

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 24, 2015

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[LB10 LB12A LB31 LB80 LB221 LB315 LB366A LB373 LB375 LB430 LB431 LB452  
LB485 LB515 LB539 LB570 LB621 LR67 LR68 LR69 LR70 LR71 LR72 LR73]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE THIRTY-SECOND DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR KOLOWSKI. PLEASE RISE.

SENATOR KOLOWSKI: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU. I CALL TO ORDER THE THIRTY-SECOND DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. RECORD, MR. CLERK.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS.

SPEAKER HADLEY: MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, PRIORITY BILL DESIGNATION: SENATOR BLOOMFIELD HAS SELECTED LB31; SENATOR BAKER LB431. YOUR COMMITTEE ON JUDICIARY REPORTS LB221 TO GENERAL FILE WITH AMENDMENTS ATTACHED. I ALSO HAVE A CONFIRMATION REPORT FROM JUDICIARY, THAT WAS SIGNED BY SENATOR SEILER. SENATOR EBKE OFFERS NEW RESOLUTIONS: LR67, LR68, BOTH WILL BE LAID OVER AT THIS TIME. MR. PRESIDENT, I HAVE A UNANIMOUS CONSENT REQUEST. SENATOR JOHNSON, AS CHAIR OF THE AGRICULTURE COMMITTEE, WOULD ASK UNANIMOUS CONSENT TO CONDUCT THE AGRICULTURE COMMITTEE HEARING SCHEDULED FOR TODAY, FEBRUARY 24 IN ROOM 1524. (LEGISLATIVE JOURNAL PAGES 611-613.) [LB31 LB431 LB221 LR67 LR68]

SPEAKER HADLEY: WITHOUT OBJECTION, SO ORDERED.

CLERK: THAT'S ALL THAT I HAVE, MR. PRESIDENT.

SPEAKER HADLEY: MR. CLERK, WE WILL MOVE TO FINAL READING. MEMBERS SHOULD RETURN TO THEIR SEATS IN PREPARATION FOR FINAL READING. WILL THE MEMBERS RETURN TO THEIR SEATS FOR FINAL READING, PLEASE?

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MR. CLERK, THE FIRST BILL IS LB430E. [LB430]

CLERK: (READ LB430E ON FINAL READING.) [LB430]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB430E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. MR. CLERK, RECORD. [LB430]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 613-614.) 43 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING. [LB430]

SPEAKER HADLEY: LB430 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW RETURN TO GENERAL FILE. MR. CLERK. WHILE THE LEGISLATURE IS IN SESSION, I HEREBY DO SIGN LB430. MR. CLERK. [LB430]

CLERK: MR. PRESIDENT, LB10 ON GENERAL FILE, A BILL ORIGINALLY INTRODUCED BY SENATOR McCOY. (READ TITLE.) THE BILL WAS DISCUSSED YESTERDAY. SENATOR McCOY PRESENTED HIS BILL. THERE WAS AN AMENDMENT OFFERED TO THE BILL BY SENATOR COOK. I HAD A PRIORITY MOTION FILED, MR. PRESIDENT. SENATOR CHAMBERS HAS PENDING A MOTION TO BRACKET THE BILL UNTIL JUNE 5 OF 2015. [LB10]

SPEAKER HADLEY: SENATOR McCOY, WOULD YOU PLEASE GIVE US A QUICK UPDATE ON THE BILL AT THIS TIME? [LB10]

SENATOR McCOY: THANK YOU, MR. PRESIDENT. GOOD MORNING, MEMBERS. I'LL BE BRIEF AS I KIND OF PUT US WHERE WE LEFT OFF YESTERDAY. I'M SURE WE'LL HAVE A LONG AND ROBUST DISCUSSION ACCORDING TO THOSE WHO OPPOSE THIS BILL. I'LL JUST MERELY ADD AND DOVETAIL INTO WHAT I TALKED ABOUT YESTERDAY. YOU KNOW, I THINK THE DISTRICT PLAN OF APPORTIONMENT REALLY DISCOURAGES PRESIDENTIAL CANDIDATES FROM COMING TO NEBRASKA AND ADDRESSING THE FULL BREADTH OF THE ISSUES THAT WE DEAL WITH IN NEBRASKA. I THINK IT TENDS TO CAUSE PRESIDENTIAL CANDIDATES TO COME AND CATER TO ONE CONGRESSIONAL DISTRICT THAT IS MORE AFFLUENT THAN ANY OTHER CONGRESSIONAL DISTRICT IN THE STATE. AND THIS IS TO THE DETRIMENT OF RURAL NEBRASKANS AND TO AGRICULTURAL ISSUES IN NEBRASKA THAT ARE VITALLY IMPORTANT. YOU KNOW, PRESIDENTIAL CANDIDATES THAT HAVE TO CAMPAIGN IN A BATTLEGROUNDS STATE LIKE IOWA ARE FORCED TO ADDRESS AGRICULTURE ISSUES THAT AS ALL OF US KNOW VERY MUCH AFFECT THE DAY-TO-DAY LIFE OF NEBRASKANS EVERYWHERE, WHETHER YOU LIVE IN

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OMAHA IN THE SECOND CONGRESSIONAL DISTRICT OR WHETHER YOU LIVE ELSEWHERE IN THE STATE. I'LL CONCLUDE JUST MY BRIEF LITTLE SYNOPSIS THIS MORNING BY SAYING, GOING BACK TO 1980 I TALKED ABOUT VOTER TURNOUT. THE LARGEST ARGUMENT FOR THE DISTRICT PLAN OF APPORTIONMENT GIVEN BY THOSE WHO BROUGHT THIS BILL BACK IN 1991 AND EVERY TIME SINCE THAT THE BILL HAS BEEN ATTEMPTED TO BE REPEALED. WELL, IT INCREASES VOTER TURNOUT. YOU KNOW OF ALL THE DISCUSSIONS THAT I HEARD YESTERDAY, NO ONE HAS REFUTED WHAT I SAID ON THE FLOOR ABOUT THAT, BECAUSE YOU CAN'T. THE NUMBERS DON'T LIE. IN 2000, 64.22 PERCENT TURNOUT OF PRESIDENTIAL VOTES CAST IN NEBRASKA; 2004, 58.78 PERCENT; 2008, 70.15 PERCENT; 2012, 69.1 PERCENT. VERY LITTLE CHANGE. BUT YET THAT'S THE BIGGEST REASON GIVEN TO HAVE IT THE WAY IT IS. SO I'D ASK THOSE WHO OPPOSE THIS BILL TO PROVIDE A RATIONALE TO ME AT THE VERY LEAST, BUT I THANK WE OWE IT TO THE MEMBERS, TO EXPLAIN WHY THIS IS SUCH A GOOD IDEA IF IT WAS MEANT TO ENGENDER A HIGHER VOTER TURNOUT WHEN THE NUMBERS DON'T BEAR THAT OUT. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: (VISITORS INTRODUCED.) IN THE QUEUE ARE SENATORS NORDQUIST, CRAWFORD, EBKE, AND CHAMBERS. SENATOR NORDQUIST, YOU ARE RECOGNIZED. [LB10]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. I'M GOING TO CONTINUE READING JUST A LITTLE ANALYSIS ABOUT THE IMPACT THAT CERTAIN STATES HAVE UNDER THE ELECTORAL COLLEGE. THIS REPORT GOES ON TO SAY: AS IT HAPPENS, THE SMALL STATES ARE DISADVANTAGED BY THE STATEWIDE WINNER-TAKE-ALL RULE TO A CONSIDERABLY GREATER DEGREE THAN OTHER STATES. SPECIFICALLY, 92 PERCENT, OR 12 OF THE 13 SMALLEST STATES, ARE ROUTINELY IGNORED BY PRESIDENTIAL CAMPAIGNS. THE 13 SMALLEST STATES HAVE A COMBINED POPULATION OF 11,448,957. COINCIDENTALLY, OHIO HAS ALMOST THE SAME POPULATION, 11,353,140 AS THE 13 SMALLEST STATES COMBINED. EXCLUDING THE ONE COMPETITIVE SMALL STATE, NEW HAMPSHIRE, FROM CONSIDERATION, THE CONSTITUTION GIVES 40 ELECTORAL VOTES TO THE 12 NONCOMPETITIVE SMALLEST STATES, 16 ELECTORAL VOTES WARRANTED BY POPULATION, AND 24 BECAUSE OF THE 2 ELECTORAL VOTE BONUS PER STATE. THE CONSTITUTION GIVES OHIO ONLY 20 ELECTORAL VOTES, HALF AS MANY AS THE 12 NONCOMPETITIVE SMALL STATES. IF IT WERE TRUE THAT THE TWO-VOTE BONUS ENHANCED THE INFLUENCE OF SMALL STATES, THE 12 SMALL STATES SHOULD EXERT CONSIDERABLY MORE INFLUENCE THAN OHIO IN PRESIDENTIAL ELECTIONS. THIS IS NOT, OF COURSE, THE CASE. THE BATTLEGROUNDS STATE OF OHIO WITH ITS MERE 20 ELECTORAL VOTES IS VERY IMPORTANT IN PRESIDENTIAL ELECTIONS, WHEREAS THE 12

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NONCOMPETITIVE SMALL STATES WITH THEIR TOTAL OF 40 ELECTORAL VOTES ARE POLITICALLY IRRELEVANT. THERE'S...WE HAVE HERE, ADVERTISING DOLLARS AT ALMOST OVER \$237 MILLION OF ADVERTISING EXPENDITURES WERE SPENT IN OHIO SINCE 2004, WHERE WE DIDN'T SEE HARDLY ANY IN THOSE SMALL STATES. IT'S TRUE THAT THE FOUNDING FATHERS INTENDED AS PART OF THE POLITICAL COMPROMISE THAT LED TO THE CONSTITUTION TO CONFER A CERTAIN AMOUNT OF EXTRA INFLUENCE ON THE LESS POPULOUS STATES BY GIVING EVERY STATE A BONUS OF TWO ELECTORAL VOTES CORRESPONDING TO ITS TWO U.S. SENATORS. THE ADDITIONAL INFLUENCE INTENDED FOR THE SMALL STATES WAS NOT LARGE, BUT NEITHER WAS IT NEGLIGIBLE. AT THE PRESENT TIME, THE 13 SMALLEST STATES, THOSE WITH THREE OR FOUR OR FIVE ELECTORAL VOTES, COLLECTIVELY POSE ABOUT 4 PERCENT OF THE NATION'S POPULATION BUT HAVE 8 PERCENT OF THE ELECTORAL VOTES. THEY HAVE 44 OF THE 538. THE FOUNDERS' INTENDED ALLOCATION OF ADDITIONAL POLITICAL INFLUENCE TO THE SMALL STATES WAS NOT ACHIEVED BECAUSE...LET'S SEE HERE, I LOST MY PLACE, WAS NOT ACHIEVED BECAUSE THE POLITICAL EFFECT OF THE ARITHMETIC BONUS PROVIDED BY THE CONSTITUTION WAS TRUMPETED BY THE INFLUENCE CANCELING EFFECT OF THE STATE-BY-STATE WINNER TAKE ALL. BECAUSE OF THE WINNER-TAKE-ALL RULE, POLITICAL POWER AND PRESIDENTIAL ELECTIONS RESIDES IN THE SCATTERED COLLECTION OF STATES WHERE POPULAR VOTE HAPPENS TO BE CLOSELY DIVIDED, THAT IS, THE BATTLEGROUNDS STATES. BECAUSE SMALL STATES HAVE AN UNUSUALLY HIGH PROBABILITY OF BEING ONE-PARTY STATES IN PRESIDENTIAL ELECTIONS, AS I SAID, 12 OF THE 13 LEAST POPULOUS STATES ARE NONBATTLEGROUNDS STATES. IN SHORT, THE TWO-VOTE BONUS ESTABLISHED BY THE CONSTITUTION TO ENHANCE THE INFLUENCE OF SMALL STATES EXISTS TODAY IN FORM. HOWEVER, NEARLY UNANIMOUS USE BY THE STATES OF WINNER-TAKE-ALL RULE, ROBS THE ELECTORAL VOTES OF THE SMALL STATES OF ANY POLITICAL SUBSTANCE. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR NORDQUIST: IF, HYPOTHETICALLY, THE CONSTITUTION HAD GIVEN EACH STATE A BONUS OF 4 ELECTORAL VOTES, THE 12 NONCOMPETITIVE STATES WOULD THEN HAVE 64 ELECTORAL VOTES. EVEN THEN, THE STATES WOULD STILL NOT HAVE ANY MEANINGFUL INFLUENCE IN PRESIDENTIAL ELECTIONS. A COMPETITIVE STATE SUCH AS OHIO WITH ONLY 20 ELECTORAL VOTES WOULD REMAIN FAR MORE IMPORTANT IN TERMS OF PRACTICAL POLITICS THAN 12 NONCOMPETITIVE SMALL STATES. POLITICAL POWER IN A SYSTEM BASED ON STATEWIDE WINNER-TAKE-ALL RULE COMES FROM BEING CLOSELY DIVIDED...COMES FROM BEING A CLOSELY DIVIDED BATTLEGROUNDS STATE, NOT MATHEMATICAL BONUSES. CLEARLY, THIS POINTS TO EXACTLY

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WHAT WE'RE TALKING ABOUT HERE. NEBRASKA BEING ONE OF THOSE SMALL, NONCOMPETITIVE STATES EVEN THOUGH YOU WOULD THINK WITH FIVE ELECTORAL VOTES IT DOES PROPORTIONALLY EXCEED WHAT OUR POPULATION IS PROPORTIONAL... [LB10]

SPEAKER HADLEY: TIME. [LB10]

SENATOR NORDQUIST: THANK YOU. [LB10]

SPEAKER HADLEY: (DOCTOR OF THE DAY INTRODUCED.) SENATOR CHAMBERS, YOU ARE RECOGNIZED TO GIVE US A SUMMARY OF YOUR BRACKET MOTION. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SINCE THIS IS ONLY FOR THE PURPOSE OF MENTIONING WHERE WE ARE AND WHAT WE'RE DOING, IT WILL NOT BE MY TIME TO SPEAK. I'M NOT GOING TO TAKE LONG. I OFFERED A BRACKET MOTION TO BRACKET THIS BILL UNTIL JUNE 5th OF THIS YEAR, WHICH IN EFFECT WOULD KILL IT FOR THE SESSION. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB10]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO LB10. THIS MORNING, COLLEAGUES, WE STAND IN THE GEORGE NORRIS CHAMBER AND THAT'S VERY FITTING FOR THE DEBATE WE'RE HAVING RIGHT NOW. SENATOR NORRIS, WAS A REPUBLICAN. BUT HE WAS NOT A REPUBLICAN-ELECTED OFFICIAL THAT WAS LIKED VERY MUCH, FRANKLY, (LAUGH) BY THE STATE REPUBLICAN PARTY. AND BECAUSE HE WANTED TO AS ELECTED OFFICIAL, HE FELT IT WAS HIS DUTY TO DO WHAT HE FELT WAS BEST FOR THE STATE OF NEBRASKA. AND SO HE WAS ALWAYS I THINK OFTEN BEING PRESSURED BY THE STATE REPUBLICAN PARTY AND HE WOULD OFTEN HAVE TO STAND UP TO THE STATE REPUBLICAN PARTY. AND ONE INSTANCE, ONE EXAMPLE OF THIS TENSION BETWEEN SENATOR NORRIS AND THE STATE REPUBLICAN PARTY WAS OVER HAVING THIS BODY THAT WE'RE IN TODAY BEING A NONPARTISAN BODY. THAT WAS NOT A GOOD IDEA ACCORDING TO THE NEBRASKA STATE REPUBLICAN PARTY. BUT, SENATOR NORRIS SAID, NO. IT'S CRITICAL AND IT'S IMPORTANT FOR THE STATE OF NEBRASKA. IT'S IMPORTANT NOT ONLY TO BE A UNICAMERAL BODY, BUT IT'S ALSO IMPORTANT TO BE A NONPARTISAN BODY. AND ONE OF THE ARGUMENTS HE MADE WAS THAT IF YOU HAVE A PARTISAN STATE LEGISLATURE, THEN THE DEBATES AND DISCUSSION THAT YOU HAVE AT THE STATE LEVEL END UP BEING DOMINATED BY NATIONAL PARTY INTERESTS. AND SO HE ARGUED THAT TO PREVENT THAT, TO ALLOW THE PEOPLE WHO

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ARE IN THE NEBRASKA STATE LEGISLATURE TO REALLY FOCUS ON ISSUES THAT ARE IMPORTANT TO NEBRASKA, AND TO ASK IN EACH CASE WHAT IS BEST FOR NEBRASKA, IT WAS IMPORTANT TO HAVE THIS BE NOT ONLY A UNICAMERAL BUT ALSO A NONPARTISAN BODY. AND THAT HAS BEEN A VERY IMPORTANT LEGACY IN THIS CHAMBER. AND I ADMIRE AND SALUTE THOSE REPUBLICAN MEMBERS IN THIS CHAMBER WHO HAVE LIVED UP TO THAT LEGACY, WHO RECOGNIZE THAT EVERY BILL WE DISCUSS NEEDS TO BE EVALUATED ON ITS MERITS, REGARDLESS OF WHAT THE NEBRASKA STATE REPUBLICAN PARTY SAYS. EVERY BILL NEEDS TO BE EVALUATED IN TERMS OF IS THIS GOOD FOR NEBRASKA OR NOT. AND TO BE WILLING TO STAND UP AND STAND UP TO THE PRESSURE THAT THE NEBRASKA STATE REPUBLICAN PARTY OR A COUNTY REPUBLICAN PARTY MAY BE PLACING ON YOU IF YOU FEEL THAT THE BILL, THAT THE POSITION THAT THEY'RE TAKING IS NOT WHAT'S BEST FOR NEBRASKA. AND, COLLEAGUES, I AGAIN REITERATE, AS MANY HAVE ELOQUENTLY DONE, THAT LB10 IS NOT GOOD FOR THE STATE OF NEBRASKA. WITH A DIVIDED ELECTORAL SYSTEM PROVIDES AN OPPORTUNITY FOR US IN CLOSE PRESIDENTIAL RACES TO HAVE AN INCENTIVE FOR CANDIDATES OF BOTH PARTIES TO SPEND TIME IN NEBRASKA, TO SPEND MONEY IN NEBRASKA, AND TO COME HERE. WHAT MATTERS TO NEBRASKANS. AND THAT'S A VERY IMPORTANT ASSET THAT WE HAVE IN NEBRASKA, AND IF WE PASS LB10 WE WILL LOSE THAT. AND SO I, AGAIN, RESPECT AND SALUTE MY COLLEAGUES WHO I KNOW HAVE FACED ALL KINDS OF PARTISAN PRESSURE ON SEVERAL OF THE BILLS WE'VE HAD THIS SESSION ALREADY. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CRAWFORD: THANK YOU. AND MANY OF OUR NEWEST SENATORS HAVE FACED THIS PRESSURE AND THEY HAVE PERFORMED ADMIRABLY. I'M VERY PROUD OF THAT, THAT THEY HAVE ON EACH OF THE BILLS CONTEMPLATED WHAT'S GOOD FOR NEBRASKA AND HAVE BEEN WILLING TO VOTE AT TIMES AGAINST VERY STRONG PRESSURE FROM THE STATE REPUBLICAN PARTY AND VOTE AGAINST THOSE PRESSURES AND I'M GRATEFUL FOR THAT. GRATEFUL ALSO THAT IN THE NEBRASKA DEMOCRATIC PARTY, THEY HELP US GET ELECTED AND THEN THEY STAND BACK AND LET US GOVERN AND I'M VERY GRATEFUL FOR THAT. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR EBKE, YOU ARE RECOGNIZED. [LB10]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I RISE TO OPPOSE THE BRACKET MOTION. I'M NOT GOING TO SPEAK TO LB10 AT THIS TIME, BUT I WOULD LIKE TO POINT OUT A FEW THINGS. FIRST OF ALL, ARTICLE II OF THE

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UNITED STATES CONSTITUTION, WHICH WE ARE OBLIGATED TO ABIDE BY, SAYS EACH STATE SHALL APPOINT IN A MANNER AS THE LEGISLATURE THEREOF MAY DIRECT, A NUMBER OF ELECTORS EQUAL TO THE WHOLE NUMBER OF SENATORS AND REPRESENTATIVES TO WHICH THE STATE MAY BE ENTITLED IN THE CONGRESS BUT NO SENATOR OR REPRESENTATIVE OR PERSONS HOLDING AN OFFICE OF TRUST OR PROFIT UNDER THE UNITED STATES SHALL BE APPOINTED AN ELECTOR. I'M VOTING AGAINST THE BRACKETING MOTION BECAUSE THIS IS ONE OF THE FEW REMAINING CONSTITUTIONALLY EXPLICIT ROLES OF STATE LEGISLATURES IN OUR FEDERAL SYSTEM. I THINK THAT IT'S IMPORTANT FOR US TO GET RID OF THE PARTISANSHIP OUT OF ALL OF THIS. I GET IT. BUT I THINK THAT IT'S IMPORTANT FOR US TO THINK MORE IMPORTANTLY ABOUT WHAT'S RIGHT FOR THE STATE. AND WE MAY COME UP WITH DIFFERENT CONCLUSIONS ABOUT WHAT THE RIGHT THING FOR THE STATE IS. BUT I THINK IT'S IMPORTANT FOR TO US HAVE THIS DEBATE, FOR US TO THE EXTENT POSSIBLE TO LEAVE PARTISANSHIP OUT OF IT. I THINK WE SHOULD TAKE OUR RESPONSIBILITY SERIOUSLY, TO DEBATE, AND TO BE DELIBERATIVE IN OUR DECISION MAKING. AND SO I WILL BE VOTING AGAINST THE BRACKET MOTION AT THIS POINT. I YIELD THE REST OF MY TIME, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, AS I LOOK AROUND THE CHAMBER, I SEE IT'S SLIM PICKINGS AS FAR AS THE REPUBLICANS ARE CONCERNED. THIS IS THEIR BILL AND I SUPPOSE THEY'VE DESERTED BECAUSE THEY DON'T WANT TO ANSWER QUESTIONS, SO I WILL ASK SENATOR McCOY IF WOULD HE YIELD TO A QUESTION OR TWO. [LB10]

SPEAKER HADLEY: SENATOR McCOY, WOULD YOU YIELD TO A QUESTION? [LB10]

SENATOR McCOY: YES. [LB10]

SENATOR CHAMBERS: SENATOR McCOY, WITHOUT ASKING WHO THE INTRODUCER OF THE BILL WAS, DO YOU RECALL--BECAUSE I THINK YOU HAD MENTIONED IT--HOW MANY TIMES AN ATTEMPT HAD BEEN MADE TO REPEAL THE CURRENT SYSTEM OF DISTRICTS? [LB10]

SENATOR McCOY: FOURTEEN, I BELIEVE, SENATOR. [LB10]

SENATOR CHAMBERS: 14? [LB10]

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SENATOR McCOY: CORRECT. [LB10]

SENATOR CHAMBERS: OH, OKAY. DO YOU THINK THIS IS A PARTISAN ISSUE, MEANING DEMOCRATS VERSUS REPUBLICANS AS A GENERAL STATEMENT? [LB10]

SENATOR McCOY: WELL, NO I DON'T, SENATOR. AND AS I'VE ARTICULATED I THINK YOU'VE HAD THE INTRODUCER AS A PROUD PARTISAN. YOU KNOW, ONE OF THE THINGS I THINK MOST OF THE FOLKS ON THE FLOOR MAY NOT REALIZE, SENATOR, AND ALTHOUGH YOU MAY BECAUSE YOU WOULD HAVE BEEN THE ONLY ONE WHO WAS HERE AT THE TIME IN THE LEGISLATURE, ONE OF THE TWO TIMES THIS BILL WAS SENT, PASSED BY THE LEGISLATURE AND SENT TO THE GOVERNOR'S DESK, WAS IN 1997. THE SPONSOR, NONE OTHER THAN SPEAKER DOUG KRISTENSEN. NOW TYPICALLY AS SENATOR HADLEY, SPEAKER HADLEY KNOWS AND AS YOU KNOW, SENATOR CHAMBERS, SPEAKERS TYPICALLY DON'T WEIGH IN ON SOMETHING THAT'S DEEMED TO BE A PARTISAN ISSUE. SO I DON'T SEE THIS AS A PARTISAN ISSUE. SPEAKER KRISTENSEN DIDN'T SEE IT AS A PARTISAN ISSUE. [LB10]

SENATOR CHAMBERS: NOT TO CUT YOU OFF BUT YOU ANSWERED THE QUESTION THAT I HAD, SO THANK YOU. AND THAT'S ALL THAT I WOULD ASK YOU BECAUSE I THINK SENATOR KINTNER, I THOUGHT I SAW HIM. I WOULD...I THINK I SEE SENATOR KINTNER. I'D LIKE TO ASK HIM A QUESTION OR TWO IF HE WOULD YIELD, AND AS HE COMES I'LL MAKE A COMMENT OR TWO. THE NEWSPAPERS KNOW THAT THIS IS A PARTISAN ISSUE. THEY HEADLINED IT AS THAT. EVERYBODY ON THIS FLOOR WITH THE EXCEPTION OF SENATOR...I SEE SENATOR KINTNER COMING, WITH THE EXCEPTION OF SENATOR McCOY THUS FAR, KNOWS THAT IT'S A PARTISAN ISSUE. I'D LIKE TO ASK SENATOR KINTNER A QUESTION OR TWO IF HE WOULD YIELD. [LB10]

