their electronic devices to access more information. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may be a cause for you to be asked to leave the hearing. Finally, committee procedures for all committees state that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submit-- submission is via the legislature's website at [nebraskalegislature.gov](http://nebraskalegislature.gov). Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on

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the committee statement. I will now ask the committee members with us today to introduce themselves starting on my far right.

**HUNT:** Hi, everyone. I'm Megan Hunt and I represent the northern part of midtown Omaha.

**GUERECA:** Dunixi Guereca, LD 7, downtown in south Omaha.

**J. CAVANAUGH:** John Cavanaugh, District 9, midtown Omaha.

**ANDERSEN:** Good afternoon, I'm Bob Andersen, representing District 49, which is northwest Sarpy County in Omaha.

**LONOWSKI:** Hello, I'm Dan Lonowski. I represent District 33, which is Adams County, Kearney County, and rural Phelps County.

**WORDEKEMPER:** Dave Wordekemper, District 15, Dodge County, western Douglas County.

**McKEON:** Dan McKeon, District 41, central Nebraska, eight counties.

**SANDERS:** Senator Bob Andersen is the vice chair of the committee. Also assisting the committee today to my right is our legal counsel Dick Clark, and to my far left committee clerk Julie Condon. We have two pages with us today and they will stand to introduce themselves.

**RUBY KINZIE:** Hello, I'm Ruby Kinzie. I'm a junior political science major at UNL.

**ARNAV RISHI:** Hi, I'm Arnav. I'm also a junior political science [INAUDIBLE].

**SANDERS:** Thank you. With that, we will begin our hearings today and we will begin with LB19. Welcome, Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair. Thank you, Chair Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Senator John Cavanaugh, J-o-h-n C-a-v-a-n-a-u-g-h, and I represent the 9th Legislative District in midtown Omaha. I'm here to introduce LB19, which would require cities of the metropolitan class to conduct their elections in conjunction with statewide presidential primaries and general elections beginning in 2028. City elections in Omaha are typically low turnout affairs. There are a lot of possible explanations for this, but the biggest contribu-- contributing factor, in my view, is the timing of the elections. Omaha city elections take

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place in the spring after the presidential elections every 4 years, at a time when most voters have been so exhausted by political-- politics that voting again is, is the furthest thing from their minds. Voter fatigue makes it more difficult to reach voters and get them to vote in an off-year election. Campaigns for city council and mayor, to avoid confusion with the November election, typically don't start contacting voters until late November at the earliest. Other campaign activity, like fundraising and signature gathering may begin earlier, but the compressed timeline makes every campaign, at least for nonincumbent officeholders, a sprint to the finish, one in which they are often well behind the starting line. And then when they reach the primary in April, it's even a more hurried sprint to the finish. A candidate in a crowded primary against an incumbent might find themselves getting through to the general with only 15% of the vote against the incumbent who has over 40%. And they have, have 5 to 6 weeks to make up the ground. There are just under 300,000 registered voters within the city limits of Omaha. The number of people who voted in a city election-- general election hasn't risen above 100,000 since 20-- or since 2001. The number of people within the city limits who voted in the last presidential election was well over 200,000. This system works well for some, some of them are my friends, and some who weren't happy with me bringing a bill like this. I can hear the criticisms. This will crowd the ballot, force candidates and mayors and for city council to compete for time and resources with other candidates potentially making it more expensive to run a campaign. I'm not sure that it will be all that bad, but in any case, a similar argument could be made for any down-ballot candidate running on the same ballot as a candidate for a larger office like president or Congress. The flip side of this is an election which minimizes voter participation serves only to benefit those who are already participating. A narrow group of special interests who can disproportionately influence not only the outcome of the elections, but also outcomes in government, incumbents who actually gain a greater advantage if they have more than one opponent in a primary because the general election is only a few weeks later. Campaign staff and consultants can get an extra 6 months of work after a grueling presidential campaign cycle. And all of that increases the cost to the city for running a separate election. Moving elections to coincide with the presidential primary and general election will solve many of these problems. Voter participation will increase communities who are often ignored in city elections currently because they don't vote in large enough numbers will need to be heard by candidates. The city will still bear the cost of the election, but only a portion of it,

