

Sharon Craichy
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Burwell, NE 68823

June 10, 2005

The Honorable John Gale
Secretary of State
State of Nebraska
1305 State Capitol
Lincoln, NE 68509-4608

RE: Initiative Petition

Dear Secretary Gale:

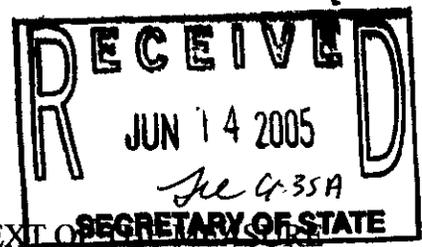
As you know, an Initiative Petition was previously filed with you the object of which was to provide for a vote of the people of a school district before a school district can be dissolved, affiliated with or merged into another school district. This letter is to advise you that the sponsors of that Petition have decided not to proceed with it, but instead those same sponsors are filing a new Petition which is enclosed with this letter for filing, together with a new Sworn Statement of the sponsors of the Petition (which are the same as for the previous Petition). We are beginning this effort anew because we have decided to make substantive changes in the Petition.

Although this is a new Petition, we have taken note of the changes recommended by the Revisor of Statutes for our previous Petition. We have retained the language "Be it enacted by the people of the State of Nebraska" because Article III, Section 13 of the Nebraska Constitution contains that requirement for all bills. We do not wish to leave it to the courts to decide whether this Petition is a bill or something else and therefore retain the language to avoid legal difficulties. We note that one of the ways the Legislature "kills" bills is to strike the enacting clause.

The Revisor also suggested review of the word "voters". We note that the sentence immediately following the use of the term "voters" explains explicitly the vote that is required to approve a dissolution, affiliation or merger.

Yours truly,

Sharon Craichy
Sharon Craichy



INITIATIVE PETITION

STATEMENT OF THE OBJECT OF THE PETITION AND TEXT OF THE MEASURE
TO BE FILED WITH THE SECRETARY OF STATE

The Object of the Petition

The Object of this Initiative Petition is to amend the Constitution of the State of Nebraska to provide for a vote of the people of a school district before the school district can be dissolved, or affiliated with, or merged into another school district.

Title

For a Constitutional Amendment to provide for a vote of the people before a school district can be dissolved, or affiliated with, or merged into another school district.

Text of the Measure

Be it enacted by the people of the State of Nebraska that the Constitution of the State of Nebraska shall be amended by adding a new section 18 to Article VII as follows:

VII-18 Except as provided in this section, no school district which has students shall be dissolved or affiliated with or merged into another school district unless the dissolution, affiliation, or merger is first approved by the voters of each school district involved. To be approved, a majority of the votes cast in each school district must be cast in favor of the dissolution, affiliation, or merger. The transfer of a parcel of land from one school district to another at the request of the landowner does not constitute a dissolution, affiliation, or merger for purposes of this section.