

March 18, 1981

LB 446

SENATOR V. JOHNSON: Right and I will be speaking on Senator Vickers' comment. What Senator Vickers wants us to do is he wants us to follow the request of the Secretary of State Allen Beerman to change a referendum and initiative statute that has been on our books for some time and the Government, Military and Veterans Affairs Committee has fairly consistently rejected this request by the Secretary of State because it feels that existing law is good law with respect to the initiative and referendum process. What existing law says is this. When the initiated matter or the referendum matter is to be printed in a legal newspaper for circulation in this state, then any group who supports the initiated matter or the referended matter or who opposes it may cause to be printed at that group's expense an editorial comment or argument either on behalf of or against the initiated or referended matter and the Secretary of State has consistently told us that citizens become annoyed because citizens believe that somehow these editorial remarks or comments are those of the government itself and not of a group that supports or opposes the particular point of view. So the Secretary of State has recommended that we just delete this aspect of the initiative or the referendum process in toto but your committee said, no, we didn't want to do that. Your committee said, all we want to do is to put a caveat, we will have a little caveat attached to the comment saying, this is not a view held by the state. This is a view of a private organization and that will then alert the reader but we did not want to eliminate the opportunity of persons who are involved in the initiative process or in the referendum process from making known their points of view to the voters and we felt it was important for their points of view to be made known in conjunction with the printing of the legal notice concerning the actual referendum or initiative item. Why? Because it would be virtually impossible for such a group to be aware of what papers a Secretary of State was going to publish in, to get all the advertising copy laid out, to have the arguments succinctly stated and the like. It seemed to us this was a very low cost way of being able to inform voters on a matter of consequence without the state itself taking a position but continuing the basic informative process that government requires. So I would urge you to reject Senator Vickers' issue, to vote red on this particular question, I'm sorry, to vote green because we are going to want to advance this little committee amendment rather than to vote red. I get a little confused as to exactly how I want to make sure the vote goes but be sure that we do it the right way which simply is to allow groups to pay for editorial and argument comment on legal notices regarding initiative and referendum matters and provide also a disclaimer that this is not any official position of the State of Nebraska. That is the existing policy and a vote