

THE REALITIES OF LR 6 IN NEBRASKA

Calls for a Constitutional convention to amend the Constitution are very dangerous because a convention could put all of our most cherished freedoms, rights, and protections in jeopardy. In addition to threatening our constitutional rights, LR 6 puts the financial health and stability of Nebraska at risk.

Runaway Convention

Supreme Court Justices and prominent legal scholars agree that there is no way to limit the issues that a Constitutional convention could consider once a convention is called. The Constitution itself provides no basis for concluding that a convention could be limited to issues specified in state resolutions. Furthermore, LR 6 lists several items to be considered by a constitutional convention that are broadly worded. ‘Restraining federal spending’ and ‘limiting federal jurisdiction’ are broad statements that provide no parameters to ensure the protection of Nebraskans rights.

Unanswered Questions

The Constitution does not explain how states would choose delegates to a convention, how many delegates each state would have, whether delegates would have to follow instructions from their state’s legislature, how their votes would be counted, and so on. When this proposal was first brought in 2015 as LR 35, during the committee hearing, several committee members raised these questions to the representative from the Convention of States – each time his answer was “I don’t know”.

Impact on Nebraska’s Budget

On average, federal funds make up approximately 30% of revenues in Nebraska. Federal funds supplement agency budgets; of the 77 state agencies, nearly half receive some sort of federal funding. Nebraska’s education budget received over \$300 million in the 2014-2015 budget cycle, the Department of Economic Development received \$51 million, and the Crime Commission received \$10 million.

Impact on National Security

Balanced budget requirements, strict debt ceilings limits, and other arbitrary finance restrictions limit America’s ability to respond to national security crises. Limiting our ability to spend and borrow during times of war and natural disasters is ill-advised and places an undue burden on Americans impacted by national security and catastrophes. These finance restrictions also threaten Nebraskans when natural disasters hit our state. During the 2011 Missouri River flood, the federal government provided Nebraska counties over \$3 million from June 18-21. After the 2014 Pilger tornado FEMA provided over \$4 million in assistance to surrounding counties.