SPEAKER HADLEY: SENATOR KINTNER, WILL YOU YIELD? [LB10]

SENATOR KINTNER: YES, I WILL. [LB10]

SENATOR CHAMBERS: SENATOR KINTNER, DO YOU THINK THIS IS A PARTISAN ISSUE? [LB10]

SENATOR KINTNER: NO. IT'S A WAY OF ELECTING OUR OFFICIALS. IT'S BECOMING PARTISAN, I AGREE, ON BOTH SIDES. [LB10]

SENATOR CHAMBERS: THEN IT'S PARTISAN, ISN'T IT? [LB10]

SENATOR KINTNER: IT'S BEING MADE PARTISAN. BUT THE CONSTITUTION



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GIVES US THE OPTION TO CHOOSE ANY METHOD WE WANT TO PICK OUR ELECTORS. [LB10]

SENATOR CHAMBERS: OKAY. BUT ON THIS, ARE YOU AWARE OF ANY TIME, ANYBODY BELONGING TO ANY PARTY OTHER THAN THE REPUBLICAN PARTY, BROUGHT A BILL TO DO AWAY WITH THE CURRENT SESSION? [LB10]

SENATOR KINTNER: I AM NOT AWARE. [LB10]

SENATOR CHAMBERS: SO 14 TIMES IT CAME AND IT WAS BROUGHT BY 14 REPUBLICANS? [LB10]

SENATOR KINTNER: I GUESS. YEAH, I GUESS. YES. [LB10]

SENATOR CHAMBERS: NOW YOU TOLD ME YESTERDAY THAT YOU HAD NOT PERSONALLY SEEN THAT RESOLUTION THAT SENATOR SCHUMACHER READ INTO THE RECORD BUT YOU ARE AWARE THAT DOING AWAY WITH THE CURRENT DISTRICT METHOD OF ALLOCATING THESE ELECTORAL VOTES, YOU'RE AWARE THAT THAT'S THE HIGHEST PRIORITY ON THE STATE REPUBLICAN PARTY'S AGENDA, AREN'T YOU? [LB10]

SENATOR KINTNER: NO, I'M NOT AWARE IT'S THE HIGHEST PRIORITY. IT IS AN ISSUE THAT I THINK THEY CARE ABOUT, BUT I DON'T THINK IT'S THE HIGHEST PRIORITY. [LB10]

SENATOR CHAMBERS: WELL, I KNOW MORE ABOUT THE REPUBLICAN PARTY'S AFFAIRS THAN YOU DO, SO I WON'T ASK YOU ANY MORE QUESTIONS. MEMBERS OF THE LEGISLATURE, IF I UNDERTAKE TO DO SOMETHING, I'M NOT GOING TO RUN AWAY FROM WHAT IT IS. THE FACT THAT THE REPUBLICANS ARE THE ONES PUSHING THIS, SENATOR SCHUMACHER READ THE RESOLUTION ADOPTED BY THE STATE REPUBLICAN PARTY SAYING... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...THAT THIS A LITMUS TEST FOR REPUBLICANS. MEMBERS OF THE LEGISLATURE WILL NOT BE ENDORSED, WILL NOT RECEIVE SUPPORT, AND ON AND ON, IF THEY DON'T VOTE TO GET RID OF THIS WAY OF ALLOCATING ELECTORAL VOTES. SENATOR McCOY RUNS FROM IT. SENATOR KINTNER RUNS FROM IT. AND I IMAGINE IF I WENT AROUND THE CHAMBER AND ASKED ALL THE REPUBLICANS THEY WOULD RUN AWAY FROM IT TOO. AND THAT INDICATES THEY SEE SOMETHING THAT IS NOT RIGHT ABOUT WHAT THEY'RE DOING. THEY WEAR THE LABEL REPUBLICAN, THEY SUPPORT REPUBLICAN ISSUES, SO NOBODY WOULD BE SURPRISED TO HAVE THEM

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ACKNOWLEDGE THAT THIS A REPUBLICAN AGENDA. WE ALL KNOW IT. THEY ALL KNOW IT. BUT SOME OF THEM ARE IN DENIAL AND THEY'RE TURNING THEIR BACK ON THEIR OWN PARTY. IF THEY WERE IN THE MILITARY, THAT WOULD BE CALLED TRAITOROUS. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR PANSING BROOKS, YOU ARE RECOGNIZED. [LB10]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I JUST RISE IN SUPPORT OF THE BRACKET MOTION AND IN OPPOSITION OF LB10. I WANTED TO READ A LETTER WHICH IS BEING PASSED OUT AT THIS POINT, OR WILL BE SOON, FROM THE NEBRASKA BROADCASTERS ASSOCIATION. IT WAS TO SENATOR...IT SAYS: DEAR SENATOR MURANTE AND GOVERNMENT COMMITTEE MEMBERS, ONE OF THE MANY BENEFITS OF LIVING IN NEBRASKA IS THE FACT THAT WE ARE INDEPENDENT-MINDED AND NOT EASILY SWAYED BY MOVEMENTS AND TRENDS DEEMED POPULAR IN OTHER PARTS OF THE COUNTRY. WE ARE WILLING TO LET OTHERS HAVE THEIR SAY EVEN WHEN WE MAY DISAGREE WITH THEIR POINT OF VIEW. WE STAND TALL IN OUR BELIEFS EVEN THOUGH WE SOMETIMES STAND ALONE. WITH THE INTRODUCTION OF LB10, THE NEBRASKA BROADCASTERS ASSOCIATION IS CONCERNED THAT FREEDOM OF SPEECH, THAT THE FREEDOM OF SPEECH NEBRASKANS ENJOY, WOULD BE IN PART SUPPRESSED THROUGH THIS AGGREGATION OF THE ELECTORAL VOTE. THE DIVERSITY OF OUR STATE COMBINED WITH THE DISTANCE BETWEEN POPULATION BASES MAKES FOR A UNIQUE ELECTORAL CHALLENGE. CURRENTLY, THE INDIVIDUAL VOICES OF DIVERSITY IN OUR STATE CAN BE HEARD FROM SCOTTSBLUFF TO OMAHA AND FROM BEATRICE TO VALENTINE. AND JUST AS WE KNOW IT IS OUR JOB TO GIVE A MEGAPHONE TO THESE INDIVIDUAL VOICES, WE UNDERSTAND IT IS YOUR JOB TO REPRESENT THEM. WE HAVE A COMMON GOAL TO SERVE THE PEOPLE OF NEBRASKA. ON BEHALF OF THE HUNDREDS OF THOUSANDS OF NEBRASKANS WHO COUNT ON YOUR LOCAL RADIO AND TV STATIONS TO DELIVER THEIR LOCAL NEWS, WEATHER, AND SPORTS, THE NEBRASKA BROADCASTERS ASSOCIATION RESPECTFULLY ASKS YOU TO CONSIDER THE EFFECTS OF LB10 CAREFULLY. LIKE THE EXISTENCE OF THE NEBRASKA UNICAMERAL, THE ABILITY TO SPLIT OUR ELECTORAL VOTES IS ONE OF NEBRASKA'S DEFINING CHARACTERISTICS. FOR THE FOREGOING REASON, THE NEBRASKA BROADCASTERS ASSOCIATION OPPOSES LB10. RESPECTFULLY SUBMITTED FOR YOUR CONSIDERATION, JASON EFFINGER, CHAIRMAN OF THE BOARD OF THE NEBRASKA BROADCASTERS ASSOCIATION. I'M HAVING THIS LETTER DISTRIBUTED BECAUSE MANY OF YOU WILL KNOW THE PEOPLE WHO ARE LISTED DOWN THE SIDE AND WHO ARE MEMBERS OF THE BOARD AND DIRECTORS OF THE NEBRASKA BROADCASTERS ASSOCIATION. THIS IS SOMETHING SERIOUS THAT A BROAD RANGE OF PEOPLE IN OUR STATE THINK

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IS NOT A GOOD DIRECTION FOR OUR STATE TO GO. I TALKED TO A COUPLE OF BROADCASTERS, ONE SPECIFICALLY TODAY, AND HE TALKED ABOUT THE FACT THAT BY HAVING VARIOUS PRESIDENTIAL CAMPAIGNS ACTIVE AND PARTICIPATING IN OUR STATE, IT ALLOWS OUR BROADCASTERS TO BE ABLE TO INTERVIEW AND TO WORK WITH THOSE CAMPAIGNS. AND IF WE CHOOSE TO ONLY BE A STATE THAT SUPPORTS ONE PARTY, WE DO NOT ALLOW OURSELVES TO HAVE FULL REPRESENTATION AND FULL ACCESS TO THE DIFFERENT CAMPAIGNS, THE DIFFERENT PARTIES. SO...AND NOW I...THAT'S...I WOULD LIKE TO GIVE THE REST OF MY TIME TO SENATOR NORDQUIST. THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR NORDQUIST, YOU'RE GIVEN 1:20. [LB10]

SENATOR NORDQUIST: ALL RIGHT. THANK YOU, MR. PRESIDENT. THAT'S NOT A GREAT DEAL OF TIME, BUT I'D LIKE TO ASK SENATOR MURANTE A QUESTION. IT IS MURAWNTAY (PHONETIC), RIGHT? MURANTE. IT'S LIKE ANTE UP, RIGHT? [LB10]

SPEAKER HADLEY: SENATOR MURANTE, WOULD YOU YIELD TO A QUESTION? [LB10]

SENATOR MURANTE: YES, BUT I THINK YOU'RE 0 FOR 3 RIGHT NOW, SENATOR NORDQUIST. [LB10]

SENATOR NORDQUIST: OH, HOW IS IT EXACTLY? [LB10]

SENATOR MURANTE: SENATOR, JUST CONSULT WITH SENATOR PANSING BROOKS BECAUSE SHE HIT IT OUT OF THE PARK. [LB10]

SENATOR NORDQUIST: HOW IS IT EXACTLY? [LB10]

SENATOR MURANTE: JUST MURANTE. [LB10]

SENATOR NORDQUIST: MURANTE. OKAY THANK YOU. [LB10]

SENATOR MURANTE: JUST MURANTE. [LB10]

SENATOR NORDQUIST: SENATOR MURANTE, MAYBE... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR NORDQUIST: ...WE'LL EXPEND SOME TIME HERE AND NEXT TIME I PUSH MY LIGHT. I JUST WANTED TO TALK TO YOU AS CHAIR OF THE

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GOVERNMENT COMMITTEE JUST ABOUT THE DELIBERATION OF THE COMMITTEE ON THIS BILL, AND THEN ALSO A BILL LB112 WHICH DEALT WITH A SIMILAR TOPIC ON NATIONAL POPULAR VOTE. AND CAN YOU KIND OF WALK THROUGH THE COMMITTEE'S CHOICE OF ADVANCING THIS BILL VERSUS THAT BILL AND IPPING THAT BILL? [LB10]

SENATOR MURANTE: SURE. NATIONAL POPULAR VOTE, I THINK IF YOU ASK THE EIGHT MEMBERS OF THE COMMITTEE, YOU'D GET EIGHT DIFFERENT RESPONSES FOR EXACTLY THE...THEIR THOUGHTS ON THAT BILL. SOME EXPRESSED TO ME SOME CONSTITUTIONAL CONCERNS. IT WAS CLEAR TO ME THAT THE CONSTITUTION OF THE UNITED STATES PROVIDES STATE LEGISLATURES ABSOLUTE AUTHORITY TO ALLOCATE THEIR ELECTORS HOWEVER THE LEGISLATURES SEE FIT, SO I DIDN'T SEE THE CONSTITUTIONAL ANGLE BUT SOME ON THE COMMITTEE DID. MY CONCERN IS THAT... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR NORDQUIST: THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB10]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I AM OPPOSED TO SENATOR CHAMBERS' BRACKET MOTION. I'M SURE THAT SURPRISES HIM. NOT. BUT I AM ALSO IN FAVOR OF LB10. I'M ONE OF THE GOVERNMENT COMMITTEE MEMBERS THAT VOTED IT OUT SO WE COULD DISCUSS IT OUT HERE. A NUMBER OF YEARS AGO WHEN WE SPLIT THE VOTE, WE WERE ASSURED THAT MANY, MANY OTHER STATES WERE GOING TO DO THE SAME THING AND FOLLOW IN THIS PATH. NONE HAS. WE NEED, I THINK, ANYWAY, TO PUT FORWARD A FACE WHERE WE ALL AGREE ACROSS THE STATE. WE DO IT WITH THE U.S. SENATE, IT'S ACROSS THE STATE. WE DO IT WITH THE GOVERNOR AS ACROSS THE STATE. WE DON'T SPLIT DISTRICTS UP FOR THAT NOR DO I THINK SHOULD WE FOR PRESIDENT. AND FOR THE ONGOING ONSLAUGHT ON THE REPUBLICAN PARTY HERE THIS MORNING, I HAVE HEARD NOTHING FROM THEM ABOUT THIS BILL. I HAVE NOT RECEIVED A CALL FROM THEM. I HAVE NOT RECEIVED TO MY KNOWLEDGE AN E-MAIL FROM THEM. IF I HAVE, I DON'T RECALL SEEING IT. BUT I GET MORE THAN ONE OR TWO A DAY FROM OTHER FOLKS. BUT THE IDEA THAT THE ONLY PUSH BEHIND THIS IS THE REPUBLICAN PARTY IS NONSENSICAL. I'M NOT ASHAMED TO BE A REPUBLICAN. BUT ANYBODY THAT COMES IN HERE AND SAYS WE'RE DOING THIS STRICTLY BECAUSE WE ARE REPUBLICANS AND WE'RE BEING FORCED TO DO IT BY THE PARTY OBVIOUSLY ISN'T AWARE OF HOW WELL THE REPUBLICAN PARTY SUPPORTS LEGISLATIVE CANDIDATES. I'VE NEVER RECEIVED A DIME FROM THEM. I CAN'T RUN AGAIN SO I GUESS I

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PROBABLY WON'T IN THE NEXT TIME AROUND EITHER, SO. THE IDEA THAT THIS IS ONLY A REPUBLICAN PUSH SIMPLY DOESN'T CARRY WATER. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR COOK, YOU ARE RECOGNIZED. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I RISE IN SUPPORT OF THE BRACKET MOTION ON LB10 AND WOULD YIELD THE BALANCE OF MY TIME TO SENATOR NORDQUIST IF HE SHOULD CHOOSE TO USE IT. [LB10]

SENATOR NORDQUIST: YES. [LB10]

SPEAKER HADLEY: SENATOR NORDQUIST, WILL YOU YIELD? [LB10]

SENATOR NORDQUIST: NO, SHE'S YIELDED ME THE TIME. [LB10]

SPEAKER HADLEY: OH, YES. I'M SORRY, 4:32. [LB10]

SENATOR NORDQUIST: THANK YOU, MR. SPEAKER. I'D LIKE TO CONTINUE ASKING SENATOR MURANTE A QUESTION. [LB10]

SPEAKER HADLEY: SENATOR MURANTE, WOULD YOU YIELD TO A QUESTION? [LB10]

SENATOR MURANTE: I WOULD. [LB10]

SENATOR NORDQUIST: SENATOR MURANTE, LET'S CONTINUE ON IN OUR DIALOGUE HERE ABOUT NATIONAL POPULAR VOTE IF YOU WOULD. [LB10]

SENATOR MURANTE: OKAY. [LB10]

SENATOR NORDQUIST: I THINK I ASKED YOU KIND OF THOUGHTS OF THE COMMITTEE ON WHY THAT BILL WAS INDEFINITELY POSTPONED AND WHY THEY CHOSE, WHY THE COMMITTEE CHOSE TO MOVE FORWARD WITH THIS BILL, FROM YOUR PERSPECTIVE AS CHAIR. [LB10]

SENATOR MURANTE: SURE. SO AGAIN YOU HAD THE CONSTITUTIONAL CONCERNS THAT SOME HAD EXPRESSED. MY CONCERN IS KIND OF TWOFOLD WITH NATIONAL POPULAR VOTE. FIRST, RIGHT NOW, FUNDAMENTALLY, ELECTIONS FOR PRESIDENT OF THE UNITED STATES HAVE BALLOTS GOING INTO 50 DIFFERENT POTS AROUND THE COUNTRY IN 50 DIFFERENT STATES AND HOW ONE STATE CHOOSES TO CONDUCT AN ELECTION DOESN'T REALLY

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IMPACT HOW ANOTHER STATE CONDUCTS AN ELECTION. WITH NATIONAL POPULAR VOTE, WE'RE ALL PUTTING OUR BALLOTS INTO ONE BIG POT. AND WHEN WE HAVE ELECTION SYSTEMS THAT ARE AS DISPARATE AS WE HAVE IN THE COUNTRY RIGHT NOW, TO ME IF WE ARE GOING TO GO THAT ROUTE WE NEED TO HAVE SOME SORT OF HARMONY IN HOW ELECTIONS ARE CONDUCTED BECAUSE EVEN BASIC QUESTIONS LIKE WHEN IS A BALLOT COUNTED AND WHEN IS IT REJECTED VARY FROM STATE TO STATE, AND IF WE'RE GOING TO HAVE ONE NATIONAL ELECTION, THOSE ALL REALLY OUGHT TO BE HARMONIZED, IN MY OPINION. [LB10]

SENATOR NORDQUIST: SO THAT'S YOUR CHIEF CONCERN WITH NATIONAL POPULAR VOTE? [LB10]

SENATOR MURANTE: THAT WAS MINE. AND THE SECOND IS, THE SYSTEM WE HAVE RIGHT NOW WHERE A CANDIDATE FOR PRESIDENT NEEDS TO GET 270 ELECTORAL VOTES, IN ORDER TO GET 270 ELECTORAL VOTES, WHICH IS A MAJORITY OF THE ELECTORS, THERE HAS TO BE...YOU HAVE TO BE PRETTY WELL-VETTED TO GET THAT NUMBER OF CANDIDATES. IF YOU GO TO NATIONAL POPULAR VOTE IT'S JUST WHOEVER RECEIVES THE MOST VOTES WINS WHICH CREATES THE POTENTIAL THAT A PERSON WITH A RELATIVELY SMALL NUMBER OF VOTES CAN GET ELECTED PRESIDENT OF THE UNITED STATES AND SO YOU HAVE THE POTENTIAL THAT A CANDIDATE ON THE EXTREMES COULD...HAS THE POTENTIAL TO WIN IN THAT CIRCUMSTANCE. I'M NOT SURE THE SYSTEM WE HAVE NOW WE CAN HAVE A CHIEF EXECUTIVE BE TOO FAR ON EITHER EXTREME OF THE POLITICAL DYNAMIC. [LB10]

SENATOR NORDQUIST: DO YOU KNOW, DOES THE COMPACT THAT'S REQUIRED THAT STATES ENTER INTO, DOES THAT HAVE ANY PROTECTIONS AS FAR AS THE RECOUNT PROCEDURE OR ANY KIND OF STANDARDIZATION OF PROCESSES OR ANYTHING LIKE THAT IN PLACE? [LB10]

SENATOR MURANTE: IT DOES NOT. [LB10]

SENATOR NORDQUIST: OKAY. DOES IT CONCERN YOU THAT YOU POTENTIALLY UNDER THE CURRENT SYSTEM, AND MAYBE IT HAPPENED BEFORE WHERE YOU WOULD HAVE SOMEBODY WIN THE POPULAR VOTE BUT LOSE THE ELECTORAL COLLEGE VOTE? [LB10]

SENATOR MURANTE: IT'S HAPPENED A COUPLE OF TIMES IN AMERICAN HISTORY. THAT WOULD BE WHEN WE'RE TALKING ABOUT THE SCALE OF WHETHER TO VOTE FOR OR AGAINST A BILL, THAT TO ME IS AN ITEM THAT'S PLACED ON THE SIDE OF THE SCALE THAT WOULD LEAD ME TO VOTE FOR IT, BUT I WOULDN'T PUT THAT MUCH WEIGHT ON IT. [LB10]

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SENATOR NORDQUIST: DO YOU REMEMBER IN THAT BILL IN THE COMPACT, DOES IT...THE QUESTION THAT ALWAYS CAME UP WITH ME, WHAT WOULD HAPPEN IF IT LOOKED LIKE WE GOT TO SEPTEMBER AND IT LOOKED LIKE ONE CANDIDATE WAS GOING TO WIN A STATE, AND THEN MAYBE THAT STATE LEGISLATURE CHOOSES TO PUT OUT OF THE COMPACT AND... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR NORDQUIST: ...DISSOLVES THE COMPACT BECAUSE THEY PULL OUT. IS THAT A POSSIBILITY THAT THAT COULD HAPPEN UNDER THAT ARRANGEMENT? [LB10]

SENATOR MURANTE: WELL, THE LEGISLATURES WOULD RETAIN THE CONSTITUTIONAL AUTHORITY TO APPORTION THEIR ELECTORS HOWEVER THEY WANTED TO. ONCE THE COMPACT GETS TRIGGERED, I DON'T BELIEVE THAT A STATE REMOVING ITSELF FROM THE COMPACT WOULD NULLIFY IT BUT THAT'S A QUESTION FOR AN ATTORNEY. [LB10]

SENATOR NORDQUIST: IS IT POSSIBLE THAT AT SOME POINT THE COMPACT ARRANGEMENT COULD HAPPEN TO US RATHER THAN US TAKING A PROACTIVE APPROACH? ESSENTIALLY ENOUGH STATES JOIN THE COMPACT THAT THERE ARE ENOUGH ELECTORAL VOTES THAT THOSE VOTES GO TO THE WINNER OF THE POPULAR VOTE AND THEN NEBRASKA'S COMPLETELY IRRELEVANT AT THAT...IN THAT CASE? [LB10]

SENATOR MURANTE: I'M NOT SURE. IS IT POSSIBLE THAT THE NATIONAL POPULAR VOTE COMPACT GETS ENACTED WITHOUT US IN IT? YES. DOES THAT MAKE US IRRELEVANT? I DON'T THINK SO BECAUSE... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR NORDQUIST: THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I'D LIKE TO ASK SENATOR McCOY ONE QUESTION. [LB10]

SPEAKER HADLEY: SENATOR McCOY, WOULD YOU YIELD? [LB10]

SENATOR CHAMBERS: SENATOR McCOY, YOU'VE BEEN...HAVE YOU BEEN A REPUBLICAN, REGISTERED, MOST OF YOUR POLITICAL LIFE? [LB10]

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SENATOR McCOY: YES, MR. PRESIDENT, I WILL YIELD TO SENATOR CHAMBERS. I DON'T BELIEVE YOU ASKED ME. [LB10]

SENATOR CHAMBERS: WOULD YOU YIELD, SENATOR McCOY? YOU SAID I HADN'T ASKED YOU. I WANT TO DO EVERYTHING THAT SATISFIES YOU. SO I ASK. WOULD YOU YIELD? [LB10]

SENATOR McCOY: I WAS GIVING THE PRESIDENT THE OPPORTUNITY TO ASK ME THAT, SENATOR CHAMBERS, JUST TO MAINTAIN THAT. [LB10]

SENATOR CHAMBERS: OKAY. MR. PRESIDENT, I WAS DERELICT IN MY DUTY. I APOLOGIZE FOR YOU'RE HAVING TO DO WHAT I OUGHT TO HAVE DONE. I PROMISE NOT TO MAKE THAT MISTAKE WHEN I ADDRESS SENATOR McCOY AGAIN. NOW, SENATOR McCOY, THAT WE HAVE ALL THAT OUT OF THE WAY, ARE YOU WILLING TO ANSWER WHETHER OR NOT YOU'VE BEEN REGISTERED AS A REPUBLICAN AT LEAST MOST OF YOUR POLITICAL LIFE? BY THAT I MEANT FROM THE TIME YOU WERE OLD ENOUGH TO REGISTER? [LB10]

SENATOR McCOY: I HAVE BEEN, SENATOR CHAMBERS. [LB10]

SENATOR CHAMBERS: HAVE YOU ENCOUNTERED ANY INSTANCE WHERE THE STATE REPUBLICAN PARTY REFERRED TO ANY ISSUE AS A LITMUS TEST FOR REPUBLICANS? [LB10]

SENATOR McCOY: YOU KNOW, SENATOR CHAMBERS, I...THAT VERY WELL MAY HAVE BEEN THE CASE. I HAVE NEVER FELT THAT PRESSURE. I DON'T EVER RECALL BEING IN AN INSTANCE THAT I FELT THAT I EVER WAS PUT IN A POSITION WHERE MY VALUES, NOT THE PARTY'S, MY VALUES WERE EVER IN QUESTION, THAT I WAS ASKED TO DO ANYTHING THAT MIGHT VIOLATE MY PRINCIPLES. I AM WHO I AM. [LB10]

SENATOR CHAMBERS: NO, HERE IS WHAT I AM ASKING. ARE YOU AWARE OF THE PARTY HAVING EVER IDENTIFIED AN ISSUE, THE PARTY ITSELF, AS A LITMUS TEST FOR WHETHER A PERSON IS A GOOD REPUBLICAN OR NOT? [LB10]

SENATOR McCOY: I DON'T RECALL THAT, SENATOR CHAMBERS. [LB10]