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not the entire cost. City government will be more responsive to the needs of the entire community, not just the narrow group who vote in low turnout elections. I'm sure I'll get some criticism that is meant to gain-- that this is meant to gain a partisan advantage, but that is not the case. I've heard from Democrats who very much opposed the idea for the reasons I stated before. The state Republican Party in its legislative plan, which contains many ideas that I oppose vehemently, endorse the idea of moving all local elections to an even-year election cycle. But nevertheless, I don't think that you should view this bill in the light of which political parties and politicians do or do not support it, though I welcome the support of those that do and even the criticisms of those that do not. I view this as a common sense maximizing voter participation in elections that are closest to home, decreasing the cost to the city of having these elections, and simplifying the number of elections that voters have to keep track of. I only brought this bill to cover Omaha because I'm a senator from Omaha, but many of my arguments could apply to cities like Lincoln that hold their city elections off cycle as well. If a Lincoln senator wanted to bring that bill, I might support it as well. The state has the authority and the ability to legislate on local elections, including in home rule charter cities like Omaha, and has done so in the past, most notably with the move to district based instead of at-large elections in 1979, but also subsequently with updates to the state statute, which Omaha's home rule charter references in regards to timing of elections. There have been, there have been attempts to amend the Omaha city charter to effectuate the change proposed in this bill, but none of them have been successfully placed on the ballot for voters to decide. I do think if the voters were given the opportunity to decide, they would vote to move the election. And perhaps in the future if the Charter Review Commission or city council will not act to place the matter before voters, the voters, through the power of initiative, should force the question. But I brought this bill in part because I believe it's an important topic to discuss. Uniformity of elections and increased voter participation is a goal that we should all share. It's not my intention to cut short the terms of any of the candidates for city council and mayor are currently running for so AM46 addresses that issue by making it clear that the terms of those elections in May 2025 would expire as normal in June 2029. I'm open to other amendments to the bill. LB9-- LB19 is a bill which would increase voter participation and simplify our elections. I'll ask for your support and take any questions.

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**SANDERS:** Thank you, Senator Cavanaugh. I did have a question. Was this bill heard in this committee last year or 2 years ago?

**J. CAVANAUGH:** I have never brought this bill. And I think, as far as I know, I'm the only person who's even thought about bringing it since I've been here. So I don't think it's--

**SANDERS:** It just rang a bell with me. Thank you very much. Are you staying--

**J. CAVANAUGH:** It's just a good idea.

**SANDERS:** Thank you. You'll stay for closing?

**J. CAVANAUGH:** I will.

**SANDERS:** Let's see if there's any questions. Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you, Senator Cavanaugh, for, for opening. When does this actually take-- this is a-- I mean, I am outside of the city limits of Omaha, so I don't vote for the Omaha election, so. There's an ongoing election now, right?

**J. CAVANAUGH:** That's correct.

**ANDERSEN:** So when does this take place?

**J. CAVANAUGH:** So the next election-- as the, as the law is written right now, there'll be an election this May or April and May.

**ANDERSEN:** Right.

**J. CAVANAUGH:** And if we don't pass this, that next election would be April and May of 2029. If we did pass this, that election would, instead of being in April and May of 2029 would be in May and November of 2028. So it would shift the election forward a little bit for those-- for that one. And then after that, it would go forward every-- every 4 years it'd be in May and November of those four.

**ANDERSEN:** OK. And have you published the amendment? I didn't-- I don't--

**J. CAVANAUGH:** I filed it, like, the first day of the session or second day of the session. So, sorry, I can get copies for everybody. I thought they would, would have been--

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**ANDERSEN:** Thank you.

**J. CAVANAUGH:** --included.

**SANDERS:** Any other questions? Senator McKeon.

**McKEON:** What kind of cost did you say you would save when you do that?

**J. CAVANAUGH:** You know, the Fiscal Office didn't-- I was disappointed-- didn't ask.

**McKEON:** I was curious.

**J. CAVANAUGH:** My recollection when I looked at this bill, bringing it 2 years ago, is that the city spends about \$90,000 on the city election and we can look at the city budget and how much they pay. And, you know, I, I think that some experts might be behind me that know the city budget better than I do, but they still have to pay for space on the ballot. So they will have to pay for something for that primary in general. But it'll be a lot less because you wouldn't have to pay for the locations for the polling and sending out the mail and all that kind of stuff and printing the ballots individually.

**McKEON:** OK.

**SANDERS:** Thank you. Any other questions? See none, thank you very much. We'll now call for proponents on this bill. Anyone wanting to speak on behalf of LB19, please come forward. Go ahead and give the green sheet to this young man and have a seat. Welcome to the Government Committee.

**DAVE RICHARDSON:** Thank you. My name is Dave, D-a-v-e, Richardson, and I am a lifetime resident of Omaha, Nebraska, and retired teacher. I taught in the public schools and I don't think I missed an election. As a matter of fact, I have to make a confession. I've made this before. When I was 8 years old, my aunt, who along with my parents, were strong advocates that voting was not just a right, it was a, an obligation. So I went to the polls with my aunt and she said, would you like to mark my ballot? And that's like asking a kid, you know, if you want to go have some ice cream. So I am maybe the only person who is 8 years old that voted for Adlai Stevenson in 1952.

**SANDERS:** Mr. Richardson, before you continue, could you please spell your first and last name?

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**DAVE RICHARDSON:** Oh, I'm sorry. D-a-v-e, Richardson is  
R-i-c-h-a-r-d-s-o-n.

