

March 11, 1982

LB 807

of the amendments which was published in the Journal. It is withdrawn, Senator Landis. The next one then, Mr. Clerk.

CLERK: Mr. President, the next amendment I have is from Senator Landis and Senator Beutler to the bill.

PRESIDENT: Are you handling it, Senator Landis?

SENATOR LANDIS: I am, Mr. Speaker.

PRESIDENT: The Chair recognizes Senator Landis.

SENATOR LANDIS: Members, this is the short sheet that has just been placed on your desk. As a matter of fact, we are going to have to take a look at three of these. I am sorry for their late arrival but in fact this bill has required just a little tinkering between General File and Select File. Senator Beutler turned around on General File discussion and said to me, well, gosh in the limited referendum situation when you have got 30 days you don't have any requirements for the Clerk to give you back your prospective petition. I pointed out that we did have a penalty at the end of the law indicating that a Clerk who willfully did not respond in a reasonable time was subject to a penalty, but in discussing it the two of us agreed that we should place the Clerk under an obligation to return those prospective petitions with their decision in a reasonable time. Remember, in limited referendums under current law which we maintain, you have to get those petitions circulated and signed within 30 days of the measure. So the Clerk's role here has to be done quickly. The language is clear in this amendment. You give the Clerk a prospective petition. They have 3 working days to make a decision as to whether or not it is statutorily correct, and they have to give it back to you or they have to authorize it. In the event it is not satisfactory, you have to rework it and give it to them a second time, they have only two working days to make the decision as to whether or not it is authorized. I would move the adoption of the amendment but first let me ask Senator Beutler a question.

PRESIDENT: Senator Beutler.

SENATOR LANDIS: Do these provisions meet the need that you indicated to me for a speedy return or action by the Clerk in the face of a prospective petition?

SENATOR BEUTLER: Yes, Senator Landis, in fact they do better