SENATOR CHAMBERS: THANK YOU. AND THAT WAS THE QUESTION BECAUSE I'M NOT AWARE OF ANY EITHER AND I'VE SEEN VARIOUS POSITIONS THAT THE REPUBLICAN PARTY HAS TAKEN. THIS IS THE ONLY ISSUE I'M AWARE OF, AND I STAND TO BE CORRECTED, WHERE THE PARTY ITSELF DECLARED IT TO BE A



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LITMUS TEST. SO SENATOR BLOOMFIELD IS NOT AWARE OF WHAT HIS PARTY IS DOING. YOU KNOW WHY I PAY ATTENTION? I DON'T TRUST EITHER OF THE PARTIES. I DON'T BELONG TO EITHER ONE OF THEM. I HAD TO BE 21 YEARS OLD BEFORE I COULD REGISTER WHICH WAS IN 1958. AT THAT RELATIVELY YOUNG AGE I KNEW THAT NEITHER PARTY WAS WORTHY FROM MY POSITION OF MY SAYING I WILL ALIGN MYSELF WITH THAT PARTY. NEITHER OF THEM. I PROBABLY HAD MORE CONFLICTS WITH DEMOCRATIC GOVERNORS THAN ANYBODY ON THE FLOOR OF THIS LEGISLATURE. THEY VETOED MY BILLS. THEY HAD NEGATIVE COMMENTS THEY MADE ABOUT ME FROM TIME TO TIME BECAUSE THEY KNOW THAT I'M STRONG. WHEN GOVERNOR NELSON WAS RUNNING FOR THE SENATE, I BELIEVE THAT'S THE OFFICE HE WAS RUNNING FOR, HE WANTED TO CONSOLIDATE A LOT OF DIFFERENT AGENCIES INTO ONE DEPARTMENT KNOWN AS HHS. AND I OPPOSED IT. AND I CRITICIZED THE DEMOCRATS ON THE FLOOR OF THE LEGISLATURE, POINTED OUT HOW UNWIELDY THAT WOULD BE. IT WAS NOT A WISE DECISION. IT WAS DONE FOR POLITICAL PURPOSES WHICH WAS TO INDICATE THAT GOVERNMENT WAS GOING TO BE SHRUNK BY WAY OF CONSOLIDATION. THAT WAS THE THING THEY WERE HOLLERING AND YIPPING AND YAPPING ABOUT AT THAT TIME. AND I TOLD THE DEMOCRATS THAT IF IT WERE A "REPELICAN" WHO WAS THE GOVERNOR THEY WOULD BE OPPOSING IT JUST AS I WAS. SO I KNOW THAT THESE PEOPLE HAVE PARTY PRESSURE BROUGHT. AND IT'S AMAZING TO ME THAT THOSE WHO... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...ALIGN THEMSELVES WITH THESE PARTIES WILL SAY THE PARTY HAS NO IMPACT, NO INFLUENCE, DOESN'T TELL ME WHAT TO DO. YES, THEY DO. AND IF THEY DON'T TELL YOU, IT IS BECAUSE THEY KNOW YOU'RE IN LOCKSTEP ALREADY. THEY DON'T HAVE TO CONTACT YOU DIRECTLY. THEY DON'T HAVE TO CONTACT SENATOR McCOY DIRECTLY. THEY KNOW THE OVERARCHING POWER THAT THEY HAVE AS A PARTY OVER THOSE WHO CALL THEMSELVES "REPELICANS." AND IF THEY LOOK AT THE NATIONAL AGENDA, THAT'S WHAT THEY'RE GOING TO FALL IN LINE BEHIND. I READ THE PAPER. I WATCH THE NEWS. I DON'T JUST LISTEN TO WHAT THE DISINGENUOUS PEOPLE ON THIS FLOOR OF THE LEGISLATURE SAY. I KNOW ABOUT POLITICS. YOU ALL KNOW ABOUT PARTISAN POLITICS BECAUSE YOU BELONG TO THESE PARTIES. BUT YOU DON'T WANT TO ACKNOWLEDGE WHAT EVERYBODY ELSE SEES. THE KING DOES NOT HAVE CLOTHES, BUT HE'LL MAKE YOU ALL SAY THAT HE DOES. AND YOU WILL PRETEND THAT THE PARTY DOESN'T HAVE AN IMPACT. I LIKE SENATOR BLOOMFIELD. TODAY INSTEAD OF BEING A BLOOMFIELD... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

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SENATOR CHAMBERS: THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR BRASCH, YOU ARE RECOGNIZED. [LB10]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I STAND...I RISE TO STAND AGAINST THE BRACKET MOTION AND IN SUPPORT OF LB10. IT'S BEEN VERY INTERESTING THE LAST TWO MORNINGS, LISTENING TO THE DEBATE THAT GETS RATHER HEATED AT TIMES. AND WE'RE HEARING THE WORDS DEMOCRAT BEING CALLED OUT, THE WORDS REPUBLICAN BEING CALLED OUT. SENATOR CHAMBERS CALLING OUT BOTH NAMES. AND I'M VERY CURIOUS, IF I SEE THAT SENATOR CRAWFORD IS UNDER THE BALCONY IN DISCUSSION, BUT I DID...IF SHE CAN YIELD, I DON'T THINK SHE...SHE'S COMING. SHE HAD SOME VERY INTERESTING DIALOGUE AND THOUGHTS. SENATOR CRAWFORD, WILL YOU YIELD TO A QUESTION? AND I BELIEVE THE SPEAKER WOULD NOD AND AGREE YOU COULD YIELD TO A QUESTION PERHAPS? YES, YOU MAY. [LB10]

SENATOR CRAWFORD: OKAY. YES, I WILL. [LB10]

SENATOR BRASCH: OKAY. I THOUGHT IT WAS VERY INTERESTING ON YOUR THOUGHTS ABOUT THE REPUBLICAN PARTY. HAVE YOU EVER BEEN A MEMBER OF THE REPUBLICAN PARTY? [LB10]

SENATOR CRAWFORD: NO, I HAVE NOT. [LB10]

SENATOR BRASCH: HAVE YOU ALWAYS BEEN A MEMBER OF THE DEMOCRATIC PARTY? [LB10]

SENATOR CRAWFORD: WELL, I THINK THE MEMBER IS A QUESTION, I HAVE ALWAYS AFFILIATED AND REGISTERED WITH THE DEMOCRATIC PARTY. [LB10]

SENATOR BRASCH: VERY GOOD. AND THE REASON I ASK THAT IS BECAUSE WHEN I WAS 18 YEARS OLD I REGISTERED AS A DEMOCRAT AND WE'VE TALKED ABOUT IT AND BELONGED TO THE PARTY, WAS ACTIVE IN DIFFERENT MANNERS, HELPING DIFFERENT CANDIDATES ALONG THE WAY. EARNED MY DEGREE AT NIGHT AT THE UNIVERSITY HERE. AND PROFESSOR AVERY, SENATOR AVERY, LAID OUT ALL OF THE PRINCIPLES, THE IDEOLOGIES, WAS VERY CLEAR. AND AT THAT POINT, NEARLY 20 YEARS LATER, I CHANGED PARTIES. AND WITHOUT GIVING AWAY MY AGE, WHICH IS PUBLIC RECORD ANYHOW, (LAUGHTER) BUT WHEN YOU DESCRIBED THE DEMOCRATIC PARTY, I WOULD AGREE. YOU BELONG, THEY MAY HELP YOU, AND THEN THEY'RE GONE. NOT COMPLETELY GONE, BUT THERE'S NO PRESSURE. I'M

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EXPERIENCING THE SAME SITUATION WITH THE REPUBLICAN PARTY. LIKE SENATOR BLOOMFIELD, I HAVEN'T RECEIVED ANY PHONE CALLS, ANY LITERATURE, NO ONE STANDING AT MY DOOR, LOOKING OVER MY SHOULDER. CAN YOU TELL ME WHAT THE STAFFING OF THE DEMOCRATIC PARTY IS LIKE? IS THERE A FULL-TIME OFFICE WITH SEVERAL PHONE LINES GOING AND IS IT A HUB OF DEMOCRATIC ACTIVITY ALL YEAR-ROUND? [LB10]

SENATOR CRAWFORD: WELL, FIRST OF ALL, I WANT TO SAY I REALLY APPRECIATE YOU PUTTING THAT ON THE RECORD AND I'M GLAD THAT YOU'RE NOT GETTING THAT PRESSURE AND I APPRECIATE YOU MAKING THAT PUBLIC RECORD AND CALLING TO IT MY ATTENTION. I APPRECIATE THAT VERY MUCH. THERE IS A NEBRASKA DEMOCRATIC PARTY OFFICE THAT DOES HAVE STAFF YEAR-ROUND. [LB10]

SENATOR BRASCH: YEAR-ROUND. [LB10]

SENATOR CRAWFORD: BUT I...AS FAR AS I KNOW THERE IS NO LEGISLATIVE LIAISON THAT'S WATCHING WHAT WE'RE DOING AND TRYING TO INFLUENCE WHAT WE'RE DOING. [LB10]

SENATOR BRASCH: AND I BELIEVE THAT'S PROBABLY THE CASE. THERE'S A LOT OF SIMILARITIES HERE. AND AS A ELECTED OFFICIAL, AS WE WORK IN OUR DISTRICTS, I'VE EXPLAINED TO MY CONSTITUENTS THAT I BELIEVE THAT THE REPUBLICANS AND DEMOCRATS HAVE A LOT OF VERY SIMILAR INTERESTS AT THE END OF THE DAY. WE BOTH HAVE DIFFERENT IDEAS OF HOW TO GET THERE. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. I HAVE NO OTHER QUESTIONS. WHAT I WANT TO CONCLUDE WITH HERE, IS THE FACT THAT WE NEED SOMETHING DIFFERENT TO HAPPEN. PUBLIC OPINION HAS BECOME VERY LOW OF THEIR ELECTED OFFICIALS. THEY DON'T WANT TO SEE THEM IN MORE THAN TWO TERMS. THEY DON'T WANT TO HAVE THEM EARN A WAGE THAT COULD TRULY SUSTAIN A HOUSEHOLD OR EVEN A SINGLE INDIVIDUAL. THE OPINION HAS FALLEN AND FALLEN. AND PERHAPS THERE IS A GOOD REASON THAT WE NEED TO PRESENT SOMETHING DIFFERENT, SEEING ONLY TWO STATES, NEBRASKA AND MAINE, CHOOSE TO VOTE THE WAY WE VOTE. IT DOESN'T MAKE IT RIGHT. I BELIEVE THAT 48 STATES HAVE NOT BEEN SWAYED TO DO ANYTHING DIFFERENTLY. I BELIEVE THAT PERHAPS MORE VOTING ACTIVITY COULD TAKE PLACE. [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

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SENATOR BRASCH: THANK YOU, MR. PRESIDENT. THANK YOU... [LB10]

SPEAKER HADLEY: SENATOR COOK. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. GOOD MORNING, AGAIN, COLLEAGUES. I RISE ONCE AGAIN IN OPPOSITION TO...IN SUPPORT OF THE BRACKET MOTION AND OPPOSITION TO THE UNDERLYING BILL, AND WANTED TO TAKE A FEW MINUTES TO TALK ABOUT THE LETTER THAT WAS DISTRIBUTED BY SENATOR PANSING BROOKS FROM THE NEBRASKA BROADCASTERS ASSOCIATION. FIRST OF ALL, IT'S ENCOURAGING TO ME WHEN I SEE IN WRITING FROM A GROUP, A PROFESSIONAL GROUP, OR AN ADVOCACY GROUP, THE SENTIMENT THAT I TRY TO SHARE WITH MY COLLEAGUES INDIVIDUALLY, IN COMMITTEE, AND HERE ON THE FLOOR OF THE LEGISLATURE. AND SPECIFICALLY, THE PART THAT I REALLY APPRECIATED WAS THE SECOND PARAGRAPH WHICH READS, WITH THE INTRODUCTION OF LB10, THE NEBRASKA BROADCASTERS ASSOCIATION IS CONCERNED THAT THE FREEDOM OF SPEECH NEBRASKANS ENJOY WOULD BE IN PART SUPPRESSED THROUGH THIS AGGREGATION OF THE ELECTORAL VOTE. IT GOES ON TO SAY, THE DIVERSITY OF OUR STATE COMBINED WITH THE DISTANCE BETWEEN POPULATION BASES, MAKES FOR A UNIQUE ELECTORAL CHALLENGE. CURRENTLY, THE INDIVIDUAL VOICES OF DIVERSITY IN OUR STATE CAN BE HEARD FROM SCOTTSBLUFF TO OMAHA AND FROM BEATRICE TO VALENTINE. WE HEAR IT FROM YOUR CONSTITUENTS, OUR LISTENERS AND VIEWERS EVERY DAY. WHAT I APPRECIATE ABOUT THAT IS IT REINFORCES AN IDEA THAT IS SOMETIMES FRAMED IN RATHER NEGATIVE TERMS IN THIS BODY WHETHER IT'S ON THIS BILL OR ANOTHER BILL, AND THAT IS THE STATE OF NEBRASKA INCLUDES ALL DIFFERENT KINDS OF PEOPLE. ABSOLUTELY THE FOUNDING, THAT IS THE FOUNDING THAT WOULD BE CONSIDERED THE AMERICAN HISTORICAL NARRATIVE OF THE FOUNDING, CERTAINLY NOT THE ORIGINAL FOUNDING OF THIS AREA BY THE NATIVE PEOPLES AND TRIBES THAT INHABITED THIS AREA, BUT THE SETTLEMENT, THE EUROPEAN SETTLEMENT OF NEBRASKA IS, OF COURSE, BASED IN AGRICULTURE. THERE ARE MANY STORIES, OF COURSE, OF LAWYERS AND BANKERS THAT CAME FROM BACK EAST OR RAILROAD PEOPLE THAT CAME FROM BACK EAST OR EVEN FROM ACROSS THE OCEAN TO HELP SETTLE THE STATE IN THE URBAN CENTER WHICH AT THE TIME WAS PRIMARILY OMAHA. BUT THE STATE OF NEBRASKA IS A DIVERSE STATE. IT GOES BEYOND A DIVERSITY THAT IS RELATED TO COLOR OF YOUR SKIN, RACIAL IDENTITY, WHICH IS A SOCIAL CONSTRUCT, BY THE WAY, SEXUAL ORIENTATION, GEOGRAPHICAL PREFERENCE, MARITAL STATUS. THAT IS A SOCIAL CONSTRUCT AROUND HERE IF YOU'VE EVER SEEN ONE. STILL VERY MUCH IN EVIDENCE IN THE WAY THAT THE LIFESTYLE OF THE LEGISLATURE IS

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ORGANIZED. THE STATE OF NEBRASKA IS DIVERSE. THERE ARE MANY KINDS OF PEOPLE THAT LIVE HERE, CHOOSE TO LIVE HERE. OUR FAMILY CAME HERE COURTESY OF UNCLE SAM. MY FATHER SERVED AS A CIVIL ENGINEER IN THE UNITED STATES AIR FORCE. HE WAS FROM THE SOUTHEAST CORNER OF THE GREAT STATE OF GEORGIA IN A SMALL TOWN THAT WOULD PROBABLY BE DESCRIBED AS A WIDE SPOT IN THE ROAD CALLED AILEY, GEORGIA. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR COOK: AND HE CAME TO NEBRASKA, AND AS A FAMILY COMING FROM THE JIM CROW SOUTH, NEBRASKA WAS A GOOD PLACE TO BE IN 1966, TO SETTLE IN, RAISE A FAMILY, BUILD A CAREER, SERVE IN THE COMMUNITY, SERVE IN THE CHURCH. I THINK MY OPPOSITION...I KNOW THAT MY OPPOSITION TO LB10, THE UNDERLYING BILL, MY SUPPORT OF THE BRACKET MOTION IS INFORMED BY THAT EXPERIENCE. NEBRASKA IS NOT REPRESENTED BY ONLY ONE POLITICAL PARTY. IN FACT, THERE ARE MANY STRATA AMONG PEOPLE WHO ARE OFFICIALLY REGISTERED AMONG POLITICAL PARTIES WHETHER THAT BE REPUBLICAN OR DEMOCRAT OR EVEN INDEPENDENT. SO WHAT THIS LETTER REFLECTS AND WHAT I WANT TO REINFORCE WITH MY COLLEAGUES IS THAT THERE ARE PEOPLE IN THIS STATE WHO THINK ALL KINDS OF WAYS. LB10 TAKES AWAY FOR THAT TO BE REFLECTED IN A UNIQUE WAY... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR COOK: ...IN NEBRASKA. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED, AND IT'S YOUR THIRD TIME. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I DON'T BELONG TO ANY CHURCH. WHEN I WAS VERY YOUNG, I DID. AND WHENEVER I JOINED ANYTHING, I GAVE THE BEST THAT I HAD. AT THAT CHURCH, I WOULD CUT THE GRASS. I WOULD SCRUB AND WAX THE FLOORS ONCE A WEEK. I WIPED DOWN THE WINDOWS. I DUSTED THE PEWS. I DID ALL OF THAT, BECAUSE IN MY CHILD'S MIND, I THOUGHT IT WAS GOD'S HOUSE. SO I WAS DOING WHAT I THOUGHT WAS REQUIRED. I EVEN TAUGHT SUNDAY SCHOOL. I TAUGHT AN ADULT CLASS IN SUNDAY SCHOOL WHEN I WAS IN HIGH SCHOOL. DOING ALL THAT I THOUGHT WAS RIGHT. THEN I BEGAN TO USE MY MIND. I READ A LOT. I REACHED THE POINT WHERE I DID NOT FORCE MYSELF TO BELIEVE WHAT THOSE I RESPECTED BELIEVED AND I LEFT IT. LIKE PAUL, WHEN I WAS A CHILD, I THOUGHT AS A CHILD, I BELIEVED AS A

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CHILD, I BEHAVED AS A CHILD. WHEN I BECAME A MAN, I PUT AWAY CHILDISH THINGS. I DON'T BELONG TO ORGANIZATIONS. I DON'T BELONG TO POLITICAL PARTIES. I AM MY OWN PERSON. AND IT OFTEN PUTS ME AT ODDS WITH ANY NUMBER OF GROUPS AND INDIVIDUALS. BUT TO THE SAME EXTENT THEY SAY THAT I'M IN DISAGREEMENT WITH THEM, THEY'RE IN DISAGREEMENT WITH ME. AND AS LONG AS I THINK I'M RIGHT, THAT'S THE DIRECTION I'M GOING TO GO. ON THIS, I KNOW THAT I'M RIGHT. THIS IS DESIGNED AND IT'S A REPUBLICAN AGENDA TO SUPPRESS THE SIGNIFICANCE, THE VALUE, THE IMPACT OF THE VOTE OF A CERTAIN GEOGRAPHIC SEGMENT OF THE STATE WHERE MORE DEMOCRATS LIVE, ENOUGH, IN FACT, TO WIN AN ELECTORAL VOTE FOR A CANDIDATE OTHER THAN A REPUBLICAN. AND WHEN THAT WAS DONE, IT CAUSED TERROR AND REVULSION IN THE NEBRASKA REPUBLICAN PARTY. WHEN SENATOR BRASCH MENTIONED PEOPLE DON'T LIKE THE ELECTED OFFICIALS, THEY DON'T WANT TO PAY THEM, THEY DON'T WANT TO HAVE YOU GO MORE THAN TWO TERMS, TERM LIMITS WAS INITIATED BY THE REPUBLICAN PARTY. AND THAT ORGANIZATION OUT OF WASHINGTON, D.C., IS A REPUBLICAN ORGANIZATION. THE KOCH BROTHERS ARE REPUBLICANS. SO WHEN REPUBLICANS WHO KNOW BETTER STAND ON THIS FLOOR AND TALK LIKE THEY ARE THIRD GRADE CHILDREN, I CANNOT REGARD THAT AS WORTHY OF ANY CONSIDERATION. I WILL DISCUSS THESE THINGS ON THE FLOOR BECAUSE THEY'RE BEFORE US AND I THINK SOME THINGS OUGHT TO BE IN THE RECORD SO THAT THEY ARE AWARE OF WHICH ONES OF US HAVE SOME SENSE. BUT TO ARGUE THIS WITH ANYBODY INDIVIDUALLY OFF THE FLOOR, WHY SHOULD I? THEY'RE NOT GOING TO CHANGE, THEY CAN'T. THEY HAVEN'T EVEN THOUGHT IT THROUGH. THEY GOT THEIR MARCHING ORDERS AND THAT'S WHAT THEY'RE GOING TO DO. THEY'RE NOT GOING CHANGE MY MIND, BECAUSE I REASONED MYSELF TO THE POINT WHERE I STAND. THEY'RE NOT USING REASON. AND I AT ONE TIME MENTIONED HOW I WOULD DO THE JESUITS AT CREIGHTON WHEN THEY WOULD ALWAYS SAY WE'RE GOING TO SHOW YOU THAT THIS DOCTRINE OF THE CATHOLIC CHURCH IS RIGHT OR THIS POSITION BY ST. THOMAS AQUINAS, SOME CALLED HIM AKEENAS (PHONETIC) IS RIGHT. WE'RE GOING TO START AS THOUGH WE KNOW NOTHING. AND I RAISED MY HAND. AND I'D SAY, YOU KNOW WHAT? WHAT YOU'RE SAYING IS MISLEADING. YOU ARE A JESUIT. YOU ARE A CATHOLIC. YOU CANNOT ARRIVE AT ANY CONCLUSION THAT IS CONTRARY TO WHAT THE JESUIT ORDER OR THE CATHOLIC CHURCH WILL SAY. SO THESE STUDENTS IN THIS CLASSROOM MAY NOT KNOW WHERE YOU'RE GOING END UP, BUT I KNOW WHERE YOU'RE GOING TO END UP BEFORE YOU EVEN GET THERE. YOU KNOW IT TOO. SO TO GO THROUGH THAT PRETENSE, AND THAT'S WHY I WASN'T LIKED IN THE CLASSROOM AND IT'S WHY IN THE... [LB10]

PRESIDENT FOLEY PRESIDING

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PRESIDENT FOLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...UNDERGRADUATE DAYS, THEY DIDN'T MIND ME NOT COMING TO CLASS BECAUSE THEY DIDN'T WANT ME THERE. AND I GIVE THE EXAMPLE OF A MOUSE AND A CAT. THE CAT KNEW MOUSE. THE CAT KNEW THAT THE MOUSE WAS GOING TO FOLLOW THE BASEBOARD. SO IF THE MOUSE STARTED ON ONE SIDE OF THE ROOM, THE CAT WOULD JUST RUN CATTY-CORNER, AND WHEN THE MOUSE RAN TO THAT CORNER, CAME TO THE OTHER CORNER, THE CAT WAS WAITING FOR HIM BECAUSE THE CAT UNDERSTOOD MOUSE AND THE MOUSE DID NOT UNDERSTAND CAT. I UNDERSTAND POLITICIANS, I UNDERSTAND POLITICS, I UNDERSTAND RELIGIOUS, I UNDERSTAND RELIGIOUS PEOPLE, AND I UNDERSTAND RELIGION. NOT ALL OF THEM, THERE ARE TOO MANY. BUT THIS IS A REPUBLICAN ISSUE. IT ALWAYS WILL BE, AND I JUST HOPE THEY'RE NOT SUCCESSFUL. THANK YOU, MR. PRESIDENT. [LB10]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHUMACHER. [LB10]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. ONE OF THE THINGS THAT TERM LIMITS HAS BROUGHT US IS A RAPID TURNOVER AND A VERY, VERY SHORT LEGISLATIVE MEMORY. THIS ISSUE HAS BEEN AROUND AND AROUND AND AROUND. AND SINCE SENATOR McCOY SAID THAT IT'S BEEN AROUND AND AROUND AND AROUND AND NOW IT'S TIME TO PASS THIS, PERHAPS WE SHOULD GO BACK JUST FOUR YEARS BECAUSE FOUR YEARS AGO IT WAS AROUND AGAIN. AND THAT TIME, I HAPPENED TO BE ON THE GOVERNMENT COMMITTEE AND THE MEASURE WAS BEFORE US. FOR VERY PHILOSOPHICAL GROUNDS THAT I'LL GET INTO IF I HAVE TIME ON THIS TIME AT THE MIKE, I FELT THAT WHAT WE HAVE NOW IS A PRETTY GOOD AND FAIR DEAL, AND I SAID SO. WELL, ALMOST IMMEDIATELY THE PARTY CHAIRMAN LET THE WORD BE KNOWN THAT THEY EXPECTED EVERYONE TO FALL IN LINE. IN FACT, I'M READING FROM THE WATCHDOG HERE FOR THAT ERA. MARK FAHLESON, THE CHAIRMAN OF THE NEBRASKA REPUBLICAN PARTY, HAS MADE IT CLEAR THAT HE INTENDS TO HOLD REPUBLICAN STATE SENATORS ACCOUNTABLE FOR THEIR UPCOMING VOTES ON THE ISSUE. ACCORDING TO FAHLESON, OUR STATE CENTRAL COMMITTEE HAS INDICATED THAT FAILURE TO SUPPORT WINNER TAKE ALL COULD AFFECT REPUBLICAN PARTY ENDORSEMENTS AND SUPPORT FUTURE RAISES. WELL, I STOOD MY GROUND. AND WHAT HAPPENED? THE STATE REPUBLICAN PARTY PASSED A RESOLUTION, NOT JUST A MOTION, NOT JUST A DISCUSSION, NOT JUST A PROCLAMATION BY THE CHAIRMAN, BUT AN OFFICIALLY ADOPTED RESOLUTION HAVING FORCE AND EFFECT IN THE PARTY WHICH SAYS: WHEREAS THE NEBRASKA REPUBLICAN PARTY BELIEVES THE