**SANDERS:** Thank you.

**DAVE RICHARDSON:** I was one, like you said, one of those kind of geeky kids. And I guess I still am at age 80. I love to watch the conventions and follow the candidates. And elections are a very important thing to me and my family and grandchildren who are now eligible to vote. I also have three points I'd like to make about why this is a good bill. First is voter turnout. Senator Cavanaugh mentioned several reasons why voter turnout could increase. When you have that election cycle, there may be people who are very interested in the municipal elections, but not so much on the state and federal. And there may be people in the other camp, too, who think that the state and federal are, are the reason both people benefit from that. We, we validate both sides, so to speak, if there is differences there. In addition to that, voter turnout is so critical. We need to be more into civic engagement. I, I watch this happen in my classrooms, in my neighborhood, and watching the media. I think people would increase their interest during-- by shrinking that voter cycle. The money issue may be really big with a lot of voters, too, I think, at least people I've talked to. There's a lot of, as Senator Cavanaugh pointed out, there's a lot of money involved here. And saving money is never something that should be rejected. My third reason is kind of a personal one for me and, and for many others, my church and many other locations, schools and other places, civic places are polling places and we have to provide volunteer hosts and we must prepare the site and aid the election commission workers on the days of the elections. Now, in many ways, it's, it's definitely a labor of love.

**SANDERS:** You have the red light, but I'll allow you to continue your thought there.

**DAVE RICHARDSON:** However, in election cycles, like the recent '24-25 cycle, hosting for elections between May of '24 and May of '25 puts a strain on the workers, in addition to the voter fatigue that Senator Cavanaugh mentioned. I think there's three good reasons to vote for this, and I think the people involved who we serve would like it. Thank you.

**SANDERS:** Thank you, Mr. Richardson, for your testimony. Let's see if there's any questions from the committee.

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**LONOWSKI:** I've got one.

**SANDERS:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Sanders. And thank you for coming to testify today, sir. Is there any reason it was set up this way in the past or, or has it ever been where it was all at the same time, you know, or [INAUDIBLE]?

**DAVE RICHARDSON:** Not in my lifetime. I know something about Omaha political history. I can answer the trivia question. Who is the only write-in candidate who won the mayoral election? Al Veys is the answer. But the-- I don't ever remember.

**LONOWSKI:** OK.

**DAVE RICHARDSON:** Again--

**LONOWSKI:** I was just curious if there was a reason for that, but thank you.

**SANDERS:** Are there any other questions from the committee? See none, thank you for your testimony.

**DAVE RICHARDSON:** Thank you.

**SANDERS:** Are there any other proponents? Any opponents?

**JIM SUTTLE:** Well, he's got the seat nice and warm, I'll be comfy here in a couple of seconds.

**SANDERS:** Welcome, Mayor.

**JIM SUTTLE:** My name is Jim Suttle, J-i-m S-u-t-t-l-e. I had the honor and privilege of serving on the only Omaha City Council being elected in the year 2005. Four years later, I had the honor and pleasure of becoming the 50th mayor of the city of Omaha in 2009. I'm here to share with you my opposition to this bill, hopefully giving you advice, counsel, my experiences, and some words of wisdom. So let's talk about the fall election first, because that's where the angst is. This was certainly a horrible time as we all went through that, all the voters, you heard about it from your constituents on the fliers that came in the mail, the advertising, much of which was slanderous. It was just an awful feeling. But here's what happens to the voters and the way I found it as I got ready for the city elections that I



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told you about. Thanksgiving, Christmas, a time to let your hair down, enjoy family and all the good things that this country has to offer. And you come back on January 2 and you're rejuvenated, you're ready for the city election. And here's what happens. You can raise your money as a candidate. You can get your volunteers. You can get the printing done on time and get it to the post office and get it out on your schedule. If you move this to the fall, the city election will not be the "A" election, it will be the "C" level election on that ballot. It's not going to do what it said it would do. So you're going to have trouble raising money because there's too much competition, media time, volunteers. You're going to have just oodles and oodles of difficulties. So what's going to happen? In time, if you want to run for the Omaha City Council or mayor and you're on that fall ballot, you're going to have to self-fund your own campaign. So who can do that? The wealthy. You're going to cut the competition and make this an exclusive rich person's campaign. Now, let's go to the other end. If you're worried about voter apathy, this is not going to help it one iota. And I say this because we've had voter apathy in this country since the 1960s, and it's not changed. We're a country that's so self-absorbed, we don't really appreciate the luxury. I had engineering projects in Poland. When the Russians left, you know what the voter turnout was in Poland because they finally could vote for a meaningful candidate? 85% turnout. We hopefully can return to that, but it's not going to happen unless you make the voting easier. And whether we like it or not, this is it for the future when you vote, you do your banking, you do all your business, you send your emails and other things through this. So my message, as I close, is simply this: We need to keep the city elections as they are. It's not about the cost. And if you want to address voter apathy, that's a marketing 101 problem. You got to get the boots on the ground. You got to get the voters registered and out. It takes money, time, resources. That's the only way to do it. That's what we did in my campaigns because I'm a marketer at heart, having grown HDR's transportation program from 200 people to 1,200 people and putting offices across the nation in state after state. You sell, sell, sell, sell. And that's what you've got to do if you want to get rid of voter apathy. You're not going to do it with legislation. Thank you. I'll be glad to answer any questions.

