

March 20, 1980

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SENATOR JOHNSON: ...and I cannot tolerate, I cannot tolerate the miseducation of my own children and I can't tolerate the miseducation of our children because our children are tomorrow's future and if we allow it to continue we have committed a terrible travesty to the state and to its people and to play games with this lid is wrong, to go for more than one year is wrong. In our Constitution right now we have given the people of this state the right to initiative of referendum in all matters except appropriational matters, in all matters except appropriational matters. Why? Because you have to have money to run a government and you have to have monies to run a school and to harm our children is dead wrong. To carry this on for more than one year is an unjust act. We have an opportunity to correct that which has been done. We have no recourse, no alternative but to do it. To fail to do so is to fail at our own constitutional obligation.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature, Senator Johnson said this is a difficult issue to face. I agree for some people but it is not difficult for me at all, Senator Johnson. I know clearly what I ought to do and I am having an amendment drafted to do that. As far as what you said about when you face a difficult issue you turn to the Constitution, many members when they face a difficult issue they turn and run and I think that is what happened when LB 2 was originally passed and we have now the opportunity to correct that. We can regroup. There has been time to consider the problems that were caused by that hasty act and salvage some respect for the legislative process. I have decided since Senator Stoney read the Constitution relative to initiative to read a little further. And he pointed out that it takes a certain percentage to enact a law, a certain percentage to amend the Constitution but furthermore it says, "In all cases the elector signing such a petition shall be so distributed as to include 5% of the electors of each of two fifths of the counties of the state." So in at least two fifths of the counties 5% have to sign the petitions. In other words, there cannot be a pocket of people in one part of the state who want a law to be imposed on everybody in the state and they can do it. There has to be a distribution of those signing the petition so there is some degree of safeguard built into the constitutional initiative authority. In addition to that the Constitution is envisioning a law that will apply to the entire state. We have different numbers of people required to sign petitions for different