

SENATOR WITEK: ...and I appreciate your help, Senator Chambers, on this issue. Thank you.

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

SPEAKER WITHEM: Very quick question for Senator Witek, if she would respond.

SENATOR CROSBY: Senator Witek.

SENATOR WITEK: Senator Withem.

SPEAKER WITHEM: Senator Witek, what is your understanding of the current statutes of Nebraska in terms of the freedom of an individual elector to cast vote independently, or is your understanding that current state statute binds that elector to vote for the candidate receiving the highest number of votes?

SENATOR WITEK: Well, I think what binds the person, if not in statute, is at least the public's accountability system.

SPEAKER WITHEM: Okay. To your knowledge, is there a provision in statute now that binds the elector to vote legally the way that the state...

SENATOR WITEK: Well, you just told me that this was just replacing language that was...

SPEAKER WITHEM: Yeah, okay, I just wanted to make that very clear so that...

SENATOR WITEK: I guess (inaudible).

SPEAKER WITHEM: ...we all had the same understanding. Current language, current language based on whatever bill number it was that Senator Schimek I'm going to use the word ushered through, I'm tired of using the word shepherd through the Legislature a few years ago, (laughter) or ushered through the Legislature several years ago, put that provision into statute. So I guess I would use the fear that this is some sort of an attempt to pass an unconstitutional provision that would render LB 65 unconstitutional. I think there's a very, very slim chance that that would ever happen. But if it did, current law that LB 65 is replacing would likewise be unconstitutional because current