

March 10, 1982

LB 647

have other amendments on the bill.

CLERK: Mr. President, Senator Vard Johnson would move to amend and the Johnson amendment is found on page 670 of the Legislative Journal.

SENATOR CLARK: Senator Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I am a member of the Government, Military and Veterans Affairs Committee that heard this bill and in the course of hearing this bill I heard a few things about our initiative and referendum process that I was not aware of and one of the things that I learned is that whenever a registered voter is going to circulate a petition in a county in which he does not reside he has to post a bond of \$500 to be able to circulate that petition. And when I heard that I said, you know, I think that represents a fairly significant impediment on the movement of voters from one county to another to circulate a petition so my amendment does two things. The first thing it does is it eliminates this language. It doesn't require any bond to be posted by any registered voter who wants to circulate an initiative or referendum petition outside of his own county residence, and the second thing my amendment does is my amendment effectively eliminates all the changes that LB 647 was going to make to existing initiative and referendum law so it leaves the remainder of our initiative and referendum law in exactly the condition it presently is in. Thus if my amendment is adopted, it becomes in effect this bill. We really will have liberalized our initiative and referendum law a bit by providing simply that any person who wishes to circulate an initiative or referendum petition does not have to file a bond of \$500 to be able to go into a different county and circulate that petition. Let me just tell you for a few minutes what my own philosophy on the initiative and referendum movement is. If you look at the Nebraska Constitution, you will discover that our drafters in 1920 said the initiative power is the first power reserved to the people and the referendum power is the second power reserved to the people. It was made clear back in 1920 that the folk in the State of Nebraska felt that the right of the people to be able to initiate law and to be able to vote on laws that we had passed for the referendum process was of critical importance. I happen to agree with that. I think there comes a time when Legislatures become unable to move legislation that people genuinely want. We become unable because we have not got a full sense as to what people genuinely want. We become unable because we really have only heard one point of view and that might be the

8614