**SANDERS:** Thank you, Mayor. Let me check to see if there are any questions from the committee. See none.

**JIM SUTTLE:** I stumped the band, so.

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**SANDERS:** You did.

**JIM SUTTLE:** Thank you for having me. I appreciate it very much.

**SANDERS:** Always good to see you. Thank you. Are there any other proponents? I mean, opponents? Yes.

**SEAN KELLEY:** Good afternoon, Madam Chair--

**SANDERS:** Welcome.

**SEAN KELLEY:** --Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Sean Kelley, S-e-a-n K-e-l-l-e-y, appearing today on behalf of the Omaha City Council in opposition to LB19. So the Omaha City Council, a bipartisan group of council members opposed to LB19. While we appreciate the amendment Senator Cavanaugh offered, there's just a couple of reasons for our opposition. First, what they're hearing from their constituents is not this. There's not a huge clamoring to move to the statewide general election calendar, with the exception Senator Cavanaugh did, of course, talk to his council member about this. But, but with that exception, there's not a whole lot of people talking about moving this election. Secondly, as Senator Cavanaugh noted in his opening and Mayor Suttle noted, it'll be really hard to break through the noise on a regular primary or, or general election cycle. And then last, this change will be disruptive to a city council term. Whether it's through the amendment or the green copy, one term is going to get cut short. And the council members don't want to see that happen. So with that, I'm happy to take any questions.

**SANDERS:** Thank you for your testimony. Let's see if there's any questions from the committee. See none, thank--

**SEAN KELLEY:** Thank you.

**SANDERS:** --you for your testimony. Anyone else-- any opponents? Any in the neutral? You want to go again, don't you?

**JIM SUTTLE:** I do not want to. Thank you.

**SANDERS:** I don't know how that works.

**CARTER THIELE:** Thank you very much,--

**SANDERS:** Welcome.

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**CARTER THIELE:** --Chair Sanders, Vice Chairman Andersen, and members of the Government, Military and Veterans Affairs Committee. My name is Carter Thiele. That's C-a-r-t-e-r T-h-i-e-l-e, and I am the policy and research coordinator for the Lincoln Independent Business Association. Much appreciate Senator Cavanaugh's opening statement and his willingness to expand the bill if there was interest. It's very unfortunate that there aren't any Lincoln senators on this committee, because we do come to ask that the bill is amended to include cities of the primary class. This has been a nagging concern for our organization, and we do feel that there are a lot of people in Lincoln that consistently complain and make this complaint. We actually had a member just a couple of weeks ago speak with the Charter Review Commission and the request was denied. And that isn't the first time that's happened. So with that, we would just request that the primary class is added into the bill. Thank you very much.

**SANDERS:** Thank you very much for your testimony. Let's see if there are any questions from the committee. Senator Andersen.

**ANDERSEN:** Thank you, Chairwoman. Thank you for your testimony. Just out of curiosity, have you approached Senator Cavanaugh about an amendment to the bill?

**CARTER THIELE:** No, not at this point. We would want to, we would want to seek feedback from Lincoln senators and offer a statement for the, for the committee in the meantime, and then get around to that.

**ANDERSEN:** OK. Thank you.

**SANDERS:** Any other questions? See none, thank you for your testimony.

**CARTER THIELE:** Thank you.

**SANDERS:** Are there any others in the neutral? Welcome.

**ERIC GERRARD:** Chair Sanders, members of the Government Affairs Committee [SIC]. My name is Eric Gerrard. That's E-r-i-c, last name G-e-r-r-a-r-d, and I'm here today representing the city of Lincoln. Full disclosure, I, I wasn't planning on testifying, but I did just, after hearing the previous testimony, wanted to, to step up and say what Mr. Thiele just said. Our Charter Review Commission in Lincoln did just review the, the election process and decided not to move forward on any suggested change. I will acknowledge it's a state, state law so I'm not quite sure what, what could have happened. But city council and our administration has been perfectly fine with how

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elections have happened in Lincoln. So I just wanted to note that for the record if there is talk of including city of the primary class in this bill and I have spoke with Senator Cavanaugh about this.

**SANDERS:** Thank you for your testimony. Let's see if there are any questions from the committee. See none, thank you very much.

**ERIC GERRARD:** Thanks.

**SANDERS:** Are there any other in the neutral? See None. He needs to figure out how he can make a statement off the record.