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WINNER-TAKE-ALL ISSUE IS A LITMUS TEST FOR THOSE WHO COULD CLAIM TO BE REPUBLICANS AND SEEK SUPPORT OF THE REPUBLICAN PARTY. BE IT RESOLVED THAT THE NEBRASKA REPUBLICAN PARTY WILL NOT SUPPORT IN ANY MANNER, FINANCIAL OR OTHERWISE, ANY STATE SENATOR WHO OPPOSES THE RETURN OF THE STATE TO THE WINNER-TAKES-ALL ELECTORAL VOTE PLAN EITHER BY FAILING TO VOTE FOR SUCH IN COMMITTEE OR ON THE FLOOR OF THE LEGISLATURE. I POINTED THIS OUT YESTERDAY. AND I WAS KIND OF HOPING TO GET A MEMO. I WAS KIND OF HOPING ALL OF YOU WOULD GET A MEMO SAYING, AH, SENATOR SCHUMACHER, YOU DIDN'T KEEP UP ON THE INTRICACIES THAT GO ON IN THE CENTRAL COMMITTEE OF THE PARTY. WE'VE REPEALED THAT. GO AHEAD, BOYS AND GIRLS, VOTE YOUR CONSCIENCE ON POLICY AND PHILOSOPHY. WELL, I DON'T KNOW ABOUT THE REST OF YOU, BUT I DIDN'T GET SUCH A MEMO. THAT IS STILL FORCE AND EFFECT. IT HAD NO EXPIRATION DATE. YOU KNOW ABOUT IT. AND IF YOU DON'T KNOW ABOUT IT, YOU KNEW ABOUT IT AS OF YESTERDAY. AND THAT KIND OF LANGUAGE CANNOT HELP BUT ENTER INTO THIS DISCUSSION TODAY. WITHDRAW THAT RESOLUTION AND LET US KNOW YOU DID. TELL US WE CAN VOTE OUR CONSCIENCE AND DON'T BRING IT BACK AGAIN, AND THIS BILL MAY HAVE A DIFFERENT FATE IN THIS BODY. BUT UNDER SUCH A CLOUD OF PARTISAN DICTATORSHIP, WE CANNOT PERMIT IT TO HAVE IMPACT AND PASSAGE IN THIS BODY. THAT IS OUR RESPONSIBILITY TO THE NONPARTISAN NATURE OF THIS ORGANIZATION. IT IS AN ODD SITUATION WHERE WHAT I THINK IS GOOD REPUBLICAN POLICY, THAT IS TO DO THE NEBRASKA THING IN STATES LIKE PENNSYLVANIA AND MICHIGAN, IS EXACTLY THE OPPOSITE OF WHAT THE STATE REPUBLICAN PARTY WANTS TO DO BECAUSE OF A LONGSTANDING FEUD WITHIN THIS BODY THAT DATES BACK TO THE DAYS OF DIANNA SCHIMEK... [LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB10]

SENATOR SCHUMACHER: ...YEARS AND YEARS AGO AND THIS HAS ALWAYS A BONE OF CONTENTION AND KIND OF A PRIZE BACK AND FORTH OF SHOW OF POLITICAL MUSCLE. FOLKS, WHAT WE HAVE IS A PRETTY GOOD SYSTEM. IT'S KIND OF A HYBRID. WE DISTRIBUTE OUR SENATORIAL VOTES, THE TWO OF THEM, BY STATEWIDE WINNER TAKE ALL AND WE DISTRIBUTE THE OTHER THREE BY CONGRESSIONAL DISTRICT WHICH WE HOPE HELPS PROMOTE SOME DISCUSSION AND SOME EXPENDITURES OF POLITICAL EFFORT IN THOSE AREAS WHICH MIGHT MAKE A DIFFERENCE INTERNALLY, BUT PROBABLY NEVER MAKE A DIFFERENCE ON A NATIONAL SCALE BECAUSE ONE VOTE IS NOT GOING TO MAKE A DIFFERENCE, HASN'T AT LEAST FOR A CENTURY OR MORE. SO, FOLKS, THIS IS JUST POLITICS, BUT IT'S POLITICS THAT WE CANNOT LET THE SPECTER OF PARTISANSHIP DICTATE. THANK YOU. [LB10]



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PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. (VISITORS INTRODUCED.) MR. CLERK, ITEMS FOR THE RECORD. [LB10]

CLERK: THANK YOU, MR. PRESIDENT. YOUR COMMITTEE ON BANKING AND COMMERCE AND INSURANCE REPORTS LB375 TO GENERAL FILE; LB515, GENERAL FILE WITH AMENDMENTS. HEALTH AND HUMAN SERVICES COMMITTEE REPORTS LB80 AND LB452 TO GENERAL FILE; LB315, GENERAL FILE WITH AMENDMENTS. GOVERNMENT COMMITTEE REPORTS LB621 TO GENERAL FILE; LB539, GENERAL FILE WITH AMENDMENTS, THOSE REPORTS SIGNED BY THE RESPECTIVE COMMITTEE CHAIRS. NEW RESOLUTION: SENATOR PANSING BROOKS, LR69; SENATOR EBKE, LR70 AND LR71; SENATOR KRIST TO LR72. ALL WILL BE LAID OVER. NEW A BILL; LB12A BY SENATOR KRIST. (READ BY TITLE FOR THE FIRST TIME.) I HAVE A REFERENCE REPORT REFERRING GUBERNATORIAL NOMINEE TO STANDING COMMITTEE FOR CONFIRMATION HEARING. AND, FINALLY, MR. PRESIDENT, A BILL READ ON FINAL READING THIS MORNING WAS PRESENTED TO THE GOVERNOR AT 9:56 A.M. (RE LB430.) THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 614-620.) [LB375 LB515 LB80 LB452 LB315 LB621 LB539 LR69 LR70 LR71 LR72 LB12A LB430]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB10]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WAS NOT GOING TO SPEAK ON THIS ISSUE, BUT I WILL RISE TO OPPOSE THE MOTION TO BRACKET. BUT AS I'VE LISTENED TO DEBATE, I THOUGHT SOME COMMENTS NEEDED TO AT LEAST BE ENTERED INTO THE RECORD ON MY PART. I'M A REPUBLICAN. I'VE ALWAYS BEEN A REPUBLICAN. I DON'T THINK THERE'S A PERSON HERE WHO REPRESENTS ANY PARTY HAS NOT BEEN EMBARRASSED BY HIS PARTY AT ONE TIME OR ANOTHER. I THINK WE CAN ALL SAFELY SAY THAT. I, FOR ONE, HAVE BEEN A REPUBLICAN ALL MY LIFE. I HAVE NOT ALWAYS BEEN HAPPY WITH WHAT THEY'VE DONE. BUT I CAME HERE TO SERVE MY CONSTITUENTS AND I WILL DO THAT. THE PARTY WILL NOT INTIMIDATE ME. I RAN UNOPPOSED THIS LAST TIME, AND IF SOMEBODY DECIDES TO RUN AGAINST ME AND I WOULD LOSE, I THINK IT'S A WIN-WIN SITUATION FOR BOTH OF US. (LAUGHTER) I WATCHED THE DEBATE HERE AND I WILL RESERVE JUDGMENT ON LB10. BUT IT SEEMS TO ME THAT IT'S BEEN TURNED INTO A PARTISAN ISSUE. I HAVEN'T HEARD MUCH DISCUSSION ON THE PROS AND CONS OF HOW WE DIVIDE OUR VOTE. I HAVE A SISTER WHO LIVES IN CALIFORNIA AND SHE'S IN THE CONSERVATIVE MIDDLE PORTION OF THE STATE, AND SHE ALWAYS SAYS THAT THEY SHOULD DIVIDE CALIFORNIA INTO THREE SEPARATE STATES SO THAT THEY COULD HAVE REPRESENTATION BECAUSE

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RIGHT NOW THE LIBERALS IN THE BIG CITIES, THEY CONTROL THE VOTE AND THEY ARE A VOICELESS MINORITY AND THEY FEEL NOT REPRESENTED AT ALL IN STATE GOVERNMENT OR IN THE FEDERAL ISSUES. SO I LOOK AT THIS AND I TRY TO JUDGE THINGS BY WHAT WOULD BE GOOD FOR NEBRASKA. MY CONSTITUENTS, OBVIOUSLY, I THINK WOULD PROBABLY SUPPORT GOING, YOU KNOW, WINNER TAKE ALL. BUT I THINK WHEN YOU LOOK AT AN ISSUE, YOU FIRST OF ALL, YOU REPRESENT YOUR CONSTITUENTS BUT THEN YOU HAVE TO LOOK AT WHAT'S BEST FOR THE STATE OF NEBRASKA AND WHAT GIVES IT THE BIGGEST BANG FOR THE BUCK, SO TO SPEAK, WHEN IT COMES TO OUR DELEGATES. AND I'LL RESERVE JUDGMENT YET, BUT I THINK THAT'S THE ISSUE THAT'S HERE. TAKE THE REPUBLICAN PARTY OUT OF IT. IT'S UNFORTUNATE THAT THEY HAVE THAT IN THERE. I HAD NOT HEARD THAT LANGUAGE UNTIL IT WAS READ ON THE FLOOR HERE. THAT SURPRISED ME THAT THE WORDING WAS QUITE AS STRONG AS IT WAS, BUT SO BE IT. LET'S DISMISS THAT AND LET'S TALK THE ISSUE OF WHAT WOULD BE BEST FOR THE STATE. AND THAT'S HOW I WILL CONTINUE TO LOOK AT IT. AND I WILL NOT BE INTIMIDATED BY ANYONE. I WILL VOTE MY CONSCIENCE. THANK YOU, MR. PRESIDENT. [LB10]

PRESIDENT FOLEY: THANK YOU, SENATOR FRIESEN. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB10]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. WILL GO BACK AND TALK A LITTLE BIT ABOUT MY POLITICAL CAREER. I'VE ALWAYS BEEN A REPUBLICAN. NOT TOO MANY PEOPLE KNEW IT. THEY PROBABLY KNEW IT BECAUSE OF MY BACKGROUND WITH MY PARENTS AND FAMILY. WHEN I RAN FOR CITY COUNCIL AND MAYOR, IT WAS NONPARTISAN, SO IT DID NOT BECOME AN ISSUE. WHEN I FILED FOR THE STATE LEGISLATURE, ALL OF A SUDDEN THE REPUBLICAN PARTY GOT INTERESTED BECAUSE SOMEWHERE ALONG THE LINE THEY HEARD I ONCE WAS A DEMOCRAT. THERE HAPPENED TO BE ANOTHER JERRY JOHNSON IN SAUNDERS COUNTY THAT EVIDENTLY WAS. BUT SO I HAD A LITTLE CONNECTION WITH THEM. AND DURING MY CAMPAIGN, I DID RECEIVE SOME SUPPORT FROM THE GOVERNOR FROM HIS CAMPAIGN ACCOUNT. MIGHT HAVE BEEN BECAUSE HE'S FROM THE SAME TOWN I LIVE IN NOW. I'M NOT SURE. BUT, ANYWAY, DID HAVE SOME SUPPORT THERE. BUT I DID NOT SEEK ANY SUPPORT FROM THE REPUBLICAN PARTY. BUT TOWARD THE END OF THE...GETTING CLOSE TO THE GENERAL ELECTION, ALL OF A SUDDEN, A FLIER CAME OUT FROM THE REPUBLICAN PARTY AND I DID NOT LIKE THAT. IT SUPPORTED ME, BUT I DID NOT LIKE THE APPROACH. WE CALLED THEM, TOLD THEM WE DIDN'T WANT ANY MORE OF THAT. THEY CAME OUT WITH A SECOND ONE. SO I'VE TOLD THE REPUBLICAN PARTY I DON'T WANT ANY SUPPORT. THEY'VE NOT CONTACTED ME SINCE I'VE BEEN ELECTED WITH THE RESOLUTION THAT SENATOR SCHUMACHER COMMENTED

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ON. SO MAYBE THEY'RE AT THAT POINT KIND OF WROTE ME OFF FOR MAYBE BEING A LOYAL SUPPORTER. I'VE HAD A COUPLE OF CALLS FROM THE GOVERNOR ON SOME VOTES THAT I MADE AND WE DISCUSSED THOSE. WHEN I LOOK AT A BILL WHEN IT COMES ON THE FLOOR OR IT COMES INTO A COMMITTEE, WELL, YOU FIRST, YOU KNOW, YOU LOOK AT...MAYBE YOU LOOK AT THE INTRODUCER FIRST. AND SAY, OKAY, YOU KNOW, I'VE WORKED WITH THAT PERSON BEFORE OR, YOU KNOW, HERE'S MAYBE HOW THAT'S GOING TO END UP. I WOULD COMMENT THAT MY TWO PRIORITY BILLS IN MY FIRST TWO YEARS WERE BILLS INTRODUCED AND PASSED AND THEY WERE CARRIED BY PERSONS OF THE OTHER PARTY. NOW YOU CAN START LOOKING AT PARTISANSHIP WHEN YOU START SEEING COSIGNERS COME ON A BILL. AND MAYBE IT'S KIND OF LINED UP BY A CERTAIN PARTY GROUP, AND SO THINGS DO BECOME PARTISAN WHETHER YOU WANT IT OR NOT. TO ME IT'S BAD THAT THIS DOES BECOME A PARTISAN BILL. AT THIS POINT, I DO NOT SUPPORT THE BRACKET. BUT I WILL STATE THIS, THAT I WILL CONTINUE TO LISTEN TO THE DISCUSSION AND SEE HOW AMENDMENTS MIGHT MOVE OR WHERE WE'RE AT, AND LEAVE MY MIND OPEN AT THIS POINT ON LB10. THANK YOU, MR. PRESIDENT. [LB10]

PRESIDENT FOLEY: THANK YOU, SENATOR JOHNSON. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB10]

SENATOR BRASCH: THANK YOU, MR. LIEUTENANT GOVERNOR, AND THANK YOU, COLLEAGUES. AND WE ARE CONTINUING IN GOOD DISCUSSION. AND WE CONTINUE TO DEFINE THE POLITICAL PARTIES TO WHICH WE BELONG, HAD BELONGED, WILL BELONG, OR IN SENATOR CHAMBERS' CASE, REFUSES TO BELONG TO ANY OF THE ABOVE. BUT LOOKING AT THE LETTER THAT OUR COLLEAGUE SENATOR COOK PASSED OUT YESTERDAY FROM SECRETARY GALE, I WOULD ENCOURAGE YOU TO READ THROUGH THAT THOROUGHLY. IT DOES SPEAK OF THE BENEFITS THAT NEBRASKANS COULD SHARE FROM THIS. I ALSO WONDER WITH THE NUMBER OF STATES, 48, PART OF WINNER TAKE ALL, AND WHEN YOU LOOK AT THE ELECTORAL MAPS OR THE MAPS YOU SEE RED STATES AND BLUE STATES AND WE DON'T HEAR OF ANY PROTESTING, THE WINNER TAKE ALL WHETHER THEY'RE RED OR BLUE AND MAKING ANY CHANGES. SO I BELIEVE THAT IS SOMETHING TO ALSO BE CONSIDERED. COLLEAGUES, AGAIN, WE SERVE ALL OF NEBRASKA, MANY DIFFERENT DEMOGRAPHICS, MANY DIFFERENT INDIVIDUALS, DIFFERENT ECONOMIES, AND POLITICALLY WE REPRESENT EVERYONE. AND WE'LL CONTINUE TO DO THAT REGARDLESS OF WHAT A PARTY DID OR DID NOT DO. I HAVE OFTEN TOLD OTHERS THAT YOU LEAVE ANGER ISSUES BEHIND WHEN YOU START YOUR DAY HERE. SENATOR MURANTE HAD ASKED THAT I YIELD HIM TIME, AND I WILL DO SO. MR. SPEAKER, WILL YOU YIELD TIME TO SENATOR MURANTE? [LB10]

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PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR MURANTE, ABOUT 3:00. [LB10]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT AND MEMBERS. BASED ON SENATOR SCHUMACHER'S LAST FLOOR SPEECH, I THOUGHT I'D STAND UP AND SET HIS MIND AT EASE A LITTLE BIT, BECAUSE IN ORDER...I APPRECIATE SENATOR SCHUMACHER FEELS, PERHAPS, THAT THERE WAS AN ATTEMPT TO INTIMIDATE THE MEMBERS OF THIS LEGISLATURE BY THE REPUBLICAN PARTY WITH THE PASSAGE OF THAT RESOLUTION. BUT IN ORDER TO BELIEVE THAT THE MEMBERS OF THIS LEGISLATURE ARE MOTIVATED BY PARTISAN INTENT, WE WOULD HAVE TO BELIEVE THAT THERE ARE MEMBERS OF THIS LEGISLATURE WHO ARE ACTUALLY INTIMIDATED BY THAT RESOLUTION; THAT THERE ARE REPUBLICANS IN THIS LEGISLATURE WHO FEAR CROSSING THE PARTY BECAUSE THEY PASS THAT RESOLUTION. SO I WANT TO ASK SENATOR SCHUMACHER A QUESTION. [LB10]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WOULD YOU YIELD? [LB10]

SENATOR SCHUMACHER: SURE WILL. [LB10]

SENATOR MURANTE: SENATOR SCHUMACHER, THE RESOLUTION THAT...TO WHICH YOU TAKE EXCEPTION, I BELIEVE, WAS PASSED IN 2011, IS THAT WHAT YOU SAID? [LB10]

SENATOR SCHUMACHER: THAT'S TRUE. [LB10]

SENATOR MURANTE: THAT'S CORRECT. OKAY. YOU WERE UP FOR REELECTION IN 2014, IS THAT CORRECT? [LB10]

SENATOR SCHUMACHER: THAT'S CORRECT. [LB10]

SENATOR MURANTE: AND WERE YOU SUCCESSFUL IN THAT ELECTION? [LB10]

SENATOR SCHUMACHER: I WAS. [LB10]

SENATOR MURANTE: AND WHAT PERCENTAGE OF THE VOTE DID YOU GET? [LB10]

SENATOR SCHUMACHER: ALMOST 80 PERCENT. [LB10]

SENATOR MURANTE: OKAY. SO AFTER THE IMPLEMENTATION OF THAT RESOLUTION, AND AFTER YOU VOTED AGAINST WINNER TAKE ALL, YOU WERE

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ELECTED WITH 80 PERCENT OF THE VOTE, IS THAT CORRECT? [LB10]

SENATOR SCHUMACHER: THAT'S CORRECT. [LB10]

SENATOR MURANTE: SO THERE ISN'T A LOT OF EVIDENCE THAT THAT RESOLUTION HAS HAD ANY IMPACT ON YOUR ELECTION, AT THE VERY LEAST, IS THAT ACCURATE? [LB10]

SENATOR SCHUMACHER: THAT RESOLUTION CAME AFTER MY POSITION. IT WAS A PROACTIVE RESOLUTION, DID NOT APPLY TO ME. [LB10]

SENATOR MURANTE: I DON'T UNDERSTAND THAT. SO THE RESOLUTION STATED THAT ANYONE WHO VOTES AGAINST...OR WINNER TAKE ALL IS BANNED FOR...IS SHUNNED, EXCOMMUNICATED FROM THE PARTY AND YOU VOTED AGAINST IT. [LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB10]

SENATOR SCHUMACHER: RIGHT, BUT I VOTED AGAINST IT BEFORE THE RESOLUTION. I VOTED AGAINST IT WHEN IT WAS JUST A THREAT, BEFORE IT BECAME A BINDING RESOLUTION. THEREFORE, THE RESOLUTION DID NOT APPLY TO ME AND THERE HAS BEEN NO VOTE THAT I HAD OR HAVE AN OPPORTUNITY TO TAKE SINCE THE PASSAGE OF THE RESOLUTION. [LB10]

SENATOR MURANTE: BUT IT'S FAIR TO SAY THAT YOU, AT THIS POINT, DON'T FEEL PARTICULARLY INTIMIDATED BY THAT RESOLUTION, IS THAT ACCURATE? [LB10]

SENATOR SCHUMACHER: I'M TERM LIMITED. [LB10]

SENATOR MURANTE: SO, NO, YOU'RE NOT VERY...YOU'RE NOT PARTICULARLY INTIMIDATED, IS THAT CORRECT? [LB10]

SENATOR SCHUMACHER: NOT PARTICULARLY INTIMIDATED. [LB10]

SENATOR MURANTE: OKAY. I SUSPECT IF WE TOOK A POLL OF THE MEMBERS OF THIS LEGISLATURE AND JUST WENT AROUND THE BODY AND ASKED PEOPLE IF THEY WERE PARTICULARLY INTIMIDATED BY THAT PARTICULAR RESOLUTION, WE WOULD GET A UNANIMOUS VOTE. IT IS A BITE WITH NO TEETH. I DON'T KNOW WHAT OTHER ANALOGY THAT WE HAVE TO...WE CAN GO AROUND THE ROOM OF PEOPLE WHO HAVE OPPOSED WINNER TAKE ALL AND BEEN REELECTED OVERWHELMINGLY, BUT THERE'S MORE THAN A FEW EXAMPLES. [LB10]

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PRESIDENT FOLEY: TIME, SENATOR. TIME, SENATOR. [LB10]

SENATOR MURANTE: MR. PRESIDENT, THANK YOU. [LB10]

PRESIDENT FOLEY: THANK YOU, SENATORS MURANTE AND SCHUMACHER.  
SENATOR COOK, YOU'RE RECOGNIZED. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, AGAIN, COLLEAGUES. I RISE, ONCE AGAIN, IN SUPPORT OF THE BRACKET MOTION AND TO DRAW YOUR ATTENTION TO A HANDOUT THAT I'D FORGOTTEN I DISTRIBUTED UNTIL SENATOR BRASCH WAS KIND ENOUGH TO REMIND ME A FEW MOMENTS AGO. IT IS A HANDOUT OUTLINING SOME OF THE SECRETARY OF STATE'S POINTS ABOUT WHY HE SUPPORTS THIS MEASURE, LB10. I SHOULD ALSO SAY, IN THE INTEREST OF DIVERSITY, THAT SECRETARY OF STATE, JOHN GALE, IS FROM NORTH OMAHA. HE IS A GRADUATE OF OMAHA NORTH HIGH SCHOOL. AND LEST IT BE FORGOTTEN, BECAUSE I THINK HE CAME TO THIS OFFICE FROM GREATER NEBRASKA, OR ENTERED POLITICS FROM GREATER NEBRASKA, THE SECRETARY OF STATE IS AN OMAHAN. BEFORE I GET STARTED, BECAUSE THE PAGES NOW REDISTRIBUTING MY HANDOUT, I AM GOING TO REVIEW THE SECRETARY OF STATE'S DUTIES AS THEY'RE OUTLINED ON THE WEB SITE SO THAT YOU MIGHT DECIDE IN YOUR MIND HOW THAT COULD POTENTIALLY CONTRAST WITH THE NEWS RELEASE AND THE STATEMENTS THAT WERE MADE BY THE SECRETARY OF STATE IN COMMITTEE. THE SECRETARY OF STATE'S DUTIES IN THE STATE OF NEBRASKA: THE FIRST DUTY IS ELECTIONS. THE SECRETARY OF STATE SERVES AS NEBRASKA'S CHIEF ELECTION OFFICER, WORKING WITH ELECTION OFFICIALS IN THE STATE'S 93 COUNTIES; THE ELECTIONS DIVISION OVERSEES ELECTION LAW; THE CONDUCT OF ELECTIONS IN THE STATE; ELECTION TABULATION EQUIPMENT; AND THE STATE VOTER REGISTRATION SYSTEM. THE DIVISION ACCEPTS CANDIDATE FILINGS--MANY OF YOU REMEMBER FILING FOR OFFICE, I'M SURE, IT'S KIND OF AN EXCITING MOMENT--AND TABULATES RESULTS FOR STATEWIDE LEGISLATIVE, JUDICIAL RETENTION, AND CERTAIN DISTRICT ELECTIONS. THE DIVISION OVERSEES FILINGS FOR STATEWIDE INITIATIVE AND REFERENDUM PETITIONS. SO THAT IS, I'M GUESSING WHY THE SECRETARY OF STATE WOULD DETERMINE THAT HE NEEDED TO GENERATE A NEWS RELEASE AND FOLLOW UP AND SHOW UP TO TESTIFY IN SUPPORT OF THIS MEASURE. I THINK IT'S INTERESTING, AS SOMEBODY WHO HAPPENS TO HAVE A DIFFERENT PARTY AFFILIATION FROM MY FELLOW NORTH OMAHAN, THAT HE CHOSE THIS MEASURE TO TESTIFY IN SUPPORT OF AS OPPOSED TO POTENTIALLY SHOWING UP AND OFFERING THE PROS AND CONS IN A NEUTRAL CONTEXT. AS I MENTIONED ONCE AGAIN, HE IS THE SECRETARY OF STATE FOR ALL OF US, FOR ALL OF US IN THIS

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BODY, AND HE IS THE SECRETARY OF STATE FOR ALL NEBRASKANS, NOT JUST ELECTORS, BUT FOR ALL NEBRASKANS. A SECOND DUTY OF NEBRASKA'S SECRETARY OF STATE--BUSINESS SERVICES. THE BUSINESS SERVICES DIVISION PROVIDES SEVERAL IMPORTANT FUNCTIONS FOR THE BUSINESS COMMUNITY. REGISTRATIONS ARE RECORDED FOR CORPORATIONS, LIMITED LIABILITY COMPANIES, LIMITED PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, TRADE NAMES, AND TRADEMARKS. THE DIVISION HANDLES UNIFORM COMMERCIAL CODE AND OTHER SECURITY INTEREST RECORDS. [LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB10]

