

representatives.

SENATOR CHAMBERS: Can the Legislature abolish the electoral college by a statute?

SENATOR KRISTENSEN: No.

SENATOR CHAMBERS: Can the Legislature increase the number of electors from Nebraska who would participate?

SENATOR KRISTENSEN: No, I do think that we could probably refuse to send electors, though.

SENATOR CHAMBERS: Now, can...and I'm...well, right, there are a lot of things a person can refuse to do. I'm talking about the reach and scope of an enactment by the Legislature in terms of its legal impact, not what people would decide to do...

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: ...or not do.

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Okay. Just to clarify what I'm after and not to be argumentative.

SENATOR KRISTENSEN: Understand.

SENATOR CHAMBERS: And that's all that I'll ask you at this point, and I'll put on my light again if I have additional questions on that score that I want to ask you. But I want to try to make a couple of observations. This is a federal function. It's required by virtue of language in the U.S. Constitution. Although a state can enact laws, if you're touching on the areas mentioned by Senator Kristensen, that will enlarge the protection that a citizen has against state encroachment, a state can do that, a state cannot enact a statute that would narrow the protection given by the United States Constitution. So the Legislature, when it comes to a function set out in the constitution, and that function is established pursuant to terms of the U.S. Constitution, I don't believe that the Legislature can enact a statute that would take away prerogatives that those people have under the U.S. Constitution. And at this point it's my opinion versus the