

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 13, 1999 LB 729

the process.

SENATOR CHAMBERS: And that's why I want to raise the questions because it could be used to get people to sign it in the first instance by pointing out that the court has approved of this. It was challenged by the Secretary of State and others. The court has said it's valid, it's constitutional, now sign this petition. And what group would not make that argument? I'd like to ask Senator Vrtiska a question, if he has followed. Senator Vrtiska, let's say we're at a point where the Secretary of State had refused to put it on the ballot, said that in this form it wouldn't go. The organization appeals it and gets a final judgment from a court saying that it ought...it could go on the ballot. Do you think that the group circulating that petition would use that court decision in their favor as an argument to get people to sign the petition?

SENATOR VRTISKA: Well, being an old mule skinner (laugh), I'm not too sure that I can answer your question to your satisfaction. I, you know, that's a very difficult question. It's possible that that could be the result of exactly what you're saying.

SENATOR WICKERSHAM: One minute.

SENATOR CHAMBERS: Wouldn't...wouldn't you do...if you had a court decision, you're circulating a petition,...

SENATOR VRTISKA: Um-hmm.

SENATOR CHAMBERS: ...and you had a court decision, the Secretary of State said this won't fly, can't get on the ballot, and the court ruled, yes, it can, it doesn't violate the constitution, it doesn't violate the law, and it is in proper form, then wouldn't you use that court decision to show people and argue you ought to sign this petition because the court has already said it's good?

SENATOR VRTISKA: Well, that's a good point but, on the other hand, we don't have it now and people using the argument this is a good idea, and I think most of these petitions have to be argued on the basis of whether they're good for the people who