

and in their writings, they didn't have a great love for the people, nor a great amount of respect or confidence in them. This is why the House that represents, quote, "the people", the House of Representatives, they get to be there only two years and the Senate has members elected for six years. That is where the elite of society will sit, there is where the aristocrats will sit, and that is what would have been the House is Lords, if Nebraska...if America had any lords to put in such an office, but since they didn't they had to do the next best thing. But the House which represents the people and any other activity which springs from, quote, "the people", does not command a lot of respect, it didn't then and it does not now. And here's one of the reasons what we're going through right now, which shows why the people's representatives in state legislatures have not been entrusted to determine who shall be a U.S. Senator. The Legislature will try to arrogate to itself the power to change the nature of the electoral college. And no matter how you cut it, how you frame it, that cannot be done. This bill cannot bind an elector to vote in accord with the popular vote or any other consideration as long as that vote is not cast in violations of the U.S. Constitution.

SENATOR CROSBY: One minute.

SENATOR CHAMBERS: Even though the legislatures of the states can deal with the procedures relative to elections, no legislature can tell any person how that person must vote, once they go into the voting booth. No legislature can do that. No legislature can tell a judge how he or she must decide a case, only that the case shall be decided; the U.S. Supreme Court cannot do that in the first instance. But the U.S. Supreme Court can decide a case differently from the way that a lower court decided it and order that lower court to do in conformance with what the U.S. Supreme Court did, but the decision must be made. There is nothing that tells the Supreme Court how it must decide a case. Whenever discretion is given to make a...

SENATOR CROSBY: Time.

SENATOR CHAMBERS: ...decision, that decision cannot be forced or coerced.

SENATOR CROSBY: Thank you, Senator Chambers. Senator Witek.

SENATOR WITEK: Madam Chairman, members of the body, Senator