

One Hundred Fifth Legislature - Second Session - 2018

Introducer's Statement of Intent

LB744

Chairperson: Senator Dan Watermeier

Committee: Executive Board

Date of Hearing: January 22, 2018

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

Pursuant to Article III, section 10, of the Constitution of Nebraska, the Legislature is vested with the jurisdiction to hear any challenge to the qualification of a member of the Legislature and is the judge of elections, returns, and qualifications of its members.

The purpose of LB744 is to clarify existing procedure for election contests and qualification challenges to a seat of a member of the Legislature. The bill codifies substantive provisions of Rule 10 of the Legislative Rules regarding election contests and qualification challenges. This includes, but is not limited to, provisions necessary for petitioners to understand such as, requirements for standing, the burden of proof, filing procedures, and deadlines.

This bill is intended to only apply to Legislative election contests and qualification challenges. The bill will place these Legislature-specific provisions in Chapter 50. Non-legislative election contests will remain in Chapter 32 of the Nebraska Revised Statutes.

LB744 also harmonizes the Legislative rules and Nebraska statutes regarding legislative election contests and legislative qualification challenges. A revised Legislative Rule 10, currently held in the Rules Committee, would complement the statutory changes in LB744.

Principal Introducer: _____

Senator Dan Watermeier, Chairperson
Executive Board