

of the Legislative Journal.)

SENATOR CROSBY: Senator Witek, to open on the amendment.

SENATOR WITEK: Madam Chairman, members of the body, I'm having the amendment passed out right now. And what it will do is on page 3, line 26, after the period it would insert the language, "Delegates sent by this state shall not be authorized to propose or approve of an amendment to the Constitution of the United States which would allow two-thirds of the state legislatures to nullify an unpopular federal law." I'm proposing this amendment because the discussion that the Governor and others have tried to focus on for disagreement on this issue has been to say that the Conference, itself, will not become a constitutional convention. I think we've taken some good steps to make sure that that doesn't happen, although I have plenty of opinions from attorneys all over the United States, professors of law from universities, it seems to have generated a lot of interest in the last few weeks, that that is still a possibility. But what's...what's a greater possibility is that this will occur, The Conference of States will occur and I believe that's why it's on our agenda again today is that the Governor has the 25 votes that he probably needs to pass this. So since it's a very likely probability that a Nebraska delegation will be sent to a Conference of States, and since it's also been discussed that The Conference of States will decide on a petition and a states' petition document, and in that document Governor Leavitt and Governor Nelson, the two Governors who are spearheading this, have both said that there is a likely possibility, in both their assessments, that there will be two, at least two constitutional amendments proposed that will be written into the States' Petition. And one of the two that comes up the most often is an idea that was generated several years ago, by Bruce Babbitt, and that was about 1980, and this idea would be to have two-thirds of the states given the power to sunset any federal law, except those dealing with foreign affairs or national defense, and it provides the states, according to Governor Leavitt, a mechanism to remove onerous burdens imposed by the central government. I would like this body, since there seems to be a majority who would like to send a delegation to The Conference of States, to discuss this issue and find out some of their feelings on the possibility of a constitutional amendment to amend the Constitution of the United States to allow two-thirds of the states to vote to overturn any federal law. It's...it's possibly very serious business, and I think when people think of