

April 3, 1979

LB 14A

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Next item on the agenda is LB 14A.

CLERK: Mr. President, LB 14A. Title read. The bill was read on March 9 and it was referred directly to General File, Mr. President.

SPEAKER MARVEL: Senator Chambers. Senator Nichol, do you want to speak to the bill first?

SENATOR NICHOL: Mr. President, members of the Legislature, the A bill on this as I understand it would be approximately \$10,000 which would be for the purpose of getting organized and approximately \$1250 for the purpose of the first election. That would be the extent of it. Now the money as far as the election is concerned would be out of the General Fund of the State of Nebraska and would not be paid back. The \$10,000 amount would be paid back as I covered in the bill itself no later than January 1, 1982.

SPEAKER MARVEL: Do you move the advancement of the bill?

SENATOR NICHOL: Excuse me, sir. Yes, I move the advancement of 14A.

SPEAKER MARVEL: Senator Chambers and then Senator Frank Lewis.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I just have two questions of Senator Nichol. Senator Nichol, you did describe this as a loan which the state is making to this commission.

SENATOR NICHOL: In reality that is what it amounts to but I understand they cannot call it a loan because the state cannot make loans. It would be given to the commission but the commission must pay it back according to the bill itself.

SENATOR CHAMBERS: The Supreme Court has indicated that a Legislature cannot avoid a constitutional problem by defining a word in a different way so that by means of a definition place an act which is unconstitutional. So perhaps the members should look into whether or not the state can loan money in this fashion. And my second question, does this bill state that the only way that sections 1 through 33 of this bill can become operative is through a vote of the majority of the bean growers?