

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014
COMMITTEE STATEMENT
LB975

Hearing Date: Friday January 31, 2014
Committee On: Executive Board
Introducer: Murante
One Liner: Change provisions for filling vacancies in the Legislature and Board of Regents

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye:	5	Senators Adams, Campbell, Chambers, Krist, Wightman
Nay:		
Absent:	1	Senator Lathrop
Present Not Voting:	3	Senators Avery, Christensen, Karpisek

Proponents:

Senator John Murante
Don Pederson

Representing:

Introducer
Self

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative vacancy %u2013

Current law provides that when a vacancy occurs within 60 days of a regular general election for a senator whose term expires the following January, the appointee fills the term only for the remainder of the original member's term (approximately 4 months).

If the vacancy occurs within 60 days of a regular general election for a senator whose term does not end the following January, the appointee fills the term only for the remainder of the original member's term (approximately 2 years and 4 months).

If the vacancy occurs more than 60 days before a regular general election for a senator whose term does not end the following January, the appointee serves until a person is elected at the next regular general election and takes office in the following January.

If the vacancy occurs more than 60 days before a regular general election for a senator whose term ends the following general election, the appointee fills the term for the remainder of the original member's term.

LB 975 changes the 60-day date to February 1. The effect of this is that if a vacancy occurs in the first calendar year of the term of office or prior to February 1 in the second year of the term of office, then the appointee serves until a person is elected at the next general election and takes office in the following January.

However, if the vacancy occurs on or after February 1 of the second year of the term of office, the appointee shall serve

out the remainder of the term, which could be up to 2 years, 11 months.

Board of Regents Vacancy %u2013

Board of Regents serve 6 year terms. Current law provides that when a vacancy occurs on the Board of Regents more than 75 days before a regular general election, then the appointee serves until the next regular general election.

If the vacancy occurs within 75 days before the regular general election and if the term expires the next January, the appointee shall serve the unexpired term.

If the vacancy occurs within 75 days before a regular general election and if the term vacated extends beyond the next January, the appointee shall serve until a person is elected at the next regular general election and takes office the following January for the remainder of the term.

LB 975 changes the 75-day cutoff date to February 1. If the vacancy occurs in the first calendar year of the term of office or prior to February 1 in the second calendar year of the term of office, the appointee serves until a person is elected at the next general election and takes office the following January for the remainder of the term.

If the vacancy occurs on or after February 1 in the second calendar year of the term of office or prior to February 1 in the fourth calendar year, the appointee shall serve until a person is elected at the second regular general election during the term of office which was vacated and takes office the following January for the remainder of the term.

If the vacancy occurs on or after February 1 in the fourth calendar year of the term of office and prior to the end of the term of office, the appointee shall serve the remainder of the unexpired term.

John Wightman, Chairperson