

April 2, 1980

LB 609, 285

CLERK: Mr. President, I have another motion on the desk.

SPEAKER MARVEL: Read the motion.

CLERK: Senator Johnson moves to amend the bill. (Read Johnson amendment found on page 1670 of the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of the body, a half an hour ago Senator Keyes tried an amendment. His amendment would have repealed LB 1 and LB 2 and all budget limitations imposed pursuant to LB 2. That amendment did not carry. I suspect one of the reasons why that amendment did not carry was because the amendment addressed, according to Senator Keyes, LB 285. LB 285 as you well know is the Legislature's lid bill created during the 1979 session. My amendment does a very simple thing. It repeals LB 2. LB 2 is the law that was passed in the 1978 Special Session to allow the voters themselves to put a lid on the ad valorem taxes raised by any local governmental subdivision. It was my opinion that with the passage of LB 285, under which incidentally, we repealed LB 1, also created during the Special Session, we also have repealed LB 2 because 285 truly addressed the lid issue in a responsible fashion. If the State of Nebraska was to place lids on the local governmental subdivisions then the way to go was through 285 which we passed and we made a mistake. We left on the books, LB 2 and in my opinion it was a true mistake because we left in the hands...we left out there a law which didn't even begin to mesh with LB 285. It was an inexact law, a hastily conceived law and it ought to be repealed. So what my amendment does simply is repeal LB 2 and also any budget limitations that have been imposed pursuant to LB 2. Now, I am a member of the Government, Military and Veterans' Affairs Committee. I am also a member of the Revenue Committee and as you know, both committees have had to deal with the issue of lids over the last year. We have had to take a hard look at the question and one of the things that I have concerned myself with is the people's rights to impose lids. I have asked myself whether or not, in a representative democracy which you and I live in, it is good government for us in a representative democracy to say that the people themselves by direct election can impose lids and I have had to draw upon a lot of historic documents to arrive at a conclusion. One of the most historic of documents I personally looked at were the Federalist Papers which as you well know were drafted by James Madison, John Jay,