

And certainly if this change is I would very quickly support a higher number than what is currently in the bill, but I'm willing to stay with what we have if the process stays the same and where the two-tier system will be initially...provide the opportunity to be tested. Unlike others, I recognize it may have a constitutional problem but I also believe that there's a very good possibility based upon the opinions that I have read, as all of you perhaps have had access to, from other attorneys who are recognized to be well versed in constitutional law. I think there's a distinct possibility it would be upheld and in that event we would have a very superior system in which genuine citizen concern, input and volunteer group would have a much lower level while the influence, particularly of outside money, to attempt to put issues on the ballot through extensive use of paid circulators would have a higher threshold. I think it's a much better public policy and I hope you would reject Senator Beutler's amendment.

SPEAKER WITHEM: Senator Maurstad.

SENATOR MAURSTAD: Thank you, Mr. Speaker, as a novice lawmaker I find myself in want, well obviously not everybody else is a novice, find myself in that situation where it appears with what I would like to see occur and what I believe a majority of the citizens of the state would like to see occur, can't, in fact, occur and that is I would like to see the number, regardless of how we get to that number, the number of needed signatures for grass-roots citizen only type efforts to be what it was before. Like most Nebraskans, however, I don't want to see it so easy that every paid petition effort that comes along is almost automatically successful. And I think last summer demonstrated how easy it is for a paid drive, financed with out-of-state money, can place provisions onto our ballot. And as I understand it, at least between now and our next election we're going to have to live with the higher number, so what we're looking at is what changes are going to occur in 1997 and beyond, and it seems like to me that we'd be better off without the Beutler amendment, but I'm trying to follow his lead and keep an open mind relative to this. So with that said, I'd like to ask Senator Beutler one question and then...Senator Beutler, I understand there is some concern that if we leave the bill in its current form without your amendment that the first, when it goes to the Supreme Court they could rule the entire LR 6 unconstitutional, both that aspect that talks about the bifurcated system and the balance. Is that accurate or am I