**JIM SUTTLE:** About the timeline between the fall election and the [INAUDIBLE] office.

**J. CAVANAUGH:** Oh.

**JIM SUTTLE:** Too long.

**J. CAVANAUGH:** Too long. Too long. Thank you, Chair.

**SANDERS:** Welcome back.

**J. CAVANAUGH:** Well, I thank everybody for being here. I really do appreciate Mayor Suttle for being here. He did call me after I filed this bill and we talked about it. And I, of course, appreciate his service to our community and his continued involvement and his support over the years. And I, I appreciate Mr. Thiele being here and, and Mr. Gerrard. And I always appreciate Mr. Kelley being here representing the city. And to what, what Mr. Gerrard pointed out was an interesting point. They're having their charter review. And, really, one of the reasons-- I mean, I obviously was aware of the city elections in Omaha are when they are. And-- but we did-- Omaha did its charter review, I think, 2 years ago. Actually, I think Senator Kauth might have been on the Charter Review Board before she became a legislature. But the city that did come up, they did-- the city Charter Review Commission is folks appointed from across the city, not members of the city council or anything like that. And they suggested a number of things, including moving the city election. And they were told that the city of Omaha couldn't move the city election because it's in the state statute. So the state tells Omaha when it has its election and it tells it to have it in this off time. I think, Senator Lonowski, you asked about how long it's been. Omaha changed the charter in 1957 to the strong mayor system, and it might have been coinciding with that. But then we also changed district elections in 1979. So it's been

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changed a number of times. And, and they were changes forced by the state on the city. Basically, we did district elections because there was not adequate representation at that time. And I think we heard a lot of focus on Senator Lippincott's bill about the fight to get district elections and representation in Omaha because everybody came from a certain part of town and nobody came from another part of town and that's why we needed district elections. So it's-- so that's kind of how I started coming across this as a, as a legislative action and started looking into, that I had two thoughts. One was doing this, which is, say, let's move this election. Another was just to take it out of statute and let the city make their own decision. I ultimately brought this bill because I'm in favor of moving the election and the city's not. So if we put it in their hands, they might not move it. And to answer-- I, I think it was, Senator McKeon, you asked the cost, did look it up. So the general election in 2021 cost the city of Omaha \$388,000, \$388,682.57. That's what they paid for the general election. The primary was another cost on its own. The city of Omaha had to basically rent space on the primary ballot this last May, and that was \$152,000. So same time, May, one year in 2021, \$388,000, May 2024, \$152,000. So in theory, the city could save, that's about \$236,000 per election cycle. Well, actually more than that because the primary, they'd save it on both the general and the primary. So half a million dollars we'll say. Lincoln paid somewhere between \$200,000 and \$350,000 for their last city elections as well. So it's a substantial amount of money that's potentially savable by the city by doing this. I, I do-- I appreciate those arguments about participation, you know, about from the mayor about being a distinct election and things like that. And so I think those are, are legitimate concerns. And I think we have, you know, some conversation about how we campaign-- finance campaigns in the state coming before this committee. And I think that's a, a good subject. And Mr. Kelley is correct that I did speak to my city councilman about this and tell him that I supported it. He still is not in favor, even though he heard from a constituent. So I guess one, one constituent does not, does not a movement make, I guess. But I did hear from individuals from Lincoln asking me to include it. And I told them what I told you, is I represent the city of Omaha. I think the city of Omaha election should move. If the city of Lincoln has folks who want to move it, then they should. But I, I think the same issue is presented for Lincoln's elections is presented with for Omaha's elections. And I did have-- handed out that amendment so folks can take a look at it. Oh, and, and to Mayor-- Mayor Suttle did bring up a very good point, that if we, if we were to adopt this, we would have a very long lame duck period of 6 months for the folks

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being elected this cycle from within-- or I'm sorry, for the next cycle would have a, yeah, a lame duck session. And that's, you know, growing pains of transition. It happens the one time and then the election would be handled that way going forward. So I think I addressed everything that everybody had asked about, but I'm happy to take any other questions.

**SANDERS:** Any questions from the committee? See None. Position comments for the online hearing record: proponents 15, opponents 17, and neutral 1. And this ends our hearing on LB19. We'll go ahead and open for hearing on LB74. Welcome, Senator Hunt.

**HUNT:** Thank you, Chairwoman Sanders. I like these days where we keep it in the family and we just have our little committee member bills. Good afternoon. I'm Megan Hunt, M-e-g-a-n H-u-n-t, and I'm here to present LB74. This bill would amend the Nebraska Political Accountability and Disclosure Act to allow elected officials to use campaign funds to cover the costs of travel and childcare for their minor children incurred as part of their official duties. Under current law, officeholders may use campaign funds to pay for the costs of work-related meals and travel for themselves and their staff. But they cannot use campaign funds to pay for the child needs that arise as part of their service in elective office. For elected officials with children, especially very young children, this presents a special challenge. I experienced this for all of my first term and still today. When you go, you know, for example, I have been on ever since I was elected in 2019, every year I've served on different boards and committees for the National Council of State Legislators or the Council of State Governments, and so there are obligations that come with that. You have to go to the conferences. It's not just the big national conference. There's often different meetings throughout the year, and these things are truly a function of our office, you know. But for being elected, I would not have to do things like this. And it made no sense to me as I went through the process that I could use campaign funds to pay for my entire staff to go to a conference in Hawaii and I could buy rounds of drinks for everybody the whole time I was at the conference with campaign funds, but I couldn't use those same funds to buy a ticket for my minor child to come with me to a conference where I was speaking and giving a presentation in Indianapolis or Chicago, and it really hindered my ability to do my job. It works this way because when the rules were written, they didn't really contemplate the possibility of a young, low-income single mother being a state senator. When I was first elected, paying \$300 out of pocket for another plane ticket for my kid to come with me

