

March 8, 1982

LB 647

your bill first, please.

SENATOR HEFNER: Mr. President and members of the Legislature, this bill, LB 647, was introduced by me after an interim study pursuant to LR 159. The intent of the bill is to address several items in Nebraska's initiative process. Earlier in the day I passed out some material to you that I think will help you understand the bill a little bit better. First we outlined the bill and the proposed amendments and then we give you an overview of the initiative process here in our State of Nebraska, and then there is also some other information for you. But let me explain the bill to you and give you a summary of the proposal in LB 647. Under the current Nebraska law a circulator is required to explain the provision of an initiative petition at the time he or she seeks a signature. However, there is no penalty for not doing so. We are inserting a Class V misdemeanor which is up to \$100 fine for noncompliance with this provision. However, we are striking that provision now because during the committee hearing there was some objection to this, so I will propose an amendment a little bit later to strike that. It also provides that language for expenditures incurred by a circulator be stricken. Although we do not have paid circulators as such in Nebraska, this expense loophole in essence permits them to exist. Currently, only registered voters are permitted to circulate petitions. If they do outside their county or residence, they must post a bond. This procedure combined with expense reimbursement allows teams of circulators to canvass the state. We would remove this provision which would permit a noncounty resident from circulating a petition. The result then would be that only registered voters in their counties of residence could circulate the petition. This would prohibit strangers from coming into the counties or communities to circulate these petitions. By requiring that the circulators be registered voters in the county in which the petition is being circulated, insures that circulators have a knowledge of the community, have a knowledge of the people and also have a knowledge of the proposal. Existing law provides that the county clerk of each county shall maintain a copy of the petition available for signatures in said office. However, there is no provision requiring an explanation of the petition. We will amend the law to require that the proponents of a petition supply to the county clerk material explaining the impact of the proposed initiative action. Let me just briefly explain the initiative process in Nebraska. The initiative process in this state exists both at the state and local level. Local initiatives have become an increasing occurrence nationally in recent years. However, this memorandum will address these