SENATOR COOK: THE DIVISION REGULATES NOTARY PUBLIC COMMISSIONS AND HANDLES APOSTILLES, I APOLOGIZE IF I AM MISPRONOUNCING THAT WORD, AND AUTHENTICATIONS. AND IN PARENTHESIS IT SAYS HERE: DOCUMENTS GOING TO OTHER COUNTRIES. ANOTHER DUTY OF THE SECRETARY OF STATE IS LICENSING. THE LICENSING DIVISION PROTECTS THE PUBLIC INTEREST BY LICENSING OR REGISTERING SEVERAL OCCUPATIONS. THE DIVISION OVERSEAS COLLECTION AGENCIES, DEBT MANAGEMENT AGENCIES, CREDIT SERVICES ORGANIZATIONS, PRIVATE DETECTIVES, THAT SOUNDS KIND OF EXCITING; TRUTH AND DECEPTION EXAMINERS, ATHLETE AGENTS, AND NONRECOURSE CIVIL LITIGATION FUNDING COMPANIES. [LB10]

PRESIDENT FOLEY: TIME, SENATOR. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. [LB10]

PRESIDENT FOLEY: THANK YOU, SENATOR COOK. SENATOR CHAMBERS, YOU'RE WELCOME TO CLOSE NOW ON YOUR BRACKET MOTION. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, POLITICAL ISSUES ARE SETTLED IN A POLITICAL CONTEXT. ELECTIONS ARE LIKE POPULARITY CONTESTS. THEY'RE LIKE OPINION POLLS. AND THAT'S WHAT ELECTIONS ARE SUPPOSED TO BE. BUT WHEN IT COMES TO BASIC RIGHTS, THE U.S. SUPREME COURT HAS SAID THOSE RIGHTS ARE NOT DETERMINED BY WAY OF A POPULARITY CONTEST, NOR BY OPINION POLLS, AND THEREFORE THE MEANING OF THE EIGHTH AMENDMENT TO THE U.S. CONSTITUTION PROHIBITING CRUEL AND UNUSUAL PUNISHMENT WILL NOT BE DECIDED IN TERMS OF ITS REACH BY THE LOUDEST VOICES, AND IT WENT ON TO MENTION OTHER THINGS, AND IT WAS IN THE CONTEXT OF A DEATH PENALTY CASE. THE CASE IN WHICH THOSE QUOTES OCCURRED WAS FURMAN V. GEORGIA. WHEN THE SUPREME COURT STRUCK DOWN ALL EXISTING DEATH

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PENALTY LAWS WITHOUT ABOLISHING THE DEATH PENALTY ITSELF BECAUSE THEY WERE INHERENTLY DISCRIMINATORY AND UNFAIR. WHAT IS BEING ATTEMPTED HERE, IS TO SAY THAT BY A VIRTUE OF A POPULARITY CONTEST, 48 OTHER STATES, WHO ARE NOT POLLED ON WHAT NEBRASKA IS DOING, ARE NOT DOING IT THE WAY NEBRASKA DOES IT, THEREFORE, THE CURRENT METHOD, WHICH DOES OFFER A DEGREE OF FAIRNESS IN THE ALLOCATION OF THESE ELECTORS NOT FOUND IN OTHER STATES. WE ARE TO BE TOLD THAT BECAUSE THERE ARE A LOT OF PEOPLE WHO SAY, YOU SHOULD SUPPRESS THE VOTE OF A CERTAIN SEGMENT OF THE POPULATION IN NEBRASKA, THEREFORE IT IS RIGHT TO DO IT. THAT CAN BE THE OPINION OF PEOPLE. IT CAN BE THE OPINION OF PEOPLE ON THIS FLOOR. BUT WHEN IT COMES TO A BASIC RIGHT, WHICH I THINK WE'RE DEALING WITH, IT SHOULD NOT BE BASED ON WHAT IS POPULAR, IT SHOULD BE BASED ON WHAT IS APPROPRIATE AND RIGHT UNDER THE CONSTITUTION, NOT JUST THE WORDS BUT THE SPIRIT OF THAT DOCUMENT. ALL OF THIS TALK ABOUT DEMOCRACY, ALL OF THIS TALK ABOUT REPRESENTATION, THE DESIRE TO GIVE EVERYBODY A VOICE. AND YOU KNOW WHAT AMERICANS WERE DOING WHEN IT CAME TO A CERTAIN COUNTRY IN THE MIDDLE EAST? THEY SAID--YOU SHOULD GUARANTEE REPRESENTATION IN THE GOVERNMENT TO THE SUNNIS, TO THE SHIITES, AND TO THE KURDS. GUARANTEE ALL OF THEM A PLACE AT THE TABLE OF GOVERNMENT; NOT BASED ON POPULATION, NOT BASED ON A VOTE, BUT BECAUSE OF THE COMMUNITY OF INTEREST OF EACH ONE. YET, IF BLACK PEOPLE WERE TO SAY WE ARE ENTITLED TO A PLACE AT THE TABLE BECAUSE OF OUR COMMUNITY OF INTEREST, THOSE SAME AMERICANS SAY, UH-UH, THAT'S NOT THE WAY IT'S DONE IN AMERICA. JUST LIKE THEY TOLD THE FRENCH, DON'T GIVE THE QUAI DE GARE TO BLACK SOLDIERS WHO BEHAVE HEROICALLY IN YOUR COUNTRY BECAUSE THAT'S NOT THE WAY THEY'RE TREATED IN AMERICA. SO WHEN I HEAR ALL THESE PEOPLE STAND ON THE FLOOR AND SAY THIS IS NOT A PARTISAN ISSUE, THEY ARE DELIBERATELY IGNORING THE REAL ISSUE WHICH IS THE SUPPRESSION OF A VOTE. YOU CAN MARK A PIECE OF PAPER, BUT YOU ARE VOTING FOR NOBODY AND THAT IS NOT A VOTE. IF IT HAS NO MEANING, IT IS NOT A VOTE. YOU RIDICULE OTHER COUNTRIES WHERE THERE MIGHT BE ONE CANDIDATE. WHAT ARE YOU SAYING OUGHT TO BE THE CASE IN NEBRASKA? ONE PARTY. [LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: RUSSIA USED TO BE CONDEMNED FOR ONE PARTY RULE, THE COMMUNIST PARTY. WELL, IN THIS STATE, WHAT'S THE DIFFERENCE IN REALITY WHEN ALL OF THESE TALKERS ABOUT DEMOCRACY SAY THAT THE BEST SYSTEM IS TO ALLOW THE MAJORITY TO DROWN OUT ANY VOTE OF CONSEQUENCE FROM THOSE WHO LACK THE NUMBERS. THAT



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IS NOT RATIONAL, BUT IT IS THE REPUBLICAN AGENDA AND THESE REPUBLICANS CAN STAND ON THE FLOOR ALL THEY WANT TO AND SAY I DIDN'T GET A LETTER AND SO FORTH. THEY KNOW WHAT YOU'RE GOING TO DO AND YOU KNOW WHAT YOU'RE GOING TO DO AND IT JUST HAPPENS THAT YOUR POSITION LINES UP PERFECTLY WITH THAT OF YOUR PARTY WHICH STATES PUBLICLY WHAT THAT AGENDA IS, WHAT IT'S PURPOSE IS, AND YOU CAN SAY ALL YOU WANT TO, IT HAS NO IMPACT ON YOU. BUT, IN FACT, IT DOES. [LB10]

PRESIDENT FOLEY: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: THERE IS SOME ON WHOM IT WON'T. THANK YOU. MR. PRESIDENT, I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB10]

PRESIDENT FOLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS: SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE, MR. CLERK. [LB10]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB10]

PRESIDENT FOLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS NORDQUIST AND MORFELD, PLEASE RETURN TO THE FLOOR. THE HOUSE IS UNDER CALL. ALL SENATORS ARE PRESENT. MR. CLERK, PLEASE PROCEED TO A ROLL CALL VOTE ON THE BRACKET MOTION. [LB10]

CLERK: (ROLL CALL VOTE TAKEN. LEGISLATIVE JOURNAL PAGE 621.) 12 AYES, 30 NAYS, MR. PRESIDENT, TO BRACKET THE BILL. [LB10]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. THE BRACKET MOTION IS NOT ADOPTED AND THE CALL IS RAISED. MR. CLERK. [LB10]

CLERK: MR. PRESIDENT, PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN WITH RESPECT TO BRACKETING LB10. [LB10]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR CHAMBERS, YOU'RE

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WELCOME TO OPEN ON YOUR RECONSIDERATION MOTION. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I OFFER THESE MOTIONS BECAUSE I WANT TO HAVE A CHANCE TO TALK. I WANT TO HELP SET THE TONE AND THE DIRECTION OF THE DISCUSSION. SO I'M GOING TO CONTINUE IN THE DIRECTION THAT I'M GOING. AS THE SESSION MOVES ON, THERE ARE GOING TO BE SOME BILLS THAT ARE NOT AS...TO QUOTE ELMER FUDD "AS SQUIEY" (PHONETIC) AS THIS ONE AND THAT OTHER ONE WHERE THEY WANTED TO SUPPRESS THE VOTE OF PEOPLE BY REQUIRING IDENTIFICATION IN ORDER TO VOTE. THERE WILL BE ROUTINE BILLS, ROUTINE HANDLING, A LOT WILL GO ACROSS THE BOARD WITH NOT MUCH DISCUSSION BECAUSE THEY DON'T MERIT IT. BUT WHEN THESE KIND OF ISSUES COME UP AND I HAVE A STRONG FEELING TOWARD THEM, I WILL TAKE ALL OF THE TIME ALLOWED UNDER THE RULES. I'M GOING TO SAY SOMETHING NOW ABOUT REPRESENTATION. I REPRESENT THE MOST DISADVANTAGED GROUP IN THIS STATE AND IN THIS COUNTRY. I HAVE AN ARTICLE THAT I'M GOING READ BEFORE WE GET THROUGH, AND IT MIGHT NOT BE TODAY, FROM THE NEW YORK TIMES, IT'S CALLED "HISTORY OF LYNCHINGS IN THE SOUTH", DOCUMENTS NEARLY 4,000 NAMES. THEN AN EDITORIAL--LYNCHING AS RACIAL TERRORISM, TO LET MY WHITE COLLEAGUES KNOW WHAT IS OVERSHADOWING AND OVERARCHING EVERYTHING IN THIS COUNTRY THAT RELATES TO PEOPLE OF MY COMPLEXION. AND I'LL HAVE A CHANCE TO TELL YOU SOMETHING ABOUT THE WHITE PRIVILEGE THAT YOU ENJOY BECAUSE YOU DON'T EVEN READ THESE KIND OF ARTICLES BECAUSE THEY DON'T APPLY TO YOU. YOU CANNOT SHOW ME WHERE A 14-YEAR-OLD WHITE CHILD WAS ELECTROCUTED IN THIS STATE, IN THIS COUNTRY ON THE BASIS OF A FALSE CONFESSION THAT WAS EXTORTED FROM HIM BY WHITE COPS. HE COULDN'T EVEN FIT WITHIN THE APPARATUS OF THE ELECTRIC CHAIR. HE WAS TOO SMALL. BUT HE WAS ELECTROCUTED IN AMERICA. SO THOSE ARE THINGS I'M GOING TOUCH ON. BUT AS FAR AS BELONGING TO ORGANIZATIONS, NONE OF THEM WILL HAVE A HOLD ON ME. WHEN I RAN FOR ELECTION AFTER SITTING OUT FOUR YEARS, YOU KNOW WHO WERE OPPOSED TO ME GETTING IT? THE EDUCATION ASSOCIATION, THE DEMOCRATIC PARTY, THE PREACHERS, THE TEACHERS, THE POLICE, THE WORLD-HERALD, AND VARIOUS PEOPLE IN THE MEDIA. AND I DIDN'T CHANGE ANYTHING THAT I SAID OR DID. I MADE IT CLEAR THAT I WANT PEOPLE IN MY DISTRICT TO KNOW WHAT I AM, WHAT I BELIEVE IN, AND WHAT I WILL DO, AND WHEN I SAY NOBODY IS GOING TO DICTATE TO ME, I DEMONSTRATE IT AS NOBODY ELSE ON THIS FLOOR WILL DO. NOBODY. BECAUSE SOME OF YOU WILL COME TO ME AND TELL ME HOW YOU'D LIKE TO VOTE A CERTAIN WAY, BUT YOU CAN'T. SO I KNOW WHAT I'M TALKING ABOUT. BUT I'M NOT GOING TO EXPOSE YOU BECAUSE THAT'S NOT THE POINT. THESE "REPELICANS" ON THIS FLOOR TALK ABOUT WHAT THEIR PARTY DOESN'T

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MAKE THEM DO, BUT THEY WALK IN LOCKSTEP WITH IT. THAT'S WHY I SAY THAT THEY ARE UNDER THE CONTROL AND DOMINANCE OF THAT PARTY. AND YOU ALL WANT TO PLAY LIKE YOU DON'T UNDERSTAND HOW THINGS ARE DONE. WHEN THAT PARTY ADOPTS A FORMAL RESOLUTION, THAT IS WHAT THE PARTY IS TELLING YOU THAT IT'S ABOUT. AND WHEN YOU PLEDGE YOUR ALLEGIANCE TO THAT PARTY AND YOU CONTINUE WITH IT, NO MATTER WHAT IT DOES, YOU ARE EXPRESSING BY YOUR CONTINUED LOYALTY AND ASSOCIATION AGREEMENT WITH WHAT IT STANDS FOR. I GOT OUT OF A CHURCH BECAUSE I DIDN'T AGREE WITH IT. I WON'T JOIN THE PARTIES BECAUSE I DON'T AGREE WITH THEM. AND PEOPLE KNOW WHAT MY AGREEMENT AND MY DISAGREEMENT WILL BE ON A GIVEN ISSUE. THEWORLD-HERALD HAS NEVER HAD ANYTHING BUT DISTASTE FOR ME AND THEY ALWAYS WILL HAVE IT. TERM LIMITS WAS NOT AIMED AT WHITE PEOPLE. AND I'M GOING TO READ SOME ARTICLES, MAYBE NOT DURING THE DISCUSSION ON THIS BILL, AND MAYBE SO, WHERE THEY SAID IT WAS TO GET ME OUT OF OFFICE. AND THIS WHITE-RUN TERM LIMITS OF AMERICA IS "REPELICAN" DRIVEN. AND THE KOCH BROTHERS HAVE A VERY HEAVY HAND IN THIS LEGISLATURE AND EVERY LEGISLATURE IN THIS COUNTRY AND EVEN RACES DOWN TO THE LOCAL LEVEL. THEY'RE GOING TO PUT UP 1 BILLION, 900-SOMETHING MILLION DOLLARS TO INFLUENCE UPCOMING ELECTIONS. TWO GUYS. AND YOU'RE GOING TO TELL ME THAT THEY DON'T CONTROL WHAT HAPPENS? WHY YOU ALL MUST THINK YOU'RE TALKING TO 49 FOOLS. I'M NOT GOING TO SAY WHAT THE OTHERS ARE, BUT ONE OF THEM IS NOT, THAT IS ME, MOI, I. AND I'M SAYING IT FOR THE RECORD; NOT FOR THE EMPTY CHAIRS HERE, BUT THEY'RE DOWN IN THEIR OFFICES LISTENING AND WATCHING. WE KNOW THAT. YOU KNOW WHY TERM LIMITS DOESN'T MAKE WHITE PEOPLE ANY DIFFERENCE? FIRST OF ALL, THEY DON'T HAVE SENSE ENOUGH TO UNDERSTAND WHAT INSTITUTIONAL MEMORY IS. THEY DON'T EVEN KNOW WHAT THAT IS. IF YOU ASK THEM THAT, THEY'LL SAY--WELL, THAT'S WHAT YOU LEARN WHEN YOU'RE IN PRISON AND YOU REMEMBER THE THINGS THAT HAPPENED TO YOU IN PRISON, THAT'S INSTITUTIONAL MEMORY. THAT'S HOW SHALLOW THEY ARE. BUT HERE'S ANOTHER THING. WHITE PEOPLE'S INTEREST PARALLEL, THEY INTERSECT, AND THEY OVERLAP. SO IF YOU GET RID OF TEN OF THEM, IT DOESN'T MAKE ANY DIFFERENCE, YOU'LL REPLACE THEM WITH TEN WHO WILL LOOK AFTER WHITE PEOPLE'S INTEREST. IT MATTERS NOT. BUT WHEN YOU BELONG TO A SMALL GROUP WHICH IS HELD IN CONTEMPT, WHICH IS MARGINALIZED, WHICH IS VIEWED AS THE OTHER, WHICH IS VIEWED AS GENETICALLY INFERIOR, THEN THAT ONE VOICE THEY HAVE MUST BE STRONG, UNYIELDING, UNDAUNTED, AND FEARLESS. AND THE STRONGER THE OPPOSITION, THE MORE FEROCIOUS THE PUSHBACK MUST BE BY THAT ONE. WHEN OUR INTERESTS ARE NOT FOUGHT FOR AND ARTICULATED BY ME, THEY GO BY THE BOARDS. AND EVEN WHEN I FIGHT HARD FOR THEM, I CANNOT ACHIEVE EVERYTHING THAT OUGHT TO BE

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AVAILABLE. IF THE CONSTITUTION MEANT ANYTHING, IF THE LAWS MEANT ANYTHING, IF THE COURTS DISPENSE JUSTICE, I SHOULD NOT HAVE TO DO AS I DO. I SHOULD NOT HAVE TO SPEAK AS I SPEAK. BUT YOU ALL KNOW GOOD AND WELL THAT I HAD BETTER DO EXACTLY WHAT I DO. AND YOU ALSO UNDERSTAND WHY I DO WHAT I DO, EVEN THOUGH YOU DON'T LIKE IT. SO WHEN THESE KINDS OF PROPOSITIONS COME BEFORE US, AND I HEAR THESE PEOPLE STANDING ON THIS FLOOR TALKING ABOUT--IT'S NOT POLITICAL, I KNOW WHAT IT IS. YOU KNOW WHAT IT IS TOO, BUT YOU CANNOT TELL THE TRUTH. TRUTH AND YOU ARE STRANGERS. YOU KNOW WHY I ALWAYS BRING UP RELIGION? BECAUSE YOU ALL BRING IT UP EVERY DAY. SO YOU'RE BRAVE TOWARD GOD BUT A COWARD TOWARD HUMAN; BECAUSE YOU'LL CAST A LIE IN THE FACE OF YOUR GOD AND NOT TELL THE TRUTH BECAUSE YOU FEAR MEN MORE THAN YOU FEAR GOD. THAT'S WHY YOU DON'T TELL THE TRUTH. THAT'S WHY YOUR RELIGION IS A SHAM, IT'S A HOAX. NOW I'M GOING TO TELL YOU SOMETHING THAT MIGHT SURPRISE YOU. FIRST IMPRESSIONS ARE VERY POWERFUL AND THEY ARE LASTING IMPRESSIONS. MY FIRST IMPRESSION OF JESUS WAS THAT OF A PERSON WHO REALLY EXISTED, FLESH AND BLOOD, JUST LIKE I AM. AND I'M GOING TO SHOW YOU ALL A PICTURE OF A RECONSTRUCTION WHICH SHOWS THAT HE LOOKED MORE LIKE ME THAN HE LOOKED LIKE YOU ALL. HE WAS NOT BLOND, HE WAS NOT BLUE EYED, HE WAS NOT WHITE. HE WAS DARK LIKE I AM. HE HAD HAIR CLOSER TO MY TEXTURE THAN THAT ON YOUR HEAD. AND HIS COMPLEXION CERTAINLY WAS NOT YOURS. SO WHEN YOU PUT OUT THESE MOVIES WHERE EGYPTIANS ARE WHITE PEOPLE, ISRAELIS ARE WHITE PEOPLE, AND LOOK AT THE PEOPLE WHO ARE IN THAT PART OF THE WORLD NOW. NORTH AFRICANS ARE WHITE PEOPLE; EGYPT IS IN AFRICA, IT'S NOT IN EUROPE. AND THAT'S THE WAY THINGS ARE MISREPRESENTED IN THIS COUNTRY. AND I'M NOT SUPPOSED TO TALK ABOUT IT. THESE ISSUES INVITE THE KIND OF DISCUSSION THAT I'M TRYING TO ENGAGE YOU IN HERE. SO WHETHER YOU ENGAGE OR NOT, I'M GOING TO PUT IT ON THE RECORD. DURING THE '60s AND THE EARLY PART OF THE '70s, WHEN WHAT WAS CALLED THE CIVIL RIGHTS STRUGGLE WAS GOING ON, THERE WERE MANY THINGS DONE BY THE POLICE, THE FBI, EVEN THE CIA, AND OTHER QUASI-LAW ENFORCEMENT AND FEDERAL AGENCIES... [LB10]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...AGAINST BLACK PEOPLE, INFRINGING ON OUR RIGHTS. MAIL WAS TAKEN AND TAMPERED WITH. PHONE LINES WERE TAPPED WITHOUT THE BENEFIT OF A JUDICIAL AUTHORIZATION; SURVEILLANCE. AND I'M GOING TO TELL YOU WHAT I TRY TO EXPLAIN TO WHITE PEOPLE AND CATCH THEIR ATTENTION, BUT THEY IGNORED IT BECAUSE IT WASN'T

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HAPPENING TO THEM AT THE TIME. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE. [LB10]

SENATOR CHAMBERS: SEE, WHEN I BRING THESE UP, I'M GOING TO CLEAR THE CHAMBER AND I KNOW I'LL HAVE PLENTY OF TIME TO TALK, THAT'S WHY I DO IT. I KNOW YOU. I OWN THE LEGISLATURE. I SAY THAT BECAUSE IT INFURIATES PEOPLE. WELL, IF I DON'T OWN YOU, DON'T GET UPSET. IF THERE WERE A BUNCH OF DONKEYS OUT IN A BARNYARD AND I THREW A ROCK, THE ONE THAT SAYS "HEE-HAW" IS THE ONE THAT WAS HIT. THE OTHERS WONDER--WHAT'S THE MATTER WITH HIM? BUT AT ANY RATE, I WOULD, WHEN I'D GIVE TALKS...I USED TO GIVE TALKS ALL OVER THE COUNTRY: VASSAR, CARNEGIE MELLON, UNIVERSITY OF PITTSBURGH, OUT IN COLORADO, CALIFORNIA, ALL KIND OF...THEY WANTED ME TO COME OUT AND TALK TO THEM, AND I HAVE ARTICLES TO DOCUMENT IT. I EVEN DID SOME EVALUATIONS OF VARIOUS UNIVERSITIES THAT HAD COLLEGES OF EDUCATION, PROGRAMS WHERE THEY TRAIN TEACHERS AND TRAIN THE TRAINERS OF TEACHERS, AND I WAS INVITED TO EVALUATE THOSE PROGRAMS AND WRITE REPORTS AT THE BEHEST OF THE U.S. DEPARTMENT OF EDUCATION. SO I'VE BEEN AROUND. AND I'VE HAD A CHANCE TO SEE THINGS AND I'VE DONE THINGS AND THAT'S WHY YOU'RE SURPRISED THAT I'D WIND UP IN THE BACK WATER OF THE NEBRASKA LEGISLATURE. NOT EVERYBODY CAN GO SOME PLACE ELSE. SOMEBODY HAS TO STAY ON THE EDGE OF THE MEADOW. SOMEBODY HAS TO STAY NEAR THE LITTLE POND WHERE THE LITTLE FISH SWIM. AND BESIDES, ALL OF MY FRIENDS ARE IN NEBRASKA...BOTH OF THEM...AND I'M ONE OF THEM. BUT AT ANY RATE, I WOULD TELL WHITE PEOPLE THAT IF YOU READ HISTORY AND STUDY GOVERNMENTS, NOT JUST YOURS, WHAT A GOVERNMENT THAT HAS IN MIND TO TRAMPLE ON THE RIGHTS OF THE PEOPLE WILL DO, IS TO ACCUSTOM THOSE PEOPLE TO SEEING RIGHTS TRAMPLED SO THE WAY TO ACCUSTOM TO THAT...ACCUSTOM THEM TO THAT IS TO TRAMPLE THE RIGHTS OF PEOPLE THEY DON'T LIKE AND WHO THEY FEEL HAVE NO RIGHTS THAT SHOULD BE RESPECTED. BUT THE TRAMPLING OF OUR RIGHTS WAS NOT JUST TO DO SOMETHING BAD TO US, IT WAS TO WORK ALL OF THE BUGS OUT OF THOSE KIND OF PRACTICES. THEY HAD A COUNTERINTELLIGENCE PROGRAM CALLED COINTELPRO THAT WAS USED TO WIPE OUT THE BLACK PANTHER PARTY, TO SET VARIOUS BLACK GROUPS AGAINST EACH OTHER BY PLANTING LIES AMONG THEM THAT ALLEGEDLY WERE UTTERED BY SOMEBODY ELSE. BUT NOW YOU'RE SEEING COME TO FRUITION WHAT I HAD SAID ALL THOSE YEARS AGO. NOW YOUR PHONES ARE THE ONES THAT ARE NOT SECURE. YOUR POLICE DEPARTMENTS HAVE WHAT THEY CALL "SWORD FISH" OR "STINGRAY" OR SOMETHING WHERE THEY HAVE THIS DEVICE THAT CAN MIMIC THESE TELEPHONE TOWERS AND ALL THE PHONE CALLS YOU MAKE ON YOUR CELL