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would have been really prohibitive. And so it was a choice between, you know, so I, I pay out of pocket for my child to come with me, you know, my 8-year-old to come with me to this conference where I'm presenting or I pay for somebody to stay home with them. And that's also a big expense that may be more than \$300 depending on how long the conference is. So it just really frustrated me to have, you know, \$65,000 in my campaign account. But I didn't have \$300 of my own money to make sure my kid was taken care of when I did my job. With this bill, there's no cost to the state, obviously, it's really on the officeholder's own dime with the campaign funds that they have worked to raise. And these funds are already authorized in statute to be used for specific purposes related to the duties of our office. So I would argue from my experience that, you know, if I have to go to give a presentation at a conference in some other city, then that is an expense related to the duties of my office because I can't leave my kid home alone. That's why this bill doesn't apply to things like spouses or older children, because, you know, it wouldn't be necessary to bring them with you. And, obviously, if you have a partner or a spouse at home or a grandparent or something, you can leave your kid home. That's great, too. But I'm saying for all people, that's not the case. So it's important that we allow them to use the funds that they've raised, that people have chosen to donate, that are still going to be accountable to Nebraskans in the same way that all of our other spending is accountable to use those funds for that purpose. In 2018-- so some, some legal piece here-- in 2018, the Federal Election Commission authorized the rights of states to enact laws like this law. And since that time, 17 states have passed similar laws with bipartisan support. That's 17 other states that have authorized the use of campaign funds for this purpose via legislation. But a total of 39 states have also authorized this when you include those who have accomplished this via ethics rulings, whether that's like a Secretary of State Opinion or an Attorney General Opinion. So they didn't have to pass a bill, they just had an Opinion from the Attorney General saying it was fine and we don't have that here. And this bill is a way to remedy that. When our campaign finance laws in Nebraska were written, it was a different world. And the lawmakers at that time did not contemplate single parents or low-income parents in public service. Thankfully, we no longer live in a world where only well-connected, affluent men can serve in public office while their wives stay home with the children. And it's time for us to update our laws accordingly. Thank you. I'd be happy to answer any questions.

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**SANDERS:** Thank you, Senator Hunt. I have a quick question. Was this brought-- did we hear this a year or so ago?

**HUNT:** I have brought this bill every year.

**SANDERS:** And what has happened?

**HUNT:** Let's see, one-- last time it got voted out unanimously. It's been voted out unanimously a couple of times, but didn't get a priority or didn't get scheduled, like, just kind of that falling through the cracks type of stuff. I think it would be a good candidate to include in a package. I think I'll work harder in my last 2 years here to get that through, just to kind of help other candidates that are coming up through the system. But, yeah, it, it was never a bill that had a lot of opposition. It just fell through the cracks a little bit.

**SANDERS:** Thank you.

**HUNT:** Um-hum.

**SANDERS:** Let's see if there's any questions from the committee. Senator Lonowski.

**LONOWSKI:** Thank you, Chair. Do you see putting an age limit on this at all?

**HUNT:** I mean, I would say minor child, so.

**LONOWSKI:** OK. And do you see putting a, a price on it? So the, the figure you used was \$65,000 in a campaign fund. Constituents don't want to see \$50,000 of that spent on day care.

**HUNT:** Absolutely. Yeah. I, I, I guess I would say thinking just in terms of common sense. I wouldn't over legislate this. I mean, these are my campaign funds that I worked hard for. I want to use them for other things. I, I would not use this for childcare. I would use it hypothetically if I was at a conference or there was an emergency and it was, like, OK, I need this person to watch my kid for 3 hours. Like, maybe that type of situation, but it would not be, like, oh, let me enroll my kid in day care and use all my campaign funds.

**LONOWSKI:** Right, I mean, I--



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**HUNT:** And I don't think any candidate would do that because we work so hard for these funds. And we do have to report the way we use them. So I would think that my voters would say, look at my NADC report, and be, like, why did she spend \$50,000 on day care? That would be unrealistic.

**LONOWSKI:** Yeah, I just don't know, does \$2,000 look OK? Does \$5,000 look OK? I don't know what it would be.

**HUNT:** Sure.

**LONOWSKI:** And then the last thought I have is, and maybe not even this year, maybe in an amendment at some point, is extending it to children who have special needs.

**HUNT:** Oh, that's a good idea. Yeah. Or maybe-- I guess a dependent or something like that. Don't know what the legal term would be, but not a bad idea. Like, if you had an older child that had a disability or something like that,--

**LONOWSKI:** Exactly. Yeah.

**HUNT:** --need for caregiving. I'll think about that. I don't think that's a bad idea.

**LONOWSKI:** Thank you.

**SANDERS:** Thank you. Senator Cavanaugh.

**J. CAVANAUGH:** Thank you, Chair. Thanks for being here, Senator Hunt. And I appreciate this as a parent of minor children. What's the difference between what you can use this for and just like everyday expenses and things?

