

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

April 15, 1999 LB 835

of authority is given.

SENATOR CHAMBERS: I agree, but here's what we have to remember. The constitution is a limitation on the Legislature's power. The constitution does not grant authority to the Legislature. Anything that is in the constitution relative to what we can do is designed to limit what we do, not grant us the authority. That's why I used the term it acknowledges what the Legislature can do rather than empowers the Legislature to do. We have plenary power and authority to legislate on all subjects. The only limitations on what we may constitutionally do are the U.S. Constitution, U.S. laws and treaties, if they happen to get involved, and the Nebraska Constitution. So I would ask this. Why is it necessary to cross-reference the constitution instead of just putting into the statute the language that states what it is we intend to do by virtue of this statute?

SENATOR BRASHEAR: It's necessary for two reasons, Senator Chambers, in my opinion. One is that we have already defined farming or ranching within the ambit of Initiative 300 to be, and I'll skip over the cultivation of land for production, blah-blah-blah, and go to the second part. We have defined farming or ranching to be the ownership, keeping or feeding of animals for the production of livestock or livestock products. We already have that definition. There's nothing to be gained by not referencing it so that we keep everything together.

SENATOR CHAMBERS: Why don't we just...?

SENATOR BRASHEAR: Secondly, if...

SENATOR CHAMBERS: Why...?

SENATOR BRASHEAR: I can answer...if I can answer your question with the second part.

SENATOR CHAMBERS: You're...

SENATOR BRASHEAR: I said there were two parts.

SENATOR CHAMBERS: You're taking so long. You're taking so much of my time.