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PHONE GO RIGHT TO THAT POLICE INSTRUMENT AND THEY MONITOR WHAT YOU SAY. ALL OF THE SURVEILLANCE THAT IS GOING ON, THE ENTERING OF PEOPLE'S HOUSES WITHOUT WARRANTS, THE COURTS GOING ALONG WITH THE FEDERAL GOVERNMENT AND SAYING WE CANNOT ALLOW YOU TO HAVE THIS INFORMATION BECAUSE IT WOULD ENDANGER NATIONAL SECURITY. SO YOUR RIGHT TO PRIVACY, YOUR PRIVILEGE AGAINST UNLAWFUL SEARCHES AND SEIZURES ALL GO BY THE BOARDS. AND POLICE ARE BECOMING INCREASINGLY TRIGGER HAPPY NOW BECAUSE THEY'RE SHOOTING WHITE PEOPLE LIKE THEY DID THAT WHITE GUY IN BELLEVUE IN HIS HOUSE WHERE HIS CHILDREN WERE. FORTUNATELY, THEIR AIM WAS POOR SO THEY SHOT UP SOME FURNITURE AND WALLS, BUT THEY DIDN'T KILL HIM. SO NOW THEY'RE GOING AFTER THE FISH THEY REALLY WANT TO FRY. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: AND THEY'RE UNDERMINING CERTAIN POLITICAL GROUPS, UNPOPULAR GROUPS. BUT THEY CAN GET YOU TO FOCUS YOUR ATTENTION ON THE THOSE PEOPLE WHO YOU DON'T LIKE, AND THEY'RE TAKING AWAY RIGHTS THAT YOU THINK YOU HAVE UNTIL YOU TRY TO EXERCISE THEM. YOU'RE NOT GOING TO LISTEN TO ANYBODY WHO GIVES YOU WARNING BECAUSE YOU'RE DISTRACTED BY SO MANY OTHER THINGS. YOUNG PEOPLE PLAYING ALL THEIR COMPUTER GAMES, DOING THEIR TEXTING, EVERYTHING NOW THAT THEY PUT OUT FOR YOU IS DESIGNED TO BREAK THE PERSON-TO-PERSON INTERACTION EVEN IN YOUR OWN HOUSE AMONG YOUR FAMILY MEMBERS. YOU DON'T TALK TO EACH OTHER. YOU GET CAUGHT UP IN ALL THE LITTLE GADGETS AND THE DEVICES. THEY'RE FINE IF YOU KEEP THEM IN THEIR PLACE. THE CONVERSATIONS THAT YOU MIGHT HAVE HAD IN YOUR FAMILY, YOU DON'T HAVE ANYMORE. AMERICAN SOCIETY...AMERICAN CIVILIZATION IS GOING TO CRASH AND BE WASHED AWAY... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: ...BUT YOU'LL MISS IT BECAUSE YOU'LL BE ON YOUR LITTLE GADGET AND IT WILL GO RIGHT BY YOU AND YOU WON'T EVEN KNOW IT. DID YOU SAY TIME, MR. PRESIDENT? [LB10]

SPEAKER HADLEY: TIME. YES. [LB10]

SENATOR CHAMBERS: OKAY, THANKS. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

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SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, THESE ARE THE KIND OF THINGS THAT WE AS A LEGISLATURE OUGHT TO TALK ABOUT. BUT IT'S NOT THE REPUBLICAN PARTY'S AGENDA, BECAUSE THE REPUBLICAN PARTY IS NOT INTERESTED IN HAVING MEMBERS WHO THINK. THEY'RE INTERESTED IN HAVING PEOPLE WHO OBEY AND CARRY OUT WHAT THOSE ORDERS ARE. THE DEMOCRATIC PARTY WON'T DO IT BECAUSE THEY'RE NOT IN A POSITION TO DO IT. THEY'RE WHAT IS CALLED THE MINORITY PARTY NOW, SO THEY'RE FIGHTING AGAINST WHAT THE REPUBLICANS ARE DOING. BUT WHEN YOU GET PEOPLE WHO HAVE POWER, THEY ARE MOTIVATED BY THE SAME NOTIONS. YOU OUGHT TO GOOGLE WHO IT WAS WHO SAID POWER CORRUPTS, AND POWER CORRUPTS ABSOLUTELY, AND YOU OUGHT TO SEE TO WHOM HE WAS TALKING. ONCE AGAIN, THE RELIGIOUS PERSON WAS IMPLICATED IN THAT STATEMENT. BUT IT'S OFTEN UTTERED AND DIRECTED AT POLITICIANS. AND THAT'S THE WAY IT'S GOING TO BE BECAUSE THIS IS A SOCIETY THAT DOES NOT VALUE EDUCATION, IT DOES NOT VALUE TRUTH. IT VALUES GLITZ. IT VALUES GLITTER. AND THE PEOPLE LET OTHERS TELL THEM WHAT THEY OUGHT TO DO. YOU CANNOT BE COMFORTABLE, AS THEY SAY, IN YOUR OWN SKIN. YOU NEED SOMEBODY TO CONFIRM WHO YOU ARE; TO AFFIRM WHO YOU ARE AND GIVE YOU PERMISSION TO BE WHO THEY SAY YOU ARE GOING TO BE. AND THAT IS WHAT IS GOING ON HERE TODAY. THIS BILL IS GOING TO GET EIGHT HOURS OF DISCUSSION. I KEEP READING IN THE PAPER THAT THERE ARE 35 "REPELICANS," HERE...THEY DON'T CALL YOU "REPELICANS," THEY CALL YOU REPUBLICANS, AND OTHER PEOPLE CALL YOU THINGS WORSE THAN THAT, BUT THERE ARE 35 OF YOU WHO WEAR THAT "R." I'M NOT SURE THAT ALL 35 WILL GO THE WAY THAT THE STATE REPUBLICAN PARTY HAS DICTATED TO YOU THAT YOU GO ON THIS BILL. I COULD MAKE A LIST OF THOSE WHO I WOULD BET MONEY ARE GOING TO GO THAT DIRECTION BECAUSE I'VE HAD A CHANCE TO WATCH THEM. PEOPLE BECOME CREATURES OF HABIT. AND IT'S EASY FOR THEM TO GO A CERTAIN WAY AND DO CERTAIN THINGS BECAUSE ONCE YOU'RE IN A RUT, YOU DON'T TO HAVE TO THINK. IF YOU MOVE AT ALL, YOU'RE GOING TO STAY WITHIN THE TWO WALLS OF THAT RUT AND SOMEBODY CAN GET TO THE OTHER END OF IT AND THEY KNOW WHERE YOU'RE GOING TO COME OUT BECAUSE THAT'S WHERE YOU STARTED, THAT'S WHERE YOU'RE GOING TO TRAVEL, AND THAT'S WHERE YOU'RE GOING TO BE. ONE THING GOOD FOR THOSE WHO WANT TO DICTATE TO THE LEGISLATURE IS TERM LIMITS BECAUSE THEY GET A LOT OF PEOPLE WHO COME HERE NOT KNOWING ANYTHING, THINKING THEY KNOW EVERYTHING, AND THEY CAN THEN BE MANIPULATED. AND IT WORKS TO THE DETRIMENT OF THE BODY ITSELF AND TO THE SOCIETY AS A WHOLE. BAD BILLS BECOME BAD LAWS. GOVERNORS ARE UNWILLING TO VETO BAD BILLS, BUT THEY'RE WILLING TO VETO UNPOPULAR BILLS. I HAD A BILL THAT DID PASS TO ABOLISH THE DEATH PENALTY. BUT THEN GOVERNOR THONE VETOED IT BECAUSE HE THOUGHT

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THAT'S WHAT THE PEOPLE OF NEBRASKA WANTED. SEVERAL TIMES I GOT A BILL PASSED BY THE LEGISLATURE TO REQUIRE DISTRICT ELECTIONS FOR THE SCHOOL BOARD IN OMAHA. BUT VARIOUS GOVERNORS THINKING THAT THE WHITE PEOPLE IN OMAHA DIDN'T LIKE THAT, AND THEY WERE CORRECT, SO THEY VETOED IT. THE ONE TIME, THE MOON WAS IN ITS SEVENTH HOUSE, AND JUPITER LINED UP WITH MARS, AND EVERYTHING WAS JUST RIGHT AND I OVERRODE THE GOVERNOR'S VETO. AND THE SCHOOL BOARD THEN OBTAINED SOME DIVERSITY, PARTS OF THE CITY WERE REPRESENTED... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...WHICH NEVER HAD BEEN REPRESENTED BEFORE. THE SAME WITH THE CITY COUNCIL. THE BILL WAS VETOED BY VARIOUS GOVERNORS. BUT THEN THE ONE WHO VETOED MY DEATH PENALTY BILL, GOVERNOR THONE, WAS THE ONE, WHO IF MY MEMORY SERVES ME CORRECT, WHO SIGNED MY DISTRICT ELECTION BILL FOR THE CITY COUNCIL. THEN I WAS SUCCESSFUL IN PERSUADING THE LEGISLATURE TO REQUIRE THE ELECTION OF THE DOUGLAS COUNTY BOARD BY DISTRICTS. NO SENATOR HAS EVER DONE ANYTHING LIKE THAT IN THIS OR ANY OTHER LEGISLATURE, AND I DID IT BECAUSE I FELT THAT PEOPLE WERE BEING GOVERNED WITHOUT ANY SIGNIFICANT REPRESENTATION. NO BLACK PERSON COULD BE ELECTED AT LARGE IN OMAHA. BUT ONCE THE DISTRICT ELECTIONS OCCURRED, THAT CHANGED. IT'S WHY I'M SO PUT OUT AND OFFENDED WHEN THE STATE'S... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: ...DOMINANT PARTY... [LB10]

SPEAKER HADLEY: SENATOR, THERE'S NO ONE IN THE QUEUE AND THIS IS YOUR FOURTH TIME, SO THIS WILL BE YOUR CLOSE. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, IT'S WHY I'M SO UPSET WHEN THE DOMINANT POLITICAL PARTY IN THIS STATE, WHICH IS THE REPUBLICAN PARTY, INSTITUTES OR INITIATES SO MANY EFFORTS TO SUPPRESS THE VOTES OF OTHERS. WHEN THAT VOTER ID BILL CAME OUT, THE PHONE CALLS I GOT WERE FROM PEOPLE WHO HAD BEEN LED TO BELIEVE THAT IT'S GOING TO STOP WHAT THEY CALL THESE ILLEGAL IMMIGRANTS FROM VOTING. THERE AREN'T ENOUGH OF THEM, IF EVERY ONE OF THEM VOTED, TO HAVE ANY OUTCOME...ALL TO THE OUTCOME OF ANY ELECTION; THAT'S WHAT THEY WERE SAYING. BUT THE REPUBLICAN PARTY HAD BLACK PEOPLE IN MIND ALL OVER THE COUNTRY BECAUSE BLACK



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PEOPLE VOTED VERY HEAVILY FOR PRESIDENT BARACK OBAMA WHEN HE WAS A CANDIDATE AND HELPED MAKE HIM THE PRESIDENT OF THE UNITED STATES. IT OUGHT TO BE CALLED THE "DISUNITED" STATES. AND THEY MADE UP THEIR MINDS THAT WOULDN'T HAPPEN AGAIN. THE HEADS OF THE "REPELICAN" PARTY IN CONGRESS SAID OVER AND OVER THAT WE'RE GOING TO DO EVERYTHING WE CAN TO MAKE SURE THAT PRESIDENT OBAMA...THEY WOULDN'T SAY PRESIDENT...TO MAKE SURE OBAMA IS A ONE-TERM PRESIDENT. THEY SAID IT OPENLY BECAUSE THEY WERE REFLECTING AND ECHOING WHAT THEY KNEW WHITE PEOPLE WERE SAYING IN THEIR DISTRICTS AND WANTED. BUT THEY MISCALCULATED AND HE WON AGAIN. THEN WE GET ALL OF THIS STUFF ABOUT VOTER IDENTIFICATION. HE WON ONE ELECTORAL VOTE IN THIS STATE AND NOW WE HAVE A BILL SUCH AS THIS, BROUGHT TO US BY THE MAN WHO IS, AS I'VE STATED, CONTEMPTUOUSLY TOOK THIS BOBBLE-HEAD DOLL OF THE PRESIDENT, SET IT ON A FENCE POST, KNOCKED IT OFF. THEY SHOW THEIR CONTEMPT. IF YOU ALL LOOK AT THESE THINGS ON-LINE, YOU'D SEE THE HATEFUL AND THREATENING THINGS SAID, NOT ONLY ABOUT THE PRESIDENT, BUT HIS WIFE AND HIS CHILDREN. THAT IS WHAT THEY DO...PEOPLE OF YOUR COMPLEXION. AND YOU MIGHT SAY, I DIDN'T DO IT. WELL, MAYBE YOU DIDN'T. SEPARATE YOURSELF FROM THE GROUP. BUT PEOPLE OF YOUR COMPLEXION ARE THE ONES WHO ARE DOING IT AND THEY DON'T HIDE IT. I KNOW WHAT I'M DEALING WITH. BUT I'M GOING TO DEAL AND YOU'RE GOING HAVE TO DEAL WITH ME. THERE'S NOTHING YOU CAN GIVE ME; THERE'S NOTHING OF CONSEQUENCE YOU CAN TAKE FROM ME, AND I'LL BE HERE WHEN MANY OF YOU ARE GOING TO BE GONE. AND I'M GOING TO CONTINUE TO BATTLE AGAINST THE THINGS THAT I THINK ARE WRONG AS I THINK THIS BILL IS--IT IS WRONG. IT IS NOT MISTAKEN. A MISTAKE IS TWO PLUS TWO ARE SIX, THAT'S A MISTAKE. THIS IS WRONG. THE INTRODUCER KNOWS IT'S WRONG. THE REPUBLICAN PARTY KNOWS IT'S WRONG. AND THOSE WHO WILL VOTE FOR IT KNOW THAT IT'S WRONG. BUT IN AMERICA, YOU HAVE THE RIGHT TO BE WRONG. IT'S RIGHT THERE IN THE CONSTITUTION. YOU HAVE THE RIGHT TO BE A FOOL. YOU HAVE A RIGHT TO BE WRONG. YOU HAVE A RIGHT TO LIE, YOU HAVE THE RIGHT TO CHEAT, YOU HAVE A RIGHT TO STEAL...IF YOU OPERATE ON WALL STREET. THEY'RE NOW FINDING THAT THE WALL STREET BANKS AND SOME INTERNATIONAL BANKS WERE FIXING THE PRICE OF PRECIOUS METALS--GOLD, SILVER, URANIUM, SOMETHING CALLED PALLADIUM, I'D NEVER HEARD OF IT. THEY GOT TOGETHER AND FIXED THE PRICE OF THOSE ITEMS. YOU OUGHT TO KNOW ABOUT IT; MAKES YOU NO DIFFERENCE. YOU'RE SO CONCERNED THAT SOMEBODY FROM ANOTHER COUNTRY MIGHT VOTE IN A NEBRASKA ELECTION THAT YOU WANT TO SUPPRESS THE VOTE AND THAT'S WHY YOU DON'T SEE WHAT'S HAPPENING ALL AROUND YOU. AND THOSE PEOPLE ARE NOT GOING TO BE PROSECUTED. BUT YOU LET SOME POOR PERSON GO INTO A BANK AND STEAL \$6 TO GO BUY A HAMBURGER

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AND THAT'S A FELONY. BUT LET THESE PEOPLE UNDERMINE THE ECONOMY, NOT ONLY OF THIS COUNTRY... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...BUT THE WORLD, AND NOTHING HAPPENS TO THEM. THAT'S WHY I HAVE CONTEMPT FOR A LOT THAT GOES ON ON THE FLOOR OF THIS LEGISLATURE. YOU CAN UNDERSTAND THE PIDDLING PEEWEE THINGS, BUT THE BIG THINGS GO RIGHT BY YOU. BUT I'M NOT GOING TO LET THEM GO BY ME. AND I WOULD DO ALL THAT I CAN TO KEEP DEALING IN THE WAY THAT I'M DEALING. AND I DON'T NEED 25 VOTES FOR A CALL OF THE HOUSE. ALL I NEED IS TO GET ONE MORE VOTE, YES, THAN NO, BECAUSE THE PURPOSE OF THE CALL OF THE HOUSE IS SO THAT THOSE WHO ARE STILL AT THEIR POST CAN CALL THE MALINGERERS IN, CAN CALL THE LOAFERS IN, CAN CALL THOSE IN WHO ARE NOT GOING TO DO THEIR JOB. BUT I BET WHEN YOU START TALKING ABOUT TAXES FOR THE RICH, YOU'LL BE FILLING THESE SEATS. AND I'LL REMIND YOU OF IT, THAT'S MY JOB. MR. PRESIDENT, I WOULD ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE IN REVERSE ORDER. [LB10]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB10]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB10]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR GLOOR, SENATOR BOLZ, SENATOR BURKE HARR, SENATOR DAVIS, SENATOR GROENE, SENATOR GARRETT, THE HOUSE IS UNDER CALL. SENATOR BOLZ, THE HOUSE IS UNDER CALL. THIS VOTE IS ON MO36, WHICH IS TO RECONSIDER THE VOTE TO BRACKET. THE BRACKET MOTION FAILED. THIS IS A MOTION TO RECONSIDER THAT VOTE. MR. CLERK, WILL YOU CALL THE ROLL IN REVERSE ORDER? [LB10]

CLERK: SENATOR, YOU DID SAY REVERSE, DID YOU NOT? SENATOR CHAMBERS, REVERSE ORDER ROLL CALL? [LB10]

SENATOR CHAMBERS: YES, THANK YOU. [LB10]

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CLERK: THANK YOU. (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 621-622.) [LB10]

SPEAKER HADLEY: RECORD, MR. CLERK. [LB10]

CLERK: 15 AYES, 29 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB10]

SPEAKER HADLEY: THE MOTION TO RECONSIDER FAILS. WE WILL NOW RETURN TO AM344 BY SENATOR COOK. THE CALL IS RAISED. SENATOR COOK, WE WILL GIVE YOU SOME TIME TO REMIND US OF YOUR AMENDMENT. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AM344 TO LB10 IS A SIMPLE AMENDMENT THAT REMOVES THE STATUTORY REQUIREMENT THAT A POLITICAL PARTY, THAT COULD BE ANY POLITICAL PARTY, FORMULATE AND PROMULGATE A STATE PLATFORM DURING THEIR PRESIDENTIAL YEAR PARTY CONVENTION. ADOPTION OF AM344 DOES NOT...LET ME REPEAT THAT, DOES NOT RESULT IN A PROHIBITION THAT A POLITICAL PARTY, WHICH IS A FREE ASSOCIATION OF FREE PEOPLE, FORMULATE AND ADOPT A PLATFORM FOR THEMSELVES AND BY THEIR OWN VOLITION. AN ADOPTION OF AM344 MERELY REMOVES THE REQUIREMENT FROM STATE LAW. AN INDEPENDENT, NONPARTISAN UNICAMERAL FUNCTIONS TO THE BENEFIT OF ALL NEBRASKANS. ELECTED LEGISLATORS SWORN TO DULY PROTECT THE CONSTITUTION OF THIS STATE AND THE CONSTITUTION OF THE UNITED STATES STAND APART FROM POLITICAL PARTY MEMBERSHIP. THIS IS ESPECIALLY TRUE IN THIS INSTITUTION, THE NATION'S SOLE NONPARTISAN LEGISLATIVE BODY. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WE'RE DEALING WITH AN AREA OF THE LAW WHERE THE POLITICAL PARTIES HAVE HAD THEIR WAY. IF YOU READ THESE STATUTES, THEY ARE SOME OF THE MOST BUNGLESOMELY WRITTEN, POORLY CRAFTED NOTIONS THAT YOU CAN FIND. BUT THE ONLY ONES INTERESTED ARE THE POLITICAL PARTIES SO NOBODY IS GOING TO OFFER A CHALLENGE TO THEM. WHAT SENATOR COOK HAS DONE IS TO POINT OUT SOMETHING THAT OUGHT TO BE OBJECTIONABLE TO BOTH OF THE PARTIES. I DON'T THINK IT WOULD BE APPROPRIATE FOR THE STATE TO DICTATE WHAT A POLITICAL PARTY, WHICH IS APPARENTLY A PRIVATE OPERATION, A PRIVATE GROUP, THEY'RE NOT GOVERNMENTAL, DICTATE TO THEM WHAT THEY DO WHEN THEY HAVE A

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CONVENTION, OR WHATEVER THEY CALL THESE GATHERINGS. THIS IS ONE OF THOSE ITEMS WHICH SHOULD NOT REQUIRE MUCH IN THE WAY OF PERSUASION. THIS IS A STATE WHERE PEOPLE CONSTANTLY TALK ABOUT NOT LIKING DICTATES OR MANDATES. SO I WOULD LIKE TO ASK SENATOR GROENE A QUESTION IF HE WILL RESPOND? [LB10]

SPEAKER HADLEY: SENATOR GROENE, WILL YOU YIELD TO A QUESTION? [LB10]

SENATOR GROENE: YES, I WILL, MR. PRESIDENT. [LB10]

SENATOR CHAMBERS: SENATOR GROENE, SO THAT YOU KNOW THE CONTEXT OF THE QUESTION; SENATOR COOK HAS AN AMENDMENT BEFORE US WHICH WOULD SAY THAT THE MANDATORY LANGUAGE THAT A PARTY MUST FORMULATE AND PUT TOGETHER THIS PLATFORM, OR HOWEVER IT IS STATED, I'M NOT LOOKING AT IT RIGHT NOW, AND SHE WANTS TO STRIKE THAT LANGUAGE. I AGREE WITH HER. WITH THAT LANGUAGE STRICKEN, THE PARTIES COULD STILL DO IT, BUT MAKING IT MANDATORY IS WHAT SHE OBJECTS TO. WHAT IS YOUR VIEW ON THAT IF YOU'VE HAD TIME TO GIVE IT ANY CONSIDERATION? [LB10]

SENATOR GROENE: I HAVE NOT...MY DECISION ON THIS LB10 IS SET IN STONE AND I'VE MADE THAT DECISION AND QUITE FRANKLY, ANY AMENDMENT THAT AVERTS FROM THAT END OR TRIES TO MAKE AN END RUN AROUND IT, I'M GOING TO VOTE AGAINST IT. [LB10]

SENATOR CHAMBERS: THIS HAS NOTHING TO DO WITH THE UNDERLYING AIM OF THIS BILL, WHICH IS TO SAY THAT THE CURRENT SYSTEM OF ALLOCATING ELECTORS SHOULD BE DONE AWAY WITH AND IT SHOULD BE WINNER TAKE ALL. THIS HAPPENS TO BE EXISTING LANGUAGE THAT HAS NO BEARING ON THAT. BUT SENATOR COOK IS ADOPTING, AT LEAST IN THIS INSTANCE, THE VIEW THAT I HAVE, WHENEVER LANGUAGE COMES TO US AND A STATUTE IS BEING AMENDED, EVEN LANGUAGE THAT MAY NOT BE TOUCHED BY THE AMENDMENT THAT IS BEING OFFERED IS AVAILABLE FOR CORRECTION. SO THIS IS WHAT THE QUESTION IS: DO YOU BELIEVE THE STATE SHOULD MANDATE THAT AT A CONVENTION THAT PLATFORM MUST BE FORMULATED? OR SHOULD IT BE UP TO THE PARTY TO DETERMINE WHEN AND WHERE IT'S GOING TO PUT TOGETHER ITS PLATFORM? THAT'S WHAT THIS ISSUE IS ABOUT. IT HAS NOTHING TO DO WITH THE WINNER TAKE ALL. [LB10]

SENATOR GROENE: WELL, SENATOR CHAMBERS, THAT'S WHY I HAVEN'T READ THE AMENDMENT BECAUSE MY ISSUE IS LB10 AND I WANT TO KEEP IT PURE AND IF SENATOR COOK WOULD LIKE TO BRING THAT LEGISLATION AT

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ANOTHER TIME, I WOULD CONSIDER IT. [LB10]

SENATOR CHAMBERS: SO THEN I'M TO UNDERSTAND YOU TO SAY THAT THE ONLY THING YOU LOOK AT IS WHAT IS PRESENTED IN A BILL, EITHER THE LANGUAGE THAT IS STRICKEN... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...OR THE LANGUAGE THAT IS UNDERLINED AND THAT'S ALL THAT YOU LOOK AT IN THAT BILL? [LB10]

SENATOR GROENE: LET ME CORRECT....CLARIFY. IF IT'S PERTINENT TO THIS SITUATION, IF IT IS GERMANE IN MY MIND TO THE...FOR EXAMPLE, MY AMENDMENT TO THE VACCINATION BILL, I BELIEVE THAT WAS GERMANE AND WAS A BETTER IMPROVEMENT ON THE BILL. I DO NOT BELIEVE SENATOR COOK'S AMENDMENT IS, IN MY MIND, GERMANE ENOUGH TO MAKE A DIFFERENCE AS TO THE TOTAL PURPOSE...THE REAL PURPOSE OF LB10. [LB10]