**HUNT:** So what makes this type of use different from using it for, like, personal-- you're just talking about, like, for personal needs,--

**J. CAVANAUGH:** Yeah.

**HUNT:** --like for personal spending? So the difference is what the NADC calls the "but for" test. I would not have these expenses of having to take my kid to Indianapolis for a conference, but for my service as a state senator. If I was not a candidate, if I was not a senator, I would not have to be at these conferences if I didn't have that role.

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So all of these expenditures would obviously be accountable to the Accountability and Disclosure Commission, donors and voters and everybody could see what candidates spent on travel. And none of this would cost anything to taxpayers or the state.

**J. CAVANAUGH:** Thank you.

**HUNT:** Thanks.

**SANDERS:** Are there any other questions? I see none.

**HUNT:** Thank you.

**SANDERS:** Thank you, Senator Hunt. Let's see if there are any proponents on LB74? Any opponents? Any in the neutral? OK, see none.

**HUNT:** I'll waive close.

**SANDERS:** OK, waives closing. We have just for the record, the online position hearing record: 10 proponents, 2 opponents, and zero in the neutral. We now will open on LB32.

**HUNT:** Thank you, Chairwoman Sanders. I'm Megan Hunt, M-e-g-a-n H-u-n-t, and this is LB32. This is a new bill for me, but it's kind of along the same theme that we're talking about here a little bit. This brings a commonsense change to our current address requirements for political disclaimers and campaign materials in our state. And it's something that balances the need for accountability with the need for safety that candidates have. So under current law, all political disclaimers, so that's the thing at the bottom of a mailer that says paid for by neighbors for Megan Hunt, then it has the address, that all has to have the name of the campaign committee, the address and the organization that paid for the, the mailing or whatever. And on paper, this was meant to promote accountability. I totally support it. I think it's really good. But the problem is that personal address. In a lot of cases, candidates don't have an office. They don't have, you know, an official space or something like that. In a lot of other states, state senators and state representatives do get funds to have a district office, and they would put that address there. But we don't have that in Nebraska. So, of course, you have people putting their home address. And I've received feedback from many candidates that that puts their physical safety in a precarious position. So what this bill does is it allows candidates to use a PO Box on campaign disclaimers instead of being forced to publicly advertise their home address. I also want to be clear on what this bill does not do. It

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doesn't remove the requirement for candidates to share their residence, their actual address with the Accountability and Disclosure Commission. That information will still be on file just as it is today. What LB32 does, is that what it is? Yeah. What LB32 does is it just makes it so you don't have to put that on the mail. So the thing that you're sending to everybody's house doesn't have your home address on it. I've heard from women who run on behalf of their candidates, from individual candidates across the political spectrum of all political backgrounds and ideologies that they feel discouraged from running for office. I think that's something all of you maybe understand or relate to just because of kind of the increasing temperature politically in our culture right now. Fear of harassment, fear of being targeted. And this is, you know, a reality. One woman who ran for the Legislature in the last cycle, she asked NADC if she could use a PO Box rather than her home address on her mailers citing safety concerns. And because of her-- because of our current law, she couldn't do that. It wasn't, as I hear it, I'm not speaking for the NADC, of course, but as it was told to me, the NADC didn't have a problem with that. In theory, it was just that the law wouldn't allow her to do that. And, unfortunately, shortly after her campaign began and she's knocking doors and sending her mail and stuff, a neighbor warned her that a man was walking around the neighborhood looking for her to talk to her about her campaign. And she wasn't home and nothing came of it. But, you know, people were coming to her door and knocking on it. And she felt that that was a safety risk and, frankly, in the same position I went to. So I think that there is a lot of data. You know, I've got a couple of pages here that I don't think I need to read through all of it, but I will summarize it by saying attacks on candidates is rising, attacks on lawmakers are rising. Studies from all over the country are showing that local officeholders and potential candidates are less willing to run, whether it's for the first time or for reelection because of abuse and harassment. And if you look at women alone, that number is even higher, nearly 60%. So to achieve a truly reflective democracy, to make a political culture where people feel safe to run, I feel like this is just one change we can make to say, you know, we still have accountability and NADC still knows where your house is, where you live, but we don't have to put your personal address on every piece of mail that you send out. And happy to take any questions.

