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April 13, 1999 LB 729

SENATOR WICKERSHAM: We have a request for a call of the house. All those in favor please vote aye, all opposed nay. Record.

CLERK: 17 ayes, 0 nays to place the house under call.

SENATOR WICKERSHAM: The house is under call. Will all unauthorized personnel please leave the floor. Will all senators who are not excused please return to the Chamber. The house is under call. Senator Schimek, do you wish to proceed with your closing?

SENATOR SCHIMEK: Yes.

SENATOR WICKERSHAM: Again, I would enjoin the members, the house is under call. Will you please check in. Will all unauthorized personnel please leave the floor. Will all unexcused senators please report.

SENATOR SCHIMEK: Yes, thank you, Mr. President, members of the body. For those of you who were off the floor, or even for some of you who were on the floor, I'll...I'll just try to encapsulate what the amendment does. Basically, it sets up a scenario whereby the Secretary of State either accepts or rejects a filing of a petition. By filing we mean the actual putting of the issue into the Secretary of State's hands for a process which goes through the Revisor of Statutes, back to the Secretary of State, and then, finally, to the petitioners to go and circulate petitions. And it...by the Secretary of State either accepting or rejecting the petition for filing, that sets up...that's an action that sets up the opportunity then for the courts to be involved in deciding whether or not this petition, this particular petition in question, meets certain standards. And what this amendment does is set up really a definition for legal sufficiency and talks about the fact that it shall...it shall be decided on whether it interferes with the legislative prerogative contained in the constitution, about necessary revenue of the state and its governmental subdivisions, whether it complies with Sections 32-1401 to 13 (sic)-1416, which are, basically, the procedural parts of statute to deal with petitions, whether it would violate the Constitution of the state of...or of the United States or the laws of the United States, or whether it fails to comply with procedural