

April 5, 1989

LB 640

SENATOR BAACK: Yes, yes, we did. Cynthia, the legal counsel, said, yes, we did take care of that.

SENATOR WESELY: Okay, I just want to be sure. I thought we had passed a bill.

SENATOR BAACK: I was thinking we had, too, but I wasn't sure.

SENATOR WESELY: Yeah. You remember that? That was quite an interesting deal.

SENATOR BAACK: Yeah, I do remember that.

SENATOR WESELY: The voice of the people being listened... The other thing though is, you know, we had the discussion this morning, Thomas Jefferson talked about shaking up government and the desire to have a little revolution every once in a while and obviously recall is as close as we come to that in Nebraska. But the question I have is, I think we're one of the few states with recall provisions, or it is not necessarily a universally applied option for our citizens. Do you know how many states have recall at all? Maybe it's initiative and referendum I'm thinking of, but I don't know that...

SENATOR BAACK: You are correct. I know that all states do not have it and it is in varying stages that states do have it and people talk about the right of recall, you know, you've heard that, well, we have a right to recall. It's not on the level of a constitutional right because there is no mention of recall in the U.S. Constitution so there is no federal recall, and in Nebraska, it's not in the Constitution, it's a statutory right.

SENATOR WESELY: Is that right? There is no state constitutional...

SENATOR BAACK: It's statute. The legislature set up the process, the Legislature has the ability to change that process.

SENATOR WESELY: That's interesting. Well, I was just curious though if you did have any information about how many states did have recall and...

SENATOR BAACK: Cynthia said that 35 have local recall, 15 have state kinds of recall. Most of them that do have recall are on the local level which is...