

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 27, 2004 LB 762

Senator Beutler. He and I go back to Boys State and Boys Nation, too long ago. But this law is wrong philosophically, it's misguided conceptually, it's flawed technically. We have given it a chance, more than a chance. It has not made a positive difference. You can't cite a positive difference. It has negative unintended consequences. It's time to end the experiment. I'd suggest to you that the act is wrong philosophically. Someone will dispute this, but I'm not here to defend the rich. But I will defend the notion that government ought not decide in advance that some forms of political participation are better or cleaner or more virtuous than others. And I will defend the notion that those who choose to participate by donating of the money which they have earned do not thereby become dirty just because some professional activists decide to cast aspersions upon their donations. As one commentator in the...in Massachusetts noted after that state's experience with publicly funded campaigns was widely viewed as a failure, private donations do not a dirty candidate make, and public money does not ensure an honest one. And don't we know that. But that is the philosophy of this act. It is designed to cast doubt on those who spend money simply because they spend money. It is designed to reward the supposed virtue of those who do not, regardless of whether that label has been earned. And I think we will all concur that Lorelee Byrd did not earn the label. The philosophy that underlies the act is, frankly, overly simplistic. It reduces the whole of politics to a single dimension--money. That's both unrealistic and wrong. I respectfully suggest that the act is misguided conceptually. Even if we were to accept the notion that money is always and everywhere a bad thing in politics, the act takes the wrong approach. Even if we agreed that it were necessary, limiting campaign spending is simply an unrealistic endeavor. There is no way to effectively ensure equal spending opportunities without intrusive governmental regulation and unjust outcomes. Needless to say, our efforts to regulate the use of independent outside groups to avoid spending limits was ineffective in the extreme in the case of sitting Regent Drew Miller. Regent Miller got a slap on the wrist, but retained his office, even though he obtained that office through blatant disregard for the requirements of the act, even as he had presented himself to the voters as someone who was abiding by the act. The misguided