

Withem.

SENATOR WITHEM: Yes, Madam President and members of the body, I spoke yesterday and was not going to today, but everybody else that spoke yesterday has spoken again today, so I will repeat the comments I made yesterday because nobody has quite focused yet on this portion of the bill, and I think it is an important one. A lot of people don't understand how the electoral college works. First of all, a lot of people think it is a popular vote that elects the president, and we are all sophisticated enough in here to know that that is not the case. But I guess there are a lot of people here who think that when a presidential candidate gets the majority vote in a state that that candidate automatically gets all of the electoral votes from that state. That is not the case. That is not automatic. What happens is that those electors that that candidate's party has chosen to be candidates for electors may become the electors for the state. Then those electors, under current law, can exercise their free will on who they will vote for. Now in most cases, because they were chosen by the party, they support the party's nominee and then they do vote for the party's nominee but they don't have to. There have been a number of cases in electoral history where the electors, after they have been chosen, vote for somebody other than who their party...their state has gone for. It happened fairly frequently in southern states when state's rights Democrats would get chosen as electors and they would not like the nominee for their party, and they'd vote for somebody else. In a close presidential election, someday it may come down to, when the electoral vote is split quite evenly, that a few of these electors may decide to exercise their own free will and (inaudible) break the will of the people. One of the things Senator Schimek's bill does is it requires the Nebraska electors to vote for who a majority of the people, either in their congressional district or in the state have voted for, and I think that is a...it is a very significant change. Now Senator Schimek has not commented on that too much, neither has anybody else commented on that. I think that might be a more significant change that is contained in this bill than who the congressional district goes for. I think I have seen out of Nebraska's in the last 40 years and considering there have been anywhere from five to seven votes in Nebraska cast, well over a hundred votes, if Senator Schimek's bill would have been in effect all of those times, it might have affected four electors altogether, four electoral votes cast altogether. I guess I was kind of surprised that how one party even the Omaha area