

could get the districts a little closer in population figures. Also before you you have an Attorney General's opinion on this issue and I am just going to read the last paragraph and it says, "Therefore, from our reading of the Supreme Court's holding in White versus Weiser we would be of the opinion that the Nebraska Legislature should attempt to arrive at a reapportionment plan which would as nearly as possible achieve mathematical equality between the three Congressional Districts", and so the Miscellaneous Subjects Committee reconsidered their action and came up with this particular plan. This plan that the committee is proposing and presenting to you today has a population variance of less than one quarter of one percent and so I am sure that we would be able to defend it against any court action. The committee held a hearing on this plan and I am not going to tell you here today that we didn't have some opposition to it. We did. The Cass County people were there. The Thayer County people were there and did object to this particular plan, and when I asked them if they would come up with a solution to us, they said that this would be real hard to do because they, too, figured any county that we would attempt to change would fight us. But I am sure that if we consider other counties that they will oppose the plan, too. It was the consensus at the hearing that nobody wants a change but I say to you here today if we are going to have a reapportionment plan that will withstand the court challenges, then we need to do some shifting. We tried to work with shifting other counties or parts of other counties but it seemed like we would always come back to these two particular counties. And so I would certainly urge you to adopt the committee amendments here today to LB 523.

SPEAKER MARVEL: Okay, Senator Newell. While we are waiting on Senator Newell, Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, I rise to support the committee amendment. As you remember the Executive Board introduced this bill in order to have a vehicle to start the ball rolling in regard to redistricting. I believe that the Miscellaneous Subjects Committee has done an excellent job. They have had many meetings, not only on the Congressional districting but on the legislative districting, the other districts across the state. I believe they have done a good job. I support their Congressional plan without amendment, and I am sure you are aware that there may be some amendments offered this afternoon. The changes are minimal. The population disparity is minimal and so I believe this is the best plan that could be arrived at this time around and so I support their plan.