

March 18, 1981

LB 17

at this time with the committee's recommendation. Thank you, Mr. President.

SPEAKER MARVEL: Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, I would just like to make a couple of remarks in response to what Senator Stoney indicated about the statutes of Nebraska providing 5% for initiative petitions. Now let me say two things with respect to that. First of all the statutes provide all kinds of percentages for all kinds of different votes. Some of them are 25%, some of them are 15%. Senator Koch has a memorandum indicating what the various percentages are for various kinds of votes. Now there is one other privilege. My second argument is that there is one other privilege that the voters of the State of Nebraska have in LB 17 and the underlying act that it amends that is not present in the state initiative or referendum provisions and that is that they are permitted to put these ballot measures on the ballot at a special election, not just a general or primary election. Now my preference would be to remove from this statute the option of putting it on at a special election because of the extraordinary added expense and because you do not really get a true cross section of how all the voters at the election feel. The only people that tend to come to a special election are people that have an intense special interest in the outcome and you do not get a real cross section or a real feel for how the voters generally feel about a particular issue but I think if Senator Stoney and others are concerned about raising the percentage to 7% or 10%, why that can be mitigated by the realization that these voters can, if they want, decide in July there is a problem, collect signatures in August and put it on the ballot in September. Now nobody else can do that under the statutes of the State of Nebraska. When we put a ballot measure on the ballot we can put it on the primary or general election. If the voters use the normal initiative or referendum procedures outlined in the state Constitution relating to state laws they can put it on a primary or a general election ballot. They can't call a special election and I think the fact that the voters have the privilege of calling a special election for these kind of measures really mitigates any amendments that would raise it to 10% as Senator Koch is proposing here. So for that reason I would support Senator Koch's amendment.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Well, Mr. President and members of the Legislature, to answer Senator Stoney, I don't think there was any intent by the committee or any intent by Senator Koch to make it too difficult for the people to act. Even