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FLOOR DEBATE

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LB 598

SPEAKER BROMM: ...Senator Tyson. I would recognize Senator Tyson to open on LB 598.

SENATOR TYSON: Thank you, Mr. Speaker, members of the body. There's really nothing for me to say, because the bill will become the Executive Committee amendment. And I will relinquish my time, Mr. Speaker.

SPEAKER BROMM: Thank you, Senator Tyson. I would then recognize Senator Engel to open on the committee amendment. (AM0783, Legislative Journal page 1203.)

SENATOR ENGEL: Mr. Speaker, members of the body, the committee amendment to LB 598, and it's AM0783, would strike all the original sections regarding appointing a study group to look into the feasibility of repealing term limits for members of the Legislature, and would instead propose a constitutional amendment to outright repeal term limits. Some of you may wonder whether or not the Legislature can place an amendment to the State Constitution on the ballot by means of a legislative bill. And let me assure you that this procedure has been used before. Furthermore, a 1987 opinion by Attorney General Bob Spire addressed this specific question with the answer being that the Legislature may place a proposed state constitutional amendment on the ballot by means of a legislative bill, so long as the bill is passed by a three-fifths majority, required in Article XVI, section 1 of our State Constitution, c.: by 30 affirmative votes. Further, it is our view that such a state constitutional amendment need not be presented to the Governor upon its final passage, and that the Governor has no authority to sign or veto the legislative bill containing the amendment. So that is what the amendment does. And this was passed out of the Executive Board unanimously. I would make a few general comments on this, and then I'll turn it back over to Senator Tyson, because I know he has other things he wants to say. But I guess let me put the effect of term limits for the Nebraska Legislature in perspective for you. In 2006, almost half of the current members of this Legislature will be term limited. In 2008, the other half will be gone. Thus, within five years, the Nebraska Legislature will have experienced a near complete