

Hefner a question or two if I could. Senator Hefner, while I may or may not agree, in fact, I tend to agree with the purpose of the bill and that is that if state government is going to mandate programs on local governments that they ought to recognize that that has a tremendous fiscal impact on that local government and ought to be some way assist that local government to pay for those programs. I have to ask this very key question. The reason that you offered a constitutional amendment was to obviously write this in stone. Wouldn't a legislative bill be as effective, would be a mandate, there is other procedures and other ways in which we could deal with this? Wouldn't that be more appropriate than a constitutional amendment?

SENATOR HEFNER: I didn't check into that but what I am trying to do in this bill is to amend Article 3 of Section 22.

SENATOR NEWELL: I guess the question was the appropriateness of putting this kind of language in the state constitution. How appropriate do you feel putting this kind of language in the state constitution is? I have always had some real problems with legislating by constitution as opposed to legislating by this body which has that responsibility, that constitutional responsibility. Why do you feel the great necessity to put this in stone or legislate in stone and put this in the constitution? Wouldn't a legislative proposal be as adequate?

SENATOR HEFNER: Senator Newell, I felt that by going the constitutional route it would give people of the State of Nebraska to speak and if they feel that the state Legislature, when we as a state Legislature mandate program that we should figure out a way how they are going to be funded and this was why I propose a constitutional amendment. If you think that we should do it by statute, well, fine. You should introduce a bill to that effect.

SENATOR NEWELL: Senator Hefner, I am rising to oppose your proposal and let me talk on it then since...and not ask any more questions. I would like to speak to the body about the wisdom, the basic wisdom of putting proposals like this in the state constitution. If this body is going to mandate programs and some of them very major programs and some of them oftentimes very insignificant programs and cost. Who is to determine cost of these programs? If we make certain changes and if we make small indications that local government should file reports and they come back with a fiscal estimate that these reports are going to cost them \$20 to fill out, does the state then mandate it by the state constitution to run a voucher to pay local subdivision x \$20