

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

April 13, 2006 LB 239, 1024

SENATOR CUDABACK: Thank you, Senator Schimek. Those wishing to address the motion, Senator Erdman followed by Senators Schrock, Kruse, and Aguilar. Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President and members of the Legislature. And, Senator Schimek, I applaud your efforts. I just cannot agree with the underlying legislation, and that should not come as a surprise to you. For the last two weeks we have spent a great deal of time in this body arguing about a piece of legislation that affects our friends in Omaha. And there have been comments made about the intent of those that would support or oppose that bill or what the language in that law was. And it was clear in the course of the debate that it was necessary for the individual that placed the language in the bill to stand up and state what the clear intent of the introducer of that language was. And so, Senator Chambers admirably and effectively rose to his feet and explained why the language was added to LB 1024 which we, as a Legislature advanced and adopted, and it is awaiting the Governor's decision. People are watching what we do; they absolutely are. And there's probably not a speech going to be given this afternoon that is going to change anyone's opinion. You've made up your minds on what you're going to do on this bill. You've made up your mind once today, and the vote was cast as a majority vote to send the bill to the Governor under the idea that he possibly could veto the legislation, and he has done that. And so now we have the opportunity, as Senator Friend has pointed out, for a second shot to analyze whether or not we have acted in an appropriate manner and whether or not we have done the right thing. And I would argue just as the senior member of this body has stood on the floor and explained to us what his intent was with the language in LB 1024, I, again, will stand on the floor and read to you the intent of the United States Congress when enacting the section of law in question on whether or not the state of Nebraska or any state can proceed in the manner outlined in LB 239. These are not my words. These are from the congressional record, Section 507 (sic). "This section provides that illegal aliens are not eligible for in-state tuition rates at public institutions of higher education." I didn't make it up. The people who wrote the law made that up. I am not convinced I'm going to change any one of your mind, but