

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

March 13, 2006 LB 786

also waives. Senator Chambers, there are no further lights on. You're recognized to close on FA552.

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I'm going to say again the approach that I'm taking on this bill. I'm trying to keep my participation at this point as clinical as possible. If I were to inject some of my views, people who are not listening carefully to the nature of the amendment may think that the amendment that is being offered is reflective of a view I expressed with which they may disagree. And because my colleagues do not read carefully, they'd automatically vote against the amendment. Then I'd ask, why did you vote against the amendment? Here's what it did. They...oh, well, I didn't know. So I'm going to tell you again why this amendment is being offered. What it does is put the words "in office" after malfeasance, misfeasance, and nonfeasance. What I could have done, in the interest of gender equity, is to put...since we've got "misfeasance," we could have "Mr. Feasance" also. And I could offer that, and my colleagues, if I didn't make them know it's a joke, they'd say, well, yeah, that makes sense to me. Um-hum, yeah, yeah, Senator Beutler made good points the other day about the law treating males and females equally. Yeah, if we've got "misfeasance," we should get "Mr. Feasance" in there also. But I'm not doing that. None of these amendments goes in that direction. However, in trying to bring consistency--that's all my amendments are trying to do--then I can argue, as Senator Beutler and others are doing, about recall and whether the bill is necessary as amended. On page 3, when the requirements for filling out a petition are being set in statute, a requirement is that a person give a handwritten statement in concise language of 60 words or less--they should say "fewer"--stating allegations supporting the grounds of malfeasance, misfeasance, or nonfeasance in office. Now, if the petition language requires the use of the words "in office," they then, those words, have to appear in the definition, because what you're defining in this bill is not malfeasance, misfeasance, or nonfeasance; you are creating a basis for recalling a person, and that basis is either malfeasance in office, to comply with the language in the petition, misfeasance in office, or nonfeasance in office. Whether the "in office" language is suitable, appropriate, or