

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

February 15, 2006 LB 188

have made it very difficult to steer a balanced approach in this particular area. And I want to be honest with you, in that this Campaign Reform Act cannot, under current law, get its hands around the whole problem. And when I say that, I mean precisely that independent committees, at this particular point in time--although the court is beginning to take a different attitude towards them--are still somewhat protected under the mantle of free speech. And so with this Campaign Finance Act, which has been true...and this has been true for the whole time that we've had it, it is possible for independent committees acting totally independent--no communication with candidate committees--to spend money for or against a candidate. And that's something that eventually we probably need to get our hands around, we do need to get our hands around. But let me say this: It's not like it's a loophole that's wide open, because it has a cost, and my friend Senator Erdman knows well how to attack that particular problem, because in his race, there were...there was an...at least one independent committee operating, trying to get around the law, and the approach I believe that Senator Erdman took was to let people know they were trying to get around the law. And I would cite Senator Foley's race, where the same thing happened, and he too made a public issue of their going around the law. Common Cause is making more and more of a public issue of these independent committees. So obviously the independent committee didn't win in Phil's case, didn't win in Senator Foley's case. That phenomenon can be beat. But still and all, at this point in time, the number of dollars being added by independent committees is very...is very, very small. I think that I just wanted you to be aware that we're all conscious of the independent committee problem, and there are going to be continuing efforts, but that doesn't mean reform is on the wrong path. Reform is on exactly the right path. It's just going to take some hard work to get to the point where there is a comprehensive system. What we cannot do is forget our history and go back to the things that didn't work before. That's what I'm afraid of. I hope we can stay the course, improve this version of this law, and next year and beyond, it will be up to others to set the course and take us further. But I hope they will be able...