SENATOR CHAMBERS: OUR PURPOSE IN EVERY INSTANCE IS TO PUT FORTH GOOD LEGISLATION. AND I THINK AS YOU STAY HERE LONGER, YOU'RE GOING TO BROADEN YOUR VIEW AND SEE THAT ALL OF THESE THINGS THAT COME BEFORE US ARE THINGS WE OUGHT TO PAY ATTENTION TO. SO YOU DO BELIEVE IN THIS KIND OF MANDATE EVEN THOUGH YOU DON'T THE OTHERS BECAUSE YOU HAVEN'T LOOKED AT IT? [LB10]

SPEAKER HADLEY: TIME. [LB10]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR MURANTE. [LB10]

SENATOR MURANTE: THANK YOU, MR. SPEAKER; MEMBERS, GOOD MORNING. I RISE IN SUPPORT OF AM344, AS WELL AS THE UNDERLYING BILL, LB10. I THINK WHAT SENATOR COOK HAS BROUGHT BEFORE US IS A THOUGHTFUL AMENDMENT. IT IS CLEARLY NOT HOSTILE TO THE INTENT OF LB10. AND IT IS CONSISTENT WITH THE PUBLIC POLICY THAT THIS LEGISLATURE ENACTED LAST YEAR IN WHICH THE LEGISLATURE BEGAN CURTAILING STATE LAW WHEN IT CAME TO REGULATIONS IMPOSED UPON THE POLITICAL PARTIES, PRIOR TO A BILL WHICH I INTRODUCED AND THE LEGISLATURE PASSED LAST YEAR, THERE WAS SIGNIFICANT INVOLVEMENT IN THE DAY-TO-DAY OPERATIONS OF THE POLITICAL PARTIES IN STATE LAW. WE BEGAN IN THAT PIECE OF LEGISLATION TO ROLL BACK THOSE SORTS OF REGULATIONS AND I

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THINK AM344 IS CONSISTENT WITH THAT LOGIC. AM344 IS NOT HOSTILE. IT DOES NOT UNDERMINE THE INTENT OF LB10. IN MY VIEW, IT IS A GOOD AMENDMENT AND I ENCOURAGE THE MEMBERS TO VOTE FOR BOTH THE AMENDMENT AND LB10. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR COOK, YOU'RE RECOGNIZED. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND THANK YOU, SENATOR MURANTE, RHYMES WITH DURANTE, FOR YOUR SUPPORT OF AM344. AS I'VE BEEN TALKING OFF THE MICROPHONE AND ONE ON ONE WITH DIFFERENT LEGISLATORS IN THIS BODY ABOUT WHY I FEEL THE UNDERLYING BILL IS NOT A GOOD IDEA, I JUST WANTED TO REMIND EVERYBODY OF THE UNIQUE NATURE OF THE UNICAMERAL IN GENERAL. AND HOW MUCH I VALUE IT PERSONALLY AND HOW I AS A SENATOR FOR LEGISLATIVE DISTRICT 13 REPRESENT AN EXTREMELY VARIED CONSTITUENCY, NOT JUST THROUGH RACE OR ETHNICITY, BUT SOCIOECONOMICS, AGE, REGISTERED PARTY AFFILIATION. SO ONE OF THE THINGS I HOLD MOST DEAR ABOUT THIS EXPERIENCE IS THE OPPORTUNITY FOR EACH OF US TO REPRESENT OUR CONSTITUENCIES FROM A SINCERE A PLACE AS POSSIBLE IN IDENTIFYING ISSUES THAT ARE OF CONCERN TO THEM IN THE TIME AND PLACE THAT WE SERVE HERE IN THE BODY. SO I WOULD ASK ONCE AGAIN FOR YOUR SUPPORT OF AM344. BUT I WANT TO CONTINUE SOME OF THE INFORMATION I WAS SHARING EARLIER SO THAT IT IS INCLUDED IN THE RECORD AND THAT IS INFORMATION RELATED TO THE HANDOUT WHICH I'M NOW...WHICH I'VE NOW DISTRIBUTED TWICE. I FELT COMFORTABLE DOING THAT BECAUSE WE EACH HAVE ACCESS TO A RECYCLING BIN. I'VE CIRCULATED INFORMATION THAT IS A LETTER TO THE CHAIR OF THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE FROM JOHN A. GALE, SECRETARY OF STATE. AND I HAD STARTED TO SHARE WITH THE BODY A LIST OF WHAT THE SECRETARY OF STATE'S DUTIES ARE. I HAD STOPPED AFTER I SHARED ELECTIONS, BUSINESS SERVICES, AND LICENSING, AND WILL CONTINUE, VERY NICE SEGUE, ONCE AGAIN, SENATOR MURANTE, RHYMES WITH DURANTE, ON RULES AND REGULATIONS. THE SECRETARY OF STATE'S OFFICE MAINTAINS THE NEBRASKA ADMINISTRATIVE CODE. THE OFFICE IS RESPONSIBLE FOR THE FILING AND CERTIFICATION OF STATE AGENCY RULES AND REGULATIONS AND FOR MAKING THEM AVAILABLE FOR PUBLIC INSPECTION. ANOTHER DUTY OF THE SECRETARY OF STATE IS RECORDS MANAGEMENT. THE SECRETARY OF STATE SERVES AS THE STATE RECORDS ADMINISTRATOR. THE RECORDS MANAGEMENT DIVISION ASSISTS STATE AND LOCAL GOVERNMENT AGENCIES IN MANAGING THE CREATION, USE, STORAGE, AND DISPOSAL OF RECORDS IN AN EFFICIENT AND ECONOMICAL MANNER. THE DIVISION PROVIDES SERVICES AND DOES CONSULTING FOR GOVERNMENT AGENCIES. SERVICES INCLUDE THE STORAGE OF STATE RECORDS, AND THAT INCLUDES OUR

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CORRESPONDENCE BY THE WAY, STATE SENATORS, MANY OF YOU MANY NOT BE AWARE THAT WHEN YOU SEND OUT A LETTER THAT THAT IS A RECORD, IT IS A HISTORICAL DOCUMENT, AS A MATTER OF FACT. SERVICES INCLUDE THE STORAGE OF STATE RECORDS AND THE CONVERSION OF RECORDS INTO DIFFERENT FORMATS FOR STORAGE. THE DIVISION FACILITATES AND PUBLISHES THE CREATION AND UPDATING OF RECORDS RETENTION AND DISPOSITION SCHEDULES FOR ALL NEBRASKA GOVERNMENT ENTITIES. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. ANOTHER ONE, AND THIS IS ONE OF MY FAVORITES BECAUSE I'VE AVAILED MYSELF OF THIS SERVICE IN THE SECRETARY OF STATE'S OFFICE, IS INTERNATIONAL RELATIONS. THE SECRETARY OF STATE SERVES AS NEBRASKA'S CHIEF PROTOCOL OFFICER FOR INTERNATIONAL RELATIONS. IN THAT ROLE, THE SECRETARY SERVES AS A GOODWILL AMBASSADOR AND PROMOTES COMMERCE, EDUCATIONAL STUDIES, AND CULTURAL EXCHANGES BETWEEN NEBRASKA AND THE WORLD. THE OFFICE'S GOAL IS TO DEVELOP CONTACTS AND EXPERTISE TO CONNECT NEBRASKA WITH THE INTERNATIONAL COMMUNITY. AND IF YOU HAVE INTERNATIONAL VISITORS, MANY OF US HAVE HOSTED PEOPLE FROM OTHER COUNTRIES, WHETHER THAT'S THROUGH NONGOVERNMENTAL ORGANIZATIONS OR THROUGH OUR AFFILIATIONS WITH KIWANIS OR ROTARY, THE SECRETARY OF STATE'S OFFICE CAN OFFER... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR COOK: THANK YOU VERY MUCH, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SENATOR COOK HAS TOUCHED ON AN ISSUE, AND IT'S THE WAY THE SECRETARY OF STATE HAS EMBROIDERED HIMSELF IN POLITICAL CONTROVERSY WHEN HE IS SUPPOSED TO BE ABOVE THE FRAY. I WASN'T GOING TO BRING IT UP, BUT I THINK IT'S BEEN SUFFICIENTLY TOUCHED ON SO THAT PEOPLE ARE AWARE, IF THEY'VE PAID ATTENTION, AND NOW WHEN I SAY PEOPLE, I'M MEAN THOSE OUTSIDE THE CHAMBER, THOSE IN HERE ARE NOT GOING TO PAY ATTENTION BECAUSE IT'S OF NO MOMENT TO THEM AND HE BELONGS TO THE SAME PARTY AS MOST OF THEM, BUT YOU WILL NEVER FIND THE CHIEF JUSTICE COMING BEFORE THE JUDICIARY COMMITTEE TO SUPPORT OR OPPOSE LEGISLATION. THERE ARE ISSUES THAT MIGHT COME BEFORE THE COURT IN SOME GUISE AND NO JUDGE IS GOING TO TESTIFY OR

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GET INTO A POLITICAL DISCUSSION OF THOSE THINGS. THE SECRETARY OF STATE SHOULD BE VIEWED AS BEING OBJECTIVE, DISINTERESTED, AND ABOVE THESE POLITICAL DISPUTES, BUT HE PUT HIMSELF RIGHT IN THE MIDDLE OF TWO OF THEM. I USED TO HAVE A LOT OF RESPECT FOR HIM. IT STARTED TO ERODE TREMENDOUSLY WHEN WHILE HE ON THE ONE HAND WAS TALKING ABOUT VOTER IDENTIFICATION WHEN THE PERSON WAS A MEMBER OF HIS PARTY AND THE HEAD OF THE DOUGLAS COUNTY ELECTION COMMISSIONER'S OFFICE KNOWINGLY SENT OUT WRONG CARDS NOTIFYING PEOPLE WHERE THEY SHOULD VOTE; CLOSED OVER A HUNDRED POLLING PLACES WITHOUT ADEQUATE NOTICE. ALL OF THE THINGS THAT WERE DONE, AND HE SAID HE'S NOT GOING TO INVESTIGATE. HE HAD WRITTEN AN E-MAIL SAYING HOW CONFUSION WOULD BE SOWN, HOW IT WASN'T THE THING TO DO. BUT HE WHO IS THE ADMINISTRATOR OF THE ELECTION LAWS SAID HE'S NOT GOING TO LOOK INTO IT. OH, AND HE'S A WHITE GUY BY THE WAY AS WAS THE ELECTION COMMISSIONER. BUT HE'S GOING TO SAY--SUPPRESS THE VOTE OF BLACK PEOPLE WITH VOTER ID. HE'S GOING TO SAY TAKE THE MEANINGFULNESS OF THE VOTE OF PEOPLE IN OMAHA BY HAVING THIS KIND OF BILL TO DO AWAY WITH A CURRENT SYSTEM THAT ALLOWS THAT VOTE TO HAVE MEANING. SO, AS I'VE SAID BEFORE, HE OUGHT TO BE WITH THE DEPARTMENT OF AGRICULTURE. AND HIS TERM...HIS NAME SHOULD BE "SECRETARY OF STEAK", S-T-E-A-K, "SECRETARY OF STEAK" BECAUSE HE CAN DEAL WITH THAT. OR IF IT COMES TO WHAT YOU'RE GOING TO DO WITH THE RIGHTS OF THE PEOPLE WHEN IT COMES TO ELECTIONS AND VOTING, IT SHOULD STILL BE THE "SECRETARY OF STAKE," BUT THIS TIME SPELLED, S-T-A-K-E, WHICH IS WHAT THEY DROVE THROUGH THE HEART OF DRACULA TO WIPE HIM OUT. SO THIS "SECRETARY OF STAKE" WANTS TO DRIVE THAT STAKE THROUGH THE HEART OF THOSE WHO WOULD VOTE IN A WAY THAT HE DOES NOT LIKE AND HE'S MADE IT CRYSTAL CLEAR AND PUT IT IN WRITING. HE SITS OVER THERE AND TRIES TO GIVE THE IMPRESSION OF BEING OBJECTIVE AND FAIR. I EVEN REGRET THAT WHEN I RUN FOR REELECTION, I'M GOING TO HAVE TO FILE SOME PAPERS WITH HIS OFFICE. I DON'T KNOW BUT WHAT HE MIGHT TEAR THEM UP AND SAY THAT I DIDN'T EVEN FILE THEM. SO I'LL PROBABLY BRING SOMEBODY WITH ME NEXT TIME TO WITNESS WHAT I'M DOING. IN OTHER WORDS, I DON'T TRUST HIM. I LOOKED AT HOW EASILY AND SMOOTHLY HE WAS ABLE TO ALLOW MR. RICKETTS TO TAKE ON A DIFFERENT RUNNING MATE, EVEN THOUGH IT WENT CONTRARY TO WHAT THE LEGISLATIVE HISTORY OF THE LAW RELATING TO SUCH THINGS HAD MADE CLEAR BECAUSE HIS WORD IS THE LAST WORD AND HIS WORD MEANS NOTHING. SO HE HAS SHOWN HE'S A VERY CRAFTY AND TRICKY PERSON. HIS CRAFT CONSISTS NOT SO MUCH IN WHAT HE DOES AS IN HOW HE DOES IT. HE'S SMOOTHER THAN GOOSE GREASE. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]



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SENATOR CHAMBERS: HE IS SO SMOOTH AND SLIPPERY THAT HE COULD STAND IN ONE PLACE, AND WITHOUT MOVING HIS FEET, SLIDE ALL THE WAY ACROSS THE ROOM FROM ONE SIDE TO THE OVER. THAT'S HOW SLIPPERY A CHARACTER MR. GALE IS. I DIDN'T EVER THINK, AND NOBODY COULD HAVE TOLD ME IN YEARS PAST, THAT I WOULD COME TO SEE HIM IN THIS LIGHT. BUT BY ITS FRUIT ARE ALL TREES KNOWN. AND I KNOW WHAT HE IS NOW. AND I KNOW WHAT ANYTHING HE SAYS IS WORTH. BUT BACK TO THE ISSUE BEFORE US WHICH IS THIS AMENDMENT, THE FACT THAT SENATOR MURANTE HAS AGREED TO IT WILL LET PEOPLE KNOW THAT IT'S NOT GOING HURT THE BAD BILL THAT IT'S ATTACHED TO. IT IS SOMETHING THAT OUGHT TO BE ADOPTED. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR McCOY. [LB10]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I WOULD JUST RISE TO SUPPORT SENATOR COOK'S AM344. I DON'T SEE IT AS A HOSTILE AMENDMENT TO LB10. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR COOK, YOU'RE RECOGNIZED, AND THIS IS YOUR SECOND TIME. [LB10]

SENATOR COOK: THANK YOU VERY MUCH, MR. PRESIDENT. AND THANK YOU, SENATOR McCOY, FOR YOUR SUPPORT OF AM344. I AGREE THAT IT IS NOT HOSTILE. I MAINTAIN MY OPPOSITION TO LB10, BUT DO ASK THE BODY TO ADOPT AM344. I WAS IN THE MIDDLE OF MY FAVORITE PART OF THE SECRETARY OF STATE'S DUTIES WHEN I HAD TO STOP TALKING BECAUSE THOSE ARE RULES, MR. PRESIDENT, SO I WILL CONTINUE SO THAT EVERYBODY IN THIS ROOM KNOWS THAT THE SECRETARY OF STATE...IF YOU'VE GOT AN INTERNATIONAL VISITOR, OR EVEN FROM ANOTHER STATE, WHICH SOMETIMES PEOPLE, WHEN THEY VISIT NEBRASKA, THINK THEY'RE HAVING AN INTERNATIONAL EXPERIENCE, YOU CAN GET AN HONORARY CITIZENSHIP FOR THAT PERSON THROUGH THE SECRETARY OF STATE'S OFFICE. ANOTHER DUTY OF THE SECRETARY OF STATE'S OFFICE IS YOUTH SERVICES; SOMETHING THAT IS, OBVIOUSLY, VERY, VERY IMPORTANT AND NEAR AND DEAR TO, I DARE SAY, EACH AND EVERY MEMBER OF THIS BODY, YOUTH SERVICES. THE SECRETARY OF STATE'S OFFICE CONDUCTS PROGRAMS AND ACTIVITIES TO PROMOTE CIVICS EDUCATION FOR NEBRASKA'S YOUTH. THAT IS SOMETHING THAT IS VERY TOPICAL, ESPECIALLY IN THE LAST MONTH OR SO IF YOU ARE FOLLOWING THE NEWS. THE SECRETARY OF STATE'S OFFICE GOAL IS TO ENCOURAGE YOUTH TO BECOME GOOD CITIZENS AND LIFELONG VOTERS. THE FINAL ONE THAT I WILL SHARE WITH YOU TODAY IS THAT THE SECRETARY OF STATE'S DUTY IS TO BE

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THE KEEPER OF THE GREAT SEAL OF THE STATE OF NEBRASKA. THE SECRETARY OF STATE IS THE OFFICIAL KEEPER OF THE GREAT SEAL OF THE STATE, AFFIXING IT TO OFFICIAL GOVERNMENT DOCUMENTS TO VALIDATE THEM. THERE ARE OTHER DUTIES, THEY INCLUDE REAL ESTATE, COMMISSION SHARE, RECORDS BOARD CHAIR; COLLECTION AGENCY LICENSING BOARD CHAIR, VERY IMPORTANT IN THESE ECONOMIC TIMES; THE PARDONS BOARD SECRETARY, BOARD OF STATE CANVASSERS SECRETARY; AND, AGAIN, IMPORTANT TO EVERYBODY IN THIS ROOM OR IT SHOULD BE, ACCOUNTABILITY AND DISCLOSURE COMMISSION MEMBER. SO THOSE ARE THE DUTIES AS OUTLINED PER OUR STATE'S GUIDELINES FOR THE SECRETARY OF STATE. SO I HAVE HANDED OUT THIS LETTER NOW TWICE, AND WANT TO DELVE INTO THAT FOR A FEW MINUTES IF YOU WILL INDULGE ME DURING MY TIME ON THE MICROPHONE. IF YOU HAVE TAKEN AN OPPORTUNITY DURING THIS DEBATE, YESTERDAY AND TODAY, TO REVIEW THE COMMITTEE STATEMENT ATTACHED TO LB10, YOU WILL FIND THAT, AS I'VE SAID, SECRETARY OF STATE GALE HAS SHOWED UP IN SUPPORT OF THE LEGISLATION. AND AS I PREPARED FOR THE FLOOR DEBATE, I READ AND REVIEWED BOTH THE WRITTEN TESTIMONY AND IN-PERSON TESTIMONY PUT FORWARD BY MR. GALE IN SUPPORT OF THIS BILL. I WOULD LIKE TO TAKE A MOMENT OR MORE TO DISCUSS THE JUSTIFICATIONS THAT MR. GALE ADVANCES IN SUPPORT OF THE WINNER-TAKE-ALL ELECTORAL COLLEGE ALLOTMENT. I HAVE ASKED THE PAGES, NOW TWICE, TO DISTRIBUTE TO EACH OF YOU A COPY OF THE WRITTEN TESTIMONY SUBMITTED BY MR. GALE. THE DOCUMENT SHOWS THAT A MAJOR SUPPORTER OF LB10 STRUGGLES TO CLEARLY STATE A REASONABLE JUSTIFICATION FOR THE BILL. A BRIEF OVERVIEW SHOWS THAT MR. GALE SUPPORTS LB10 BECAUSE, ACCORDING TO HIS TESTIMONY, WINNER-TAKE-ALL ELECTORAL COLLEGE ALLOTMENT WILL INCREASE NEBRASKA'S NATIONAL RELEVANCY, HELP PROTECT THE AGRICULTURAL INDUSTRY, AND SUPPORT FAIRNESS FOR SMALL STATES IN GENERAL; INCREASING... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR COOK: NATIONAL RELEVANCY...THANK YOU, MR. PRESIDENT...INCREASING NATIONAL RELEVANCY; PROTECTING AGRICULTURE, AND SUPPORTING FAIRNESS FOR SMALL STATES. NONE OF THESE JUSTIFICATIONS FOR SUPPORTING LB10 FALL UNDER THE CONSTITUTIONAL OBLIGATION OF THE OFFICE OF THE SECRETARY OF STATE. AND I SHARED THAT WITH YOU. I'D BE HAPPY TO SUPPLY A PHOTO COPY OF IT FOR YOU IF YOU WOULD CARE TO HAVE ONE FOR YOURSELF, BUT IT IS AVAILABLE ON THE INTERNET AT [HTTP://WWW.SOS.NE.GOV/ADMIN/ABOUT/DUTIES.HTML](http://www.sos.ne.gov/admin/about/duties.html). [LB10]

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SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED, AND THIS IS YOUR THIRD TIME. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WHAT SENATOR COOK IS DOING IS VERY IMPORTANT TO OUR OVERALL OVERSIGHT RESPONSIBILITIES AS A LEGISLATURE. WE SHOULD BE AWARE OF THE ATTITUDES, THE PRACTICES, OF THOSE CONSTITUTIONAL OFFICERS AND THE REASONING, IF YOU CAN CALL IT THAT, WHICH SENATOR COOK READ TO US, THAT THE SECRETARY OF STATE OFFERED, WILL LET YOU KNOW THAT IT IS UNREASONABLE, IT IS IRRATIONAL, BECAUSE IT HAS NO LOGICAL CONNECTION TO WHAT IS BEING DISCUSSED BY HIM AS A JUSTIFICATION FOR GETTING INVOLVED IN THIS HIGHLY POLITICIZED ISSUE. HOW IN THE WORLD IS AGRICULTURE GOING TO BE BENEFITTED BY SAYING THAT YOU HAVE A WINNER-TAKE-ALL SITUATION? WHEN THESE VARIOUS COMMITTEES WERE GOING THROUGH THE STATE TALKING TO PEOPLE IN THE AGRICULTURAL SECTOR, I DON'T BELIEVE ANY ONE OF THEM TALKED ABOUT THE ECONOMY OF THE AGRICULTURAL SECTOR AS BEING NEGATIVELY AFFECTED BECAUSE THERE IS NOT A WINNER-TAKE-ALL ALLOCATION OF ELECTORAL VOTES. THEY ARE TALKING ABOUT PROPERTY VALUATIONS, PROPERTY TAX CUTS. EVEN THE CHAMBER OF COMMERCE DOES NOT HAVE THIS AS ONE OF THE THINGS THAT THEY SAY WILL CAUSE PEOPLE NOT TO BE INTERESTED IN COMING TO NEBRASKA. THE POPULATION OF THIS STATE IS AGING. IT IS DIMINISHING. YOUNG PEOPLE ARE LEAVING AND IT HAS NOTHING TO DO WITH THE WAY ELECTORAL VOTES ARE ALLOCATED. NEBRASKA IS RACIST, IT IS HOMOPHOBIC, IT IS NARROW-MINDED, AND DISCRIMINATORY IN EVERY WAY YOU CAN IMAGINE, AND THE LARGE CORPORATIONS ARE FINALLY WAKING UP AND REALIZING THAT THEY CANNOT RECRUIT WELL-QUALIFIED PEOPLE TO THIS STATE EVEN TO WORK IN THE COMPANIES THAT ARE HERE BECAUSE THEY DON'T LIKE THE MILLIEU OF NEBRASKA. IT HAS NOTHING TO DO WITH WINNER-TAKE-ALL ELECTORAL VOTE ALLOCATION. IT HAS TO DO WITH THE SOCIAL BACKWARDNESS, THE RACISM OF THE LAWS, AND ALL OF THE NEGATIVES THAT IN HERE, IN THIS STATE, AND IF YOU GO AROUND TO GROUPS OF YOUNG PEOPLE AND LISTEN TO THEM WHAT THEY THINK ABOUT THIS STATE, THEY WOULD GIVE YOU A LITANY OF THINGS WRONG WITH IT AND HOW WHEN THEY GET OUT OF SCHOOL, THEY ARE OUT OF HERE, AND SOME I KNOW WHO CAME HERE TO GO TO SCHOOL, WERE GOING TO LEAVE. AND I TOLD THEM, YOU SUFFERED AND STRUGGLED THIS LONG, GO AHEAD AND FINISH YOUR EDUCATION HERE. DON'T GO THROUGH THE TROUBLE OF FINDING ANOTHER SCHOOL TRANSFERRING. THIS WILL MAKE YOU STRONG,

