

March 26, 1981

LB 446

**SPEAKER MARVEL:** Senator Dworak.

**SENATOR DWORAK:** Mr. President, colleagues, this amendment was brought to me by the Secretary of State, Allen Beerman and he indicated to me that we have some constitutional problems with the bill and that, in fact, the Legislature shall write this wording but it would be no problem if the Legislature wrote it and then sent it to the Attorney General for approval. Essentially that is what the amendment does.

**SPEAKER MARVEL:** Senator Chambers, we are on the Dworak amendment to LB 446.

**SENATOR CHAMBERS:** Mr. Chairman and members of the Legislature, would Senator Dworak tell me again what his amendment does? I was somewhat distracted.

**SENATOR DWORAK:** The amendment reinstates the original wording that the Legislature shall, the council shall write the descriptive wording and it then provides for the Attorney General to approve that wording, send it to him for his approval rather than allow him to write the descriptive wording, period, as Senator Koch desired a couple of weeks ago.

**SENATOR CHAMBERS:** Senator Dworak, does mean that the Attorney General has veto power over what the Legislature determines the wording should be?

**SENATOR DWORAK:** Senator Chambers, the way it is worded I can't answer that question. It just asks for his approval. I read nothing in there that if he does not approve it that that wording will not hold but...and that is important for the record but I don't see the word approval as veto power but I think it is a good point and the way I read it, no.

**SENATOR CHAMBERS:** Senator Dworak, if the Attorney General can approve or disapprove, and it will not make any difference as to the language accepted by the Legislature, why have this amendment?

**SENATOR DWORAK:** Well it is striking the original Koch amendment that would have allowed the Attorney General to write the wording, period, instead of the Legislature. This is putting it back into the Legislative Council jurisdiction.

**SENATOR CHAMBERS:** Let me get clear then, the Koch amendment took the power from the Attorney General to write the amendment. Do you agree with that?