

February 1, 1996 LB 954

SPEAKER WITHEM: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Yes.

SENATOR CHAMBERS: Senator Bernard-Stevens, are you aware of what this amendment would do that I'm offering?

SENATOR BERNARD-STEVENS: To be honest with you, I was talking with Senator Maurstad and I missed your second explanation even to Senator Schimek, so, no.

SENATOR CHAMBERS: Three strikes and you're in. Here's what it does. Instead of just saying that the political subdivision will take this...make this determination by way of resolution, that is the formal way that the county board takes action. It would add the words that in the case of a city or village it would be by ordinance, meaning that they have to take this action in the legal manner by which they take other action, rather than just leave the word "resolution", which is not something that is...that...the word "resolution" does not describe the legal way that a city or the village would take it's action. And without this that I'm adding, a city council could come together and they could just say at that time, we're going to adopt a resolution to do this. Maybe they'll pass a resolution saying, we're going to ask the Legislature to support a bill. But in this instance this decision ought to be made in the same way that other legal decisions are made. And, as Senator Schimek pointed out, it would even create or generate a document that could be sent to the election commissioner or the clerk or whoever is going to be involved with the process. Having heard that, do you have any problems with an amendment of this kind?

SENATOR BERNARD-STEVENS: Only one, Senator Chambers, and that is that you're making, in my opinion, a bad bill less onerous. And maybe I'd want to oppose the bill because your amendment makes so much sense that it may actually bring more people onto the bill in support. But in direct answer to your question, it does improve the process so that there is a first, maybe, reading, second reading, or even the third reading, if that's what the process is for an ordinance, rather than just one quick resolution.