**SANDERS:** Thank you for bringing LB32. Are there any questions from the committee? Senator Guereca.

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**GUERECA:** I'm reading the, the portion of the statute. So even like, say a, a, a, a citizen wanted to verify that, you know, you did live in the district, you could pull paperwork--

**HUNT:** Yes.

**GUERECA:** --to see where I live. This is just, just on mail and on billboards and stuff. Right?

**HUNT:** You have that exactly right.

**GUERECA:** Yeah. OK.

**SANDERS:** Thank you. Any other questions? See none, check to see if there are any proponents? Welcome.

**JESSICA LATHROP:** Good afternoon, Chair Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Jessica Lathrop, J-e-s-s-i-c-a L-a-t-h-r-o-p. I'm here today in support of LB32. Over the past 12 years, I have served as treasurer or compliance director for numerous candidates and elected officials at the state, local, and federal levels. Currently, I'm a partner at She's Electable Nebraska, a political consulting firm dedicated to electing women to office. Under current law, NADC requires committees to list a street address after the paid for by disclaimer on all mass communications, including palm cards, mailers, websites, and more. LB32 would amend this requirement to allow candidates to list a PO Box instead of only a street address if they choose. In recent years, as the climate has become more heated, I have heard from many candidates that expressed deep hesitation and concern about this requirement. While committees can use a business address, not all candidates have access to one of those. Many women that we work with, especially those running for local and down-ballot offices, don't have this option and are left with no other choice but their personal home address. Allowing a PO Box in the disclaimer could provide much-needed peace of mind, allowing candidates to campaign without the added fear of their personal home address being exposed in every piece of communication. While we understand the necessity of having a candidate's personal address on file for NADC for transparency and accountability, allowing the option of a PO Box would ensure that transparency while giving candidates a little bit of a buffer, particularly for those who feel a risk-- a heightened safety risk or concerns. This issue also affects candidates on both sides of the aisle. Women from all political affiliations have expressed these concerns about their safety and

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privacy. And also over the years in doing this work, I have seen candidates accidentally use a PO Box on disclaimers, a lot of templates that you use when you create a website or something. And Federal Election Commission does allow an address-- sorry-- while the Federal Election Commission does not require an address as part of the paid for by, it does allow the use of a PO Box for official mailing addresses. And when you open a PO Box, you do present two forms of ID, so there is a little bit of verification there. In conclusion, I believe allowing a PO Box as an option for campaign disclaimers would be a small but meaningful change that would provide peace of mind for candidates, particularly those new to the political environment. And I respectfully urge you to support this.

**SANDERS:** Thank you, Jessica Lathrop, for your testimony. Check with the committee, see if there are any questions. See none.

**JESSICA LATHROP:** Thank you.

**SANDERS:** Thank you for your testimony. Are there any other proponents? Opponent? Anyone in the neutral? Welcome.

**DAVID HUNTER:** Thank you, Chairperson Sanders and members of the Government, Military and Veterans Committee [SIC]. My name is David Hunter, D-a-v-i-d H-u-n-t-e-r. I serve as the executive director of the Accountability and Disclosure Commission. I'm appearing on behalf of the Commission in a neutral capacity on LB32. Currently, the Nebraska Political Accountability and Disclosure Act requires certain disclaimers on political advertisements to include a street address. And as we know, LB32 adds the option for any committee or entity to use a post office box number instead of a street address to satisfy these political advertisement disclaimer requirements. Under the Accountability and Disclosure Act, a committee statement of organization would still require a street address. Therefore, the only concern would be with the difficulty in locating committees or entities which have not registered with our office. A committee is not required to register and file a statement of organization with our office until it has raised or spent more than \$5,000. Also, a business entity may be difficult to locate, and particularly an out-of-state business based on a post office box number, unless that entity has already filed a report with our office. So one suggestion I would make is to limit the scope of application of this bill to candidates only. Therefore, candidates would not have to disclose a street address, but all other entities and committee types would be subject to disclosing a street address. In this way, a candidate's personal address would

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not need to be disclosed on political advertising. Thank you for the opportunity to testify today.

**SANDERS:** Thank you very much for your testimony. Let's see if there are any questions from the committee. Senator Guereca.

**GUERECA:** Thank you for coming in--

**DAVID HUNTER:** Thank you, Senator.

**GUERECA:** --and for your testimony. I'm reading over the section of statute LB31 [SIC] changes, and it says: The person, except for an individual or individuals acting independently utilizing their own personal resources, who pay for the production, distribution, or posting of billboards, placards, posters, pamphlets, or other printed material relating to a candidate or ballot question. And that's all that it addresses: shall cause a disclaimer containing the name and street address. And does the-- because, like, a, a committee falls in that?

**DAVID HUNTER:** No, that'd be for individuals only.

**GUERECA:** OK. Thank you.

**DAVID HUNTER:** Yeah.

**SANDERS:** Any other questions from the committee? See none, thank you very much for testimony.

**DAVID HUNTER:** Thank you, Senator.

**SANDERS:** Are there any other in the neutral? See none. Senator Hunt, would you like to close? Position comments summary for today on LB32: 7 proponents, 1 opponent, and zero in the neutral.

**HUNT:** Thank you, Chairwoman Sanders. Thanks, everybody. And, and thank you, Mr. Hunter, for coming in and sharing that NADC's view. That change sounds great to me. I think it makes a lot of sense to just limit it to candidates because that's the intention of the bill. So would be happy for an amendment to clarify that.

**SANDERS:** Any questions for Senator Hunt? See none, thank--

**HUNT:** Thank you.

**SANDERS:** --you for LB32. We'll now close our hearing for today.

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