

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

May 15, 2001

LB 851

this bracket motion, and I would ask that we vote against it, and get on with advancing the bill. Thank you.

**SPEAKER KRISTENSEN:** Senator Bourne.

**SENATOR BOURNE:** Thank you, Mr. President, members. A couple of things. Senator Bruning mentioned that the Millard district is...the Millard School District is divided in the committee amendment, and that is true. And that's the reason for that is that it's unavoidable. You go down Highway 50, which is a known boundary, and again you read through the cases in redistricting law, and they talk about dividing known boundaries, highways, things of that nature, rivers, county lines. The argument and the problem as I see it, with the Bromm amendment, is that the splitting of those districts, those school districts, Papillion and Bellevue, is unnecessary and totally avoidable. That is the issue. I certainly am aware that when you divide up a state in numerous parcels that you are going to violate some districts. But in this situation, that's totally avoidable. We've, in the Bromm amendment, there's three districts that are divided up, three school districts that are divided up. And in the committee amendment there's only the one, Millard, and that is unavoidable in that amendment. I wanted to go through a little bit more on the constitutional provisions, I didn't finish that the last time I talked. And again the case is Karcher and, while Senator Quandahl and Senator Bruning are right, that the goal is absolute zero deviation, however the courts specifically state that a deviation from the ideal, and the ideal being zero, is acceptable if...

**SPEAKER KRISTENSEN:** One minute.

**SENATOR BOURNE:** ...it achieves the legitimate state objective. And a legitimate state objective is any number of consistently applied legislative policies, might justify a variance, and what we have here is a half of a half percent, including making districts compact, respecting municipal boundaries, and preserving cores of prior districts. The committee amendment is constitutional, and don't let anybody convince you otherwise. If you look at the legislative resolution, and again it's not binding, it's there to guide us, it was adopted unanimously