

LR 6CA, that's the way it had been historically in our state, and I think we should do this for our citizens. Give them back that process that they've had and that they've used, not unsparingly, but they've had difficulty with, and let us go back to where we were before the Supreme Court decision and Senator Hall's amendment in '88. The...we had, of course, Attorney General Opinions written about a two-tiered effect, and our Attorney General said that it was not constitutional. I have read the letter that Senator Schimek asked for from the attorney from the Chicago law school. He wrote it well.. a well written letter. I think he explained his thoughts very well. It just shows that legal opinions are...can vary and usually do, and you see that yourself when you listen to the attorneys on the floor get into hassles on different issues. I guess my particular philosophy at this point is that we're probably better off listening to our Attorney General than we are to a lawyer from Chicago as far as what's constitutional for Nebraska. And what would happen if these committee amendments are attached and the bill were to pass this way, what you would find would be another problem in our courts. It would go to the courts right away and we could deny these citizens again this process for another two years. I don't think that's what we're about. I think we are about providing for our citizens the rights that they've had and that they know are theirs as a part of our constitution. And I would like to urge you not to support the committee amendments and put us back to LR 6CA as it was and allow that to be passed onto Select File. Thank you very much.

SPEAKER WITHEM: Thank you, Senator Dierks. Speaking order is as follows Senator Schimek, followed by Senators Warner, Witek, Wesely, Hall, Beutler and Bernard-Stevens. Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President, members of the body. I would like to spend a little bit of time going over a little bit of history, especially for those who are new in the body, but for everybody else as well. The reason this is before us today is because of the Dugan case which took a look at two different sections that existed in the constitution and partly as a result of a bill that we passed several years ago, LR 248, which was subsequently passed by the voters. The intention of that bill was that we say that you had to be a registered voter in Nebraska in order to qualify numberwise for those who were counted as voting in the gubernatorial election. Now I said that badly, let me say that again. As of several years ago we counted the numbers needed for petition drives based on the