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LB 729

was getting into an area where he was...he would be required to address an issue or give an opinion on a case that hasn't yet...basically too soon, before it was right. Indeed the Attorney General, in the opinion, if you'll read it, said that no case or controversy would exist prior to an adoption of an initiative or referendum by the voters. So, as such, the Attorney General said, you're right, there could be a problem with number two. Finally, number three, the Attorney General thought that there could be a problem with facilitating the operation of the initiative and referendum process. And I will refrain from reading from my constitution, but there's a fairly short paragraph, the conclusion paragraph of the Attorney General's Opinion, that I would like to read into the record and that I would, I guess, give you something to chew on. "The Nebraska Supreme Court had noted," and again this is the Attorney General's Opinion written by Dale Comer, May 4. "The Supreme Court has noted, 'to preserve the full spirit of the initiative the submission of issues to the voters should not become bogged down by lengthy litigation in the courts.'" He's quoting from State ex rel. Brant v. Beermann, which is a 1984 case. He goes on, "Based on our experience over the years where we have found that placing initiative and referendum measures on the ballot frequently leads to litigation under the present system, we believe that LB 729 will in all likelihood result in litigation involving most initiative and referendum measures before proponents of the measures are even able to collect a single signature. As a result, LB 729 will cause initiative and referendum measures to become bogged down at the outset by lawsuits involving constitutional issues in the courts. For that reason, we do not believe that the bill will 'facilitate' the initiative and referendum process. Under the authorities cited above, it is, therefore, probable that our courts would hold the bill to be unconstitutional." And I draw that to your attention. Again, the opinion of the Attorney General's Office is the opinion that I requested, and I do realize that certain members of this Legislature do not hold the person of the Attorney General, the present person holding that office, in the highest regard. And, I guess, I'd urge you to put those feelings aside, read the opinion and come to those conclusions yourself. The Attorney General is the legal authority that this Legislature must turn to when we do have legal questions, not a private attorney, but the Attorney General. And, as such, I