

done, whether it be capital construction or whatever?

SENATOR LANDIS: The sections that I have read, LB 434 applies only to cities and villages. There is, however, initiative and referendum power with respect to state enactments, however, those are not found in statutes. Those are found in the Constitution and if you will look in your copy of the Constitution which is in the black book, and not in mine, you take a look at Article III, Section 3 in the Legislative Powers granted by the Constitution, it indicates that with respect to referendum there is no referendum that the people have to counteract an appropriations measure for state government or for the furtherance of state institutions. So, with respect to the referendum and again I guess I would make this analogy. In our Constitution we have that same underlying philosophy, that referendum takes away the initiative, puts on the books and there the referendum is limited with respect to financial obligations, appropriations undertaken by this body. There is an analogy in state law that covers the State Legislature. It is found in the Constitution and there is a limitation on the power of the people to effect financial exchanges. I think the underlying theory is that you have to be able to rely on the appropriations process. You have to rely on that contractual arrangement that may set a lot of people into motion, a lot of money changing hands setting into motion as you do in the cities with respect to bonds.

SENATOR VICKERS: Okay, thank you, Senator Landis. That answers a concern that I had had. I didn't want to get in a situation where the people had a right as far as the state was concerned and didn't have that same right as far as the cities and villages of the state was concerned and if, in fact, this is, if I understood you correctly, then what we are doing is making it so that it is uniform, both on the state level and also on the local level and I will support this bill. Thank you, Senator Landis.

SPEAKER MARVEL: The motion is to advance 434 to E & R for review. All those in favor vote aye, opposed no. Have you all voted? Record.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, LB 144.