

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB523

Chairperson: Senator Bill Avery

Committee: Government, Military and Veterans Affairs

Date of Hearing: March 09, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of LB 523 is to protect the rights of voters who sign a petition. A voter who signs a petition needs a way of ensuring that the petition circulator is legitimate and is following the laws required for gathering signatures. An unqualified petition circulator effectively disenfranchises a voter in the event the circulator was not qualified under law or the circulation process did not follow lawful requirements. When a voter's signature is disqualified because of problems associated with the circulation of the petition, the voter's rightful participation in the petition process is cancelled, through no fault of the voter. Under the current scheme, the voter has no method of determining the legitimacy of the circulator.

LB 523 requires the sponsor or principal circulator of a petition to provide each petition circulator with a form of identification that is visible to each prospective signer. Each identification shall contain a unique number and other information determined by the Secretary of State, but shall not contain the name or other personal information of the circulator. Under the bill, the sponsor or principal circulator is required to maintain records of each circulator. The records shall be available for purposes of investigation upon request by the Secretary of State, the Attorney General, or law enforcement. This procedure of maintaining records for review by the Secretary of State, the Attorney General, or law enforcement provides a method to protect the rights of petition signers by providing some assurance that the circulator is qualified and is circulating petitions according to law. By requiring identification, the bill gives the voter who wishes to sign a petition some assurance that the voter's signature will not be disqualified on the basis that the circulator was not qualified or not following the procedures for petition circulation prescribed by law.

LB 523 does not change the rights or qualifications of petition signers, circulators or sponsors. Petition requirements remain the same under the bill.

LB 523 was introduced on behalf of the Secretary of State.

Principal Introducer: _____

Senator Rich Pahls