

March 16, 1979

LB 125

SPEAKER MARVEL: The motion is adopted and the Stoney amendment is approved. Senator Newell, do you wish to speak on the bill as a whole now?

SENATOR NEWELL: Yes, I do. I would like to ask Senator Stoney a question or two if I could. Senator Stoney.

SENATOR STONEY: Yes.

SENATOR NEWELL: Larry, I have sort of a philosophical problem with this and I would like to ask you some questions in regards to that. Do you consider the school boards to be legislative bodies?

SENATOR STONEY: To be legislative bodies? Yes.

SENATOR NEWELL: Primarily a legislative body as opposed to an executive body.

SENATOR STONEY: Certainly.

SENATOR NEWELL: We have, and one of the reasons I am not going to oppose this bill to any great extent because of the fact that we have a lot of inconsistencies in the way our recall procedures work. Are you familiar with the fact that state Senators are not subject to recall?

SENATOR STONEY: Yes, I think there is a constitutional prohibition. We would have to alter the constitution to provide for recall.

SENATOR NEWELL: Yes. Would you favor the state Senators being subject to recall?

SENATOR STONEY: Certainly.

SENATOR NEWELL: Okay, I would ask that question and that is all I need from you, Senator Stoney. I have a problem with this sort of proposal for city councils and school boards and one of my problems is simply this, that as legislative bodies, one of the problems that can be created in these sorts of situations is that minorities, minorities meaning a political minority not an ethnic or religious or social or whatever else, but the political minority can greatly influence legislation with the use of recall procedures. Now we have recall of city councils. We have recall of school boards and other classes other than this and I guess for consistency sake, we probably ought to be as consistent with other school boards as we