

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

February 28, 2005 LR 8

government has are called granted powers. Those retained by the states are known as residual or leftover powers. They are acknowledged in the Tenth Amendment to the U.S. Constitution. Why should I even have to talk like this about you-all's constitution? It's not mine. But there are many times when people don't appreciate what it is they have. They don't value it. So they treat it with disrespect, they befoul it. This Constitution of the state of Nebraska does have many things in it which, in my mind, ought not to be there. A constitution is a body of principles which form the organic or basic law of a state. It is to consist of general principles that will allow it to be adaptable to changing times and circumstances. Those people who put together the U.S. Constitution were not Nostradamuses. They were not seers. They were not fortunetellers. They did not know what the future held. So very general terms were used, except when it came to the handling of my ancestors. Very specific language is in the constitution to ensure that my ancestors would be retained as property. Other than that, there are general statements. When the debate was going on as to whether rights should be enumerated, some of the so-called Founding Fathers argued that if you'd failed to list every right that the government cannot infringe, those which are not listed the government may feel free to not only limit but to abolish.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: So great care had to be taken. Others felt that there were some rights so essential, not only to individual freedom but to the order of the state itself, that they should be guaranteed in the constitution against infringement by the national government. When I'm recognized, I'll continue with my lecture. Thank you, Mr. President.

SENATOR CUDABACK: You may continue, Senator Chambers. Your light is next.

SENATOR CHAMBERS: Thank you. There were some people of the ilk that brought LR 8CA, but as much as I condemn those white men who put that constitution together, because a big proportion of them were slaveholders, they had some intelligence and some