

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

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LB 1170

CLERK: Mr. President, LB 1170, a bill by Senator Smith. (Read title.) The bill was introduced on January 10 of this year, referred to the Government Committee, advanced to General File. I do have committee amendments. (AM2112, Legislative Journal page 572.)

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Senator Smith, recognized to open.

SENATOR SMITH: Mr. President, this bill, LB 1170, is a bill that had a lot of input from several individuals and is targeted at preventing frivolous recalls. Simply what it does is in order for a recall to proceed, there must be an alternative candidate willing to fill that vacancy who would be selected on the same ballot as the recall taking place. With that, I will take any questions.

PRESIDENT MAURSTAD: Thank you, Senator Smith. On the committee amendments, Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President, members of the body. The committee amendment has four parts. First of all, it eliminates the notice requirement in case of a recall of a trustee of a sanitary and improvement district. Secondly, for both recalls of sanitary improvement districts and elected officials, the prohibition on a candidate from a previous general election filing a vacancy resulting from a recall is lifted. Third, the three-week notice requirement for recalls of elected officials is eliminated. And fourth, the filing fee for candidates who placed their names on the ballot but were not recall petition circulators is removed. And let me explain that one a little bit further. There were two different places in the bill where it talked about people's names being on the ballot. And in the first case, it's on page 2 of the bill, it was talking about the circulator who would like his or her name put on the ballot. And it mentions nothing about a filing fee. In another part of the bill, and I don't have that exact page, it talks about anybody else who might want to put their names on the ballot, and it does talk about a filing fee in that situation. So it was the committee's opinion that the filing fee or not should be consistent for anybody whose names were