

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

March 29, 2006 LB 239

all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby and (sic) anything in the constitution or laws of any state to the contrary notwithstanding. We have an obligation to follow federal law. We don't like it. It doesn't make sense. It's wrong. One of our U.S. senators wants to build a big wall and think that we have the problem solved. We have a Congress that doesn't want to get something done, apparently, because we don't have an immigration policy that any of us can understand what's going on. We have people working in this country that are valuable to all of our communities and they could be arrested for minor in possession and could be deported. They could be stopped by INS and they could be deported as they walk onto the steps of the community college or the University of Nebraska. They are subject to arrest by the United States federal authorities. That is wrong, and the immigration policy we have in this nation is wrong and it doesn't make sense, and it's talking out of both sides of your mouth. But us passing this law is not going to accomplish the goal. Our state law already allows this. Our state law already says you can attend, not in three years, but after 180 days of establishing your residency. I have looked at a memorandum written by Carmen...

SENATOR CUDABACK: One minute.

SENATOR FLOOD: ...Maurer, from the UNL, to...University of Nebraska, to President Milliken, and she is very good in this memo. She lays out the law, makes the case for pursuing LB 239 for the reason that it's a narrowly tailored effort to combat what we have in Section 505. She also says that Kansas has passed a law like this which is under consideration in the state of Kansas, in federal court, and that decision, to the best of my knowledge, has not been rendered as of yet. Why don't we wait and see what happens in Kansas? Why don't we take a chance, if you want? If the university wants to take a chance and let illegal aliens enter the University of Nebraska, they could do it right now. Follow state law. Let the judiciary decide how this is going to work. And if they decide in our favor, we come back and we make...