

support. We had this vote earlier in the discussion on Select File. We ended up with 24 yes votes. There were several people who were missing who would have supported the bill or the amendment, and I would like to have the opportunity then for those people to vote on this issue. Thank you.

SPEAKER WITHEM: Thank you, Senator Dierks. Senator Schimek.

SENATOR SCHIMEK: Yes, Mr. President, members of the body, I rise in opposition to the Dierks amendment for a number of reasons, but first of all, and foremost, probably a very practical reason, and that is that if the Dierks amendment is adopted, there will probably be a number of people in this body who will no longer want to support LR 6CA. And if you look at the vote on the Beutler amendment, which was taken earlier, it wasn't that...it wasn't that conclusive of a vote. I mean when you are talking about a constitutional amendment, you are not talking about 25 votes on Final Reading, you are talking about 30 or 40 votes, depending on whether you want the bill to be...the constitutional amendment to go on the primary or the general election ballot. There were 16 votes against the Beutler amendment on General File, and there were about 6 people absent, and it doesn't take too long to count to realize that if people feel strongly about this, support could drop off. But the other part of the question is also the amendment itself. Senator Dierks says that this will hold the bifurcated system in abeyance for two years. Wrong. It will hold it in abeyance for four years. Maybe two years from the time that it goes on the ballot, but I think four years is a long time to hold an issue like this in abeyance, and as Senator Warner mentioned earlier in the discussion, there is...there are all kinds of possibilities that somebody who was opposed to the bifurcated system could start a petition drive and could remove it before it ever got a hearing in court. I think it is very important to test this issue as soon as we can, and not only for people in Nebraska, so that petitioners will feel there is some stability in the system, but also for those in other states who will be watching what happens to LR 6CA. And I think that putting it off for four years puts it off not only for us but for some other people as well. So I would strongly encourage you not to support the Dierks amendment. And I have to tell you that, and I don't think this was in confidence because I think that he has also talked to other people, but last night Kent Bernbeck called me on the phone and said he wouldn't be here today because he had taken about as many vacation days as he could take on this