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FLOOR DEBATE

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recognized to open on LB 786.

SENATOR MINES: Thank you, Mr. President, colleagues. Good morning. LB 786 provides recall of...well, it actually doesn't provide recall of airport authority members, but it does change recall provisions, as the committee amendment will state. Nebraska's recall statutes are contained in Chapter 32, Article XIII. They were enacted in 1994. They apply to elected members of political subdivisions, and those would be cities, counties, irrigation districts, school districts, hospital districts, et cetera. At its best, I think recall is an important tool for the removal of errant local officials. And recall efforts have been successful throughout the state. At its worst, recall is gut-wrenching. It's a process under which people and communities are divided, and it really is a difficult process to go through. Unfortunately, recall has also been used improperly. As a former local elected official, I'm all too aware of...that registered voters could initiate a recall petition against me at any time, and for no legitimate reason. Several recall efforts in 2005 led me to introduce LB 786. First was pretty close to home--the Blair airport authority. The authority has five members, and there were...they were split on most all votes 3 to 2. So one of the minority members decided that the best way to change the makeup of the board was to recall three of his board members. The reason he cited for the recall was to give people the right to vote, and that was it. So I'm going to make a long story longer. The recall initiative stopped with two members because the third member is up for election this year and statutes don't allow you to file that soon against one of your members. So, it gets even weirder, the board member initiating the recall initiated the process to recall two of his board members, and also initiated a process to recall himself. The reason behind this is, if three members of the board are recalled, then there would be a special election; if only two are reelected...or, are recalled, then the mayor would make the appointment, and that's not an avenue that this board member chose. The effort is...was unsuccessful, not enough signatures were gathered, and that has gone away. Another one in this past year, in Greenwood, Nebraska, a resident was unhappy with the village board's actions to enforce a sidewalk ordinance that required him to replace part of a