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GET THE BEST GRADES YOU CAN, THEN LEAVE. AND THIS WILL BE SOMETHING YOU CAN TALK ABOUT AND DISCUSS WITH PEOPLE. AND IF ANYBODY WHERE YOU LIVE TALKS ABOUT COMING TO NEBRASKA TO GO TO SCHOOL, LET THEM KNOW THAT THIS IS NOT THE PLACE THEY SHOULD COME IF THEY HAVE THE INTEREST THAT YOU HAVE. I ALWAYS COMPARE NEBRASKA TO A SICKLE. A SICKLE IS A CURVED DEVICE WITH A HANDLE AND YOU CUT WEEDS AND THINGS WITH IT. THE FRONT EDGE IS A CUTTING EDGE, THE BACK FLAT END IS THE BUTT EDGE. NEBRASKA INHABITS THE BUTT EDGE WHEN IT COMES TO PROGRESS, NEVER THE CUTTING EDGE. WHAT DO THEY SAY? WELL, 48 OTHER STATES ARE DOING IT SOME OTHER WAY, SO NEBRASKA CAN'T DO IT BECAUSE IT IS NOT DOING WHAT THE OTHERS DO. THEN THEY GET OFFENDED WHEN I SAY THEY BRING THIS COPYCAT LEGISLATION AND I CALL IT MONKEY SEE, MONKEY DO. THAT IS WHAT YOU'RE BEING TOLD ON THIS BILL--MONKEY SEE IT, MONKEY DO IT. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: EVERYBODY ELSE IS DOING IT A CERTAIN WAY, NEBRASKA SHOULD TOO. THAT'S WHAT'S THE MATTER WITH THIS STATE. WHAT THE SECRETARY OF STATE IS TALKING ABOUT IN TERMS OF RELEVANCE TO THE COUNTRY. IT'S IRONIC, I THINK, THAT THIS PRESIDENT WHO HAS LED TO WHAT WE'RE DOING HERE TODAY, BECAUSE HE WON AN ELECTORAL VOTE, APPOINTED A "REPELICAN" AS HEAD OF THE DEPARTMENT OF AGRICULTURE; APPOINTED A "REPELICAN" AS THE HEAD OF THE DEFENSE DEPARTMENT, WHATEVER HE IS SECRETARY OF. THEY DON'T CALL THEM WAR ANYMORE. TWO "REPELICANS." THIS STUFF THAT WE'RE TALKING ABOUT THE BILL IS A WASTE OF TIME. THE FIRST THING OF SUBSTANCE AND CONSEQUENCE WAS RAISED BY SENATOR COOK IN DIRECT RELEVANCE TO THE BILL. EVERYTHING THAT I HAVE SAID, NATURALLY, IS OF SUBSTANCE AND OF VALUE, SENATOR SCHEER. HE CAN'T RESIST SMILING. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR HARR, YOU ARE RECOGNIZED. [LB10]

SENATOR HARR: THANK YOU, MR. SPEAKER. IT IS ALWAYS A PLEASURE TO HEAR FROM YOU. MEMBERS OF THE BODY, I REMAIN SOMEWHAT SILENT ON THIS ISSUE AND ON THE BRACKET. I ORIGINALLY VOTED AGAINST IT, THEN AFTER LISTENING TO THE WISE WORDS OF SENATOR CHAMBERS, I CHANGED MY MIND. AND, YOU KNOW, THIS IS AN ISSUE THAT AFFECTS ALL OF US. IT IS AN ISSUE WHERE, YOU KNOW, DO WE WANT TO BE LIKE THE REST OF THE STATES IS THE QUESTION, OR DO WE WANT TO DO WHAT WE THINK IS RIGHT? I UNDERSTAND THE ARGUMENT THAT IF I WERE IN CONTROL, LIKE SOME PARTIES ARE, I WOULD PUSH FOR THIS BILL TO MAKE SURE THAT THAT

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ELECTORAL VOTE...AND RIGHT NOW, WE'RE REALLY TALKING ABOUT ONE ELECTORAL VOTE AND IT'S THE OMAHA ONE, CD 2, STAYS IN MY CORNER AND THAT'S FINE, THAT'S GOOD. HOWEVER, I AM A FAN OF COMPETITION. AND I THINK COMPETITION BRINGS OUT THE BEST IN PEOPLE. AND I AM NOT AFRAID OF COMPETITION. I AM NOT ONE TO HIDE UNDERNEATH MY MOTHER'S APRON. IF I HAVE THE BEST CANDIDATE AND THE VOTERS BELIEVE THAT PERSON IN THAT AREA...THE VOTERS IN THAT AREA BELIEVE THAT'S THE BEST CANDIDATE, WELL, GOSH DARN IT, THAT'S THE PERSON WHO SHOULD GET THAT VOTE. NOW, I KNOW SOME OF YOU GUYS ARE SAYING--NO, BURKE, YOU ARE A HYPOCRITE. IF YOU LIVED IN CALIFORNIA OR YOU LIVED IN OHIO OR YOU LIVED IN FLORIDA, NAME THE STATE, YOU WOULD THINK DIFFERENTLY. AND THE ANSWER IS NO, I PROBABLY WOULDN'T, BECAUSE WE STILL HAVE A WAY OF REWARDING THE PERSON WHO GETS THE MOST VOTES IN THAT STATE. BUT WHAT WE'VE DONE IS WE'VE SPREAD THAT ELECTION OUT, BECAUSE WHAT'S HAPPENED IN OUR WORLD WITH ELECTORAL COLLEGES? I DON'T KNOW WHY CAMPAIGNS ARE SO EXPENSIVE, BECAUSE PRESIDENTS REALLY ONLY CAMPAIGN IN TWO STATES--OHIO AND FLORIDA. LOOK AT IT. LOOK AT HOW MUCH ATTENTION OHIO GOT. OHIO, OHIO, OHIO, FLORIDA, FLORIDA, FLORIDA, THAT'S ALL YOU HEAR. GET OUT YOUR LITTLE INK BOARD. THAT'S ALL YOU'RE GOING TO SEE; THAT'S ALL THEY CARE ABOUT. NOW THAT'S NOT TO SAY THAT, FOR INSTANCE, REPUBLICANS DON'T MAKE TRIPS TO CALIFORNIA. THEY DO--FOR MONEY. BUT THEY DON'T GO THERE TO CAMPAIGN. THEY DON'T GO THERE TO SAY WHAT ARE YOUR ISSUES OR CONCERNS. NO, BUT THEY DO COME TO NEBRASKA; THEY DO COME TO OMAHA. YOU KNOW, IT MAY NOT BE A LOT, BUT WE HAD NOW PRESIDENT, THEN SENATOR OBAMA COME AND VISIT. WE HAD THEN GOVERNOR, NOW FOX COMMENTARY, SARAH PALIN, COME TO OMAHA, AND IT WAS NEAT, IT WAS GREAT TO SEE THEM. WE GET RID OF THAT ELECTORAL VOTE, GUESS WHAT, WE'RE IRRELEVANT. I DON'T KNOW WHY SOMEONE WOULD WANT TO BE IRRELEVANT. BUT, YOU KNOW, IT GETS US A LITTLE STATURE. WHY WAS THE FAMOUS LINE--I KNEW JACK KENNEDY, JACK KENNEDY WAS A FRIEND OF MINE. MR. QUAYLE, YOU'RE NO JACK KENNEDY, SAID IN OMAHA, BECAUSE THERE WAS ELECTORAL VOTE UP AND THERE WAS A CHANCE THEY THOUGHT, MAYBE, THEY COULD WIN THAT. SO THE VICE PRESIDENTIAL DEBATE WAS HELD THERE. WE GET ATTENTION THAT WE NORMALLY WOULDN'T GET. AND YES, WE GET MONEY THAT WE NORMALLY WOULDN'T GET. AND THOSE, YOU KNOW, WE TALK ABOUT ECONOMIC DEVELOPMENT. HOW CAN WE GET MORE PEOPLE TO SPEND MONEY IN THIS STATE? WELL, HERE'S A PRIME WAY THAT WE CAN GET PEOPLE TO SPEND MONEY HERE. NOW YOU MAY NOT LIKE IT BECAUSE SOME OF THE MONEY GOES TO SOMETHING YOU'RE OBJECT TO, BUT AGAIN, IN THE MARKETPLACE OF IDEAS,... [LB10]

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SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR HARR: THANK YOU, MR. SPEAKER. ISN'T IT WONDERFUL IN THE MARKETPLACE OF IDEA THAT WE HAVE CONFLICT AND IT'S THAT CONFLICT THAT LEADS TO RESOLUTION; IT'S THAT CONFLICT THAT LEADS TO DEBATE, THAT LEADS TO THINKING ABOUT HOW AM I GOING TO DO THIS? IF WE STAY WINNER TAKE ALL, WE'RE NO DIFFERENT THAN WASHINGTON. WE SAY THE "NEBRASKA WAY" AND WE ARE PROUD OF THE "NEBRASKA WAY." BUT, HERE WE ARE REVERTING TO THE "WASHINGTON WAY" IF THIS BILL, LB10, WERE TO PASS. I WILL VOTE FOR AM344, BUT I STAND AGAINST LB10. THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR COOK, YOU ARE RECOGNIZED, AND THIS WILL BE YOUR CLOSE AS THERE IS NO ONE ELSE IN THE QUEUE. [LB10]

SENATOR COOK: THIS WILL BE MY CLOSE, AS THERE'S NO ONE ELSE IN THE QUEUE, SO I DON'T GET A THIRD TURN AND A CLOSE, MR. PRESIDENT? [LB10]

SPEAKER HADLEY: THIS IS THE THIRD TIME? [LB10]

SENATOR COOK: I THINK SO. [LB10]

SPEAKER HADLEY: SENATOR COOK, THIS IS YOUR THIRD TIME, THEN YOU WILL HAVE A CLOSE. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND THANK YOU FOR ALL THE KIND WORDS THAT HAVE BEEN SAID ABOUT AM344. I, TOO, AS MUCH AS I MIGHT CATCH MYSELF COMPLAINING ABOUT THE LACK OF INCLUSION IN THE STATE OF NEBRASKA, THE LACK OF RECOGNITION OF ITS DIVERSITY IN SO MANY WAYS, IT IS MY HOME, AND WHEN I GET THE OPPORTUNITY TO TRAVEL AND MEET WITH OTHER LEGISLATORS FROM AROUND THE COUNTRY, AND AROUND THE WORLD, I AM VERY PROUD OF OUR SYSTEM OF GOVERNMENT; PARTICULARLY THE UNICAMERAL, AND PARTICULARLY THE WAY THAT WE DIVIDE OUR ELECTORAL VOTES THEREBY REPRESENTING THE DIVERSITY WITHIN THE STATE. I WOULD LIKE TO CONTINUE WITH MY ANALYSIS, IF YOU WILL, OF THE SECRETARY OF STATE'S TESTIMONY IN SUPPORT OF LB10: AN INCREASE IN NATIONAL RELEVANCY, PROTECTING AGRICULTURE, AND SUPPORTING FAIRNESS FOR SMALL STATES. IN MY VIEW, NONE OF THESE JUSTIFICATIONS FOR SUPPORTING LB10 FALL UNDER THAT CONSTITUTIONAL OBLIGATION. MIGHT VERSUS ACTUALLY: IN HIS WRITTEN TESTIMONY TO THE GOVERNMENT COMMITTEE, SECRETARY OF STATE GALE ACKNOWLEDGES THAT DISTRICT ALLOTMENT OF ELECTORAL COLLEGE VOTES MIGHT FOSTER INCREASED ATTENTION FROM BOTH MAJOR PARTIES IN A CLOSE PRESIDENTIAL ELECTION YEAR, SUCH AS 2008, AND BRING MONEY TO THE

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STATE. SENATOR BURKE HARR JUST OFFERED SOME EVIDENCE TO THAT, AND I WAS A WITNESS TO THAT ALSO AS A RESIDENT OF CONGRESSIONAL DISTRICT 2. DID EVERYONE HERE PICK THAT UP FROM THE WRITTEN TESTIMONY THAT I DISTRIBUTED? DISTRICT ALLOTMENT MIGHT BRING INCREASED ATTENTION TO NEBRASKA IN CLOSELY CONTESTED PRESIDENTIAL RACES. WE'VE SEEN IN RECENT PRESIDENTIAL ELECTIONS, AND THE ONE TO WHICH SENATOR HARR MADE REFERENCE, THAT IT DID INDEED BRING ADDITIONAL ATTENTION AND THE DOLLARS THAT GO WITH IT. SUBSEQUENTLY, SECRETARY GALE STATED IN HIS WRITTEN TESTIMONY THAT KEEPING THE NEBRASKA SYSTEM OF DISTRICT ALLOTMENT OF ELECTORAL COLLEGE VOTES ACTUALLY ENCOURAGES THIRD PARTIES TO SPRING UP, SEEKING TO CAPTURE ONE OR MORE CONGRESSIONAL DISTRICT ELECTORAL VOTES. WHEN I READ THAT, IT REMINDED ME OF SOMETHING THAT SENATOR CHAMBERS, HE DIDN'T ALLUDE TO IT, HE SAID IT OUT LOUD, THAT MANY OF OUR CHALLENGES IN RECRUITING AND IN KEEPING YOUNG PEOPLE OR PEOPLE FROM OTHER STATES IS THAT WE HAVE KIND OF A CLOSED SYSTEM HERE IN THE STATE OF NEBRASKA. WE HAVE AN IDEA OF WHO WE ARE AND, BY GOLLY, IF YOU DON'T FIT INTO THAT, THEN, YOU KNOW, ALL HAVOC COULD BREAK OUT. THIS IS A PLURALISTIC SOCIETY. WHAT IF THERE WERE A THIRD PARTY OR A FOURTH PARTY OR A FIFTH PARTY WITH A VIABLE CANDIDATE? AS SENATOR HARR SAID, THEN SHE OR HE WHO WAS THE BEST CANDIDATE AT MAKING THEIR CLAIM TO THE OFFICE WOULD IDEALLY WIN THAT OFFICE. I WANT TO REVIEW THE STATEMENTS AGAIN, NEBRASKA'S CURRENT ELECTORAL COLLEGE SYSTEM MIGHT INCREASE NATIONAL ATTENTION. SECOND, ACCORDING TO THE SECRETARY OF STATE, DISTRICT ALLOTMENT ACTUALLY ENCOURAGES THIRD PARTIES TO SPRING UP AND CAPTURE ONE OR MORE ELECTORAL COLLEGE VOTES. OKAY, I'M CERTAIN...YOU'RE VERY BRIGHT PEOPLE IN HERE AND YOU ARE BEING ATTENTIVE AND I APPRECIATE THAT, YOU CAN SEE THE POINT THAT I'M DRIVING AT. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. NEBRASKA HAS NOT YET SEEN A THIRD PARTY SPRING UP OR EVEN ATTEMPT TO SEIZE AN ELECTORAL COLLEGE VOTE. HOWEVER, SECRETARY OF STATE GALE DECLARES THE SCENARIO AS THE ACTUALITY OF OUR CURRENT LAW. ON THE OTHER HAND, INCREASED NATIONAL ATTENTION AND A CLOSE PRESIDENTIAL ELECTION, WHICH IS A REALITY AND WAS A REALITY, IS DESCRIBED AS SOMETHING THAT MIGHT HAPPEN UNDER THE CURRENT SYSTEM. I WOULD SUGGEST, AND YOU CAN REVIEW IT FOR YOURSELVES, COLLEAGUES, THAT IS A WEAK ARGUMENT; IT IS AN UNTRUE ARGUMENT AND A VERY, VERY LARGE REACH BY A WELL-RESPECTED PUBLIC SERVANT IN SUPPORT OF A PURELY

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PARTISAN POLICY AIM. [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB10]

SENATOR CRAWFORD: THANK YOU, MR. SPEAKER, AND GOOD MORNING, COLLEAGUES. I GREATLY APPRECIATE THE MANY MEMBERS WHO HAVE STOOD UP TO SAY THEY'RE STILL LISTENING AND THEY'RE WANTING TO DECIDE WHAT IS BEST FOR THE STATE OF NEBRASKA. AND I THINK MANY OF MY COLLEAGUES HAVE MADE MANY OF THOSE POINTS. SO AS WE'RE APPROACHING THE NOON HOUR HERE, I'M JUST GOING TO DO MY BEST TO SUMMARIZE SOME OF THOSE KEY POINTS THAT I THINK HAVE BEEN RAISED IN THE DEBATE ALREADY IN TERMS OF ASKING WHAT ARE THE BENEFITS OF STAYING WITH OUR CURRENT SYSTEM AND REJECTING LB10. SO, ONE OF THE KEY BENEFITS IS WHAT IS EVEN RECOGNIZED BY THE SECRETARY OF STATE IN HIS STATEMENT AND THAT IS THAT WE FOSTER ATTENTION WHEN THERE IS A CLOSE PRESIDENTIAL RACE. AND THIS IS NOT A MAYBE YOU MIGHT, WE HAVE DEFINITELY SEEN EVIDENCE OF THIS. AGAIN AS I SAID EARLIER, IN 2008, WE HAD PRESIDENTIAL...A PRESIDENTIAL CAMPAIGN THAT HAD OFFICES IN OUR STATE, THOSE HIRING STAFF IN OUR STATE, RECRUITING WORKERS IN OUR STATE, MOBILIZING NEW VOTERS IN OUR STATE, AND PAYING FOR OFFICE SPACE IN OUR STATE. AND MANY OF YOUR COMMUNITIES YOU KNOW THAT IT IS REALLY IMPORTANT TO KEEP THOSE STOREFRONTS FULL. AND IN 2008, WE HAD ONE OF THOSE VACANT STOREFRONTS IN OLD TOWN BELLEVUE WAS OCCUPIED BY PRESIDENTIAL CAMPAIGN STAFF. COLLEAGUES, THAT IS A VERY IMPORTANT BENEFIT THAT WE HAVE FROM THE DIVIDED ELECTORAL COLLEGE SYSTEM THAT WE WOULD LOSE IF YOU PASSED LB10. IT IS THE INVESTMENT OF TIME AND ENERGY IN OUR STATE. IT ALSO MEANS THAT THOSE CAMPAIGN WORKERS ARE COMING TO OUR STATE AND EXPERIENCING THE GOOD LIFE FIRSTHAND. AND THAT IS AN IMPORTANT PART OF A BENEFIT FOR OUR STATE IS TO GET THOSE YOUNG PEOPLE TO OUR STATE TO SEE WHAT IT IS LIKE TO LIVE HERE AND POTENTIALLY RECOGNIZE THIS IS A GREAT STATE, THAT THEY MAY WANT TO COME BACK TO. IT IS ALSO THE CASE THAT THEY THEN HEAR AND MEET NEBRASKANS AND HEAR OUR CONCERNS. SO IF THOSE YOUNG STAFFERS THEN BECOME PART OF THE ADMINISTRATION IN ANY WAY, THEY HAVE TALKED TO NEBRASKANS AND HEARD OUR CONCERNS AND GOTTEN TO KNOW US. SO THOSE ARE ALL IMPORTANT BENEFITS THAT WE HAVE FROM OUR CURRENT DIVIDED ELECTORAL SYSTEM THAT WE MIGHT LOSE, THAT WE WOULD LOSE



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IF, EXCUSE ME, IF WE PASSED LB10. NOW ANOTHER THING IS THAT WE OFTEN HEAR HOW MUCH VALUE IT IS EVERY TIME A STATE OR A COMPANY OR ANY ENTITY GETS MENTIONED IN THE NEWS. SO, IN OUR CURRENT DIVIDED ELECTORAL SYSTEM, EVERY DISCUSSION IN THE NEWS THAT PUTS A MAP UP THERE ABOUT WHAT'S HAPPENING ON THIS ELECTION, ALL OF THOSE NEWS STORIES WILL END UP MENTIONING NEBRASKA--MAINE AND NEBRASKA. SO IT IS PEOPLE HEARING NEBRASKA AND THAT'S WORTH MONEY, THAT'S PR FOR OUR STATE. THAT GETS MENTIONED ALL THE TIME AND ALL OF THAT NEWS COVERAGE OF THE ELECTORAL MAP AND WHAT'S HAPPENING ON THE ELECTORAL MAP AND WHERE THOSE MIGHT GO. THAT BRINGS ATTENTION TO OUR STATE. EVERY SINGLE TEXTBOOK NOW THAT TALKS ABOUT THE ELECTORAL COLLEGE HAS A MAP, NEBRASKA IS ON THAT MAP HIGHLIGHTED AS A UNIQUE STATE, AND SO THAT BRINGS EXTRA ATTENTION TO OUR STATE. SO THOSE ARE MORE INTANGIBLE THINGS, BUT STILL JUST BRING ATTENTION TO OUR STATE THAT, HEY, NEBRASKA DOES SOME THINGS DIFFERENTLY. AND AGAIN, THAT'S PART OF ATTENTION THAT GETS PAID TO OUR STATE. SO THOSE ARE SOME OF...THAT'S, AGAIN, A BENEFIT OF OUR CURRENT ELECTORAL SYSTEM THAT WE LOSE IF WE ADOPT LB10. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CRAWFORD: THANK YOU, MR. SPEAKER. SO AGAIN, WHEN I LOOK AT THIS, OUR CURRENT SYSTEM, I THINK IT IS GOOD FOR BOTH PARTIES AND ALL OF OUR CITIZENS AND ALL OF OUR INDUSTRIES AND ENTITIES THAT NEED TO BE HEARD AT THE FEDERAL LEVEL. IN MY DISTRICT, 45, WE HAVE OFFUTT AIR FORCE BASE. IT IS CRITICALLY IMPORTANT THAT THERE IS A RECOGNITION THAT NEBRASKA MATTERS IN FEDERAL POLITICS AND THAT THERE IS COMPETITION IN FEDERAL POLITICS, PARTISAN COMPETITION IN FEDERAL POLITICS, SO THAT THE FEDERAL OFFICIALS ON THE EXECUTIVE BRANCH AND THE LEGISLATIVE BRANCH KNOW THEY NEED TO PAY ATTENTION TO OFFUTT BECAUSE PEOPLE IN NEBRASKA ARE PAYING ATTENTION, AND NEBRASKA IS RELEVANT, AND THAT IS THE KEY, I THINK, POINT TO REMEMBER. OUR CURRENT ELECTORAL SYSTEM... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR CRAWFORD: ...MAKES US RELEVANT, LB10 WOULD NOT. THANK YOU. [LB10]

SPEAKER HADLEY: THERE IS NO ONE IN THE QUEUE. SENATOR COOK, YOU ARE RECOGNIZED TO CLOSE ON YOUR AMENDMENT, AM344. [LB10]

SENATOR COOK: THANK YOU, MR. PRESIDENT. AND GOOD MORNING FOR A

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FEW MORE MINUTES, COLLEAGUES. I WILL TAKE THIS OPPORTUNITY TO CLOSE ON AM344 TO LB10. ONCE AGAIN, IT IS A SIMPLE AMENDMENT THAT REMOVES THE STATUTORY REQUIREMENT, THE MANDATE FOR THOSE OF US WHO ARE SQUIRRELY ABOUT MANDATES, THAT A POLITICAL PARTY FORMULATE AND PROMULGATE A STATE PLATFORM DURING THEIR PRESIDENTIAL PARTY CONVENTION. THE REQUIREMENT THAT A POLITICAL PARTY FORMULATE AND PROMULGATE A STATE PLATFORM IS AN UNNECESSARY MANDATE IN STATE LAW THAT SHOULD BE REMOVED. WITH THE ADOPTION OF AM344, IT DOES NOT RESULT IN THE EXPRESS PROHIBITION THAT A POLITICAL PARTY, WHICH IS A FREE ASSOCIATION OF PEOPLE, FORMULATE AND ADOPT A PLATFORM FOR THEMSELVES BY THEIR OWN VOLITION. ADOPTION OF AM344 MERELY REMOVES THE REQUIREMENT FROM STATE STATUTE. WITH THAT, MR. PRESIDENT, I'D ASK FOR A CALL OF THE HOUSE. I WOULD LIKE A RECORD VOICE VOTE IN REVERSE ORDER. THANK YOU. [LB10]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB10]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB10]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR HANSEN, SENATOR McCOLLISTER, SENATOR KUEHN, SENATOR GLOOR, SENATOR DAVIS, AND SENATOR GARRETT, THE HOUSE IS UNDER CALL. SENATOR McCOLLISTER, SENATOR GLOOR, SENATOR GARRETT, THE HOUSE IS UNDER CALL. SENATOR McCOLLISTER, SENATOR GLOOR, SENATOR GARRETT, PLEASE REPORT TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR COOK, FOR WHICH PURPOSE DO YOU RISE? [LB10]

SENATOR COOK: I THINK WE SHOULD PROCEED, A RECORD VOTE IN REVERSE ORDER, PLEASE. [LB10]

SPEAKER HADLEY: MR. CLERK. [LB10]

CLERK: SENATOR, I ASSUME YOU MEAN A ROLL CALL VOTE, IS THAT RIGHT? [LB10]

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SENATOR COOK: YES. I APOLOGIZE. A ROLL CALL VOTE, VOICE VOTE IN REVERSE ORDER. [LB10]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 622-623.) 34 AYES, 4 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE AMENDMENT. [LB10]

SPEAKER HADLEY: AM344 IS ADOPTED. MR. CLERK, ANY ANNOUNCEMENTS? [LB10]

CLERK: YES, SIR, I DO. [LB10]

SPEAKER HADLEY: RAISE THE CALL. [LB10]

CLERK: MR. PRESIDENT, NEW A BILL, LB366A BY SENATOR PANSING BROOKS. (READ BY TITLE FOR THE FIRST TIME.) TRANSPORTATION COMMITTEE CHAIRED BY SENATOR SMITH REPORTS LB570 TO GENERAL FILE WITH AMENDMENTS. I HAVE A SERIES OF CONFIRMATION REPORTS FROM THE EDUCATION COMMITTEE. NEW RESOLUTION: SENATOR EBKE OFFERS LR73, THAT WILL BE LAID OVER. NAME ADDS: SENATOR KOLTERMAN TO LB373, SENATOR STINNER TO LB485. (LEGISLATIVE JOURNAL PAGES 623-627.) [LB366A LB570 LR73 LB373 LB485]

MR. PRESIDENT, SENATOR BLOOMFIELD WOULD MOVE TO ADJOURN THE BODY UNTIL WEDNESDAY, FEBRUARY 25, AT 9:00 A.M.

SPEAKER HADLEY: ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. WE ARE ADJOURNED.