

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

March 23, 2006 LB 188

It's like any new law that's been passed that is complex in nature. It has flaws. And Senator Brashear admitted to you that his strategy for many years now has been to prevent the correction of those flaws. That's why we came to this point where we decided we'll correct the flaws or we'll repeal it. The flaws are corrected by this bill. It's not Draconian, it's not radical. It makes small changes in many different places and it makes the law more reasonable. Not one of those changes in General File debate and Select File debate, there really hasn't been a discussion of the changes. I think everybody is satisfied with the changes. It's on the basic philosophy of the matter. And I strenuously disagree with Senator Brashear on what the meaning of free speech is.

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: Now with regard to the administration of the law, I think all of you have a personal relationship with Frank Daley and the commission. They're not hard-nosed, they're not unreasonable. But my gosh, you can't expect them to blink their eyes to clear and intentional and bad violations. They're doing what they need to do as administrators of the law. Where should the fine money go or where should the penalty money go? The commission doesn't agree with the Attorney General's legal opinion. There are two different opinions there in a legal sense. If we have to change that someday, we can change it. But it hasn't been contested at any official legal level at this point in time. And I don't think the people of the state mind it.

SENATOR CUDABACK: Time, Senator Beutler. Thank you, Senator Beutler. Senator Smith, followed by Senator Brown.

SENATOR SMITH: Thank you, Mr. President and members. Would Senator Beutler yield to a question?

SENATOR CUDABACK: Senator Beutler, would you yield?

SENATOR BEUTLER: Sure.

SENATOR SMITH: Senator Beutler, I commend your efforts and I