

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 16, 2015

[LB10 LB45 LB47 LB56 LB88 LB122 LB141 LB160 LB167 LB177 LB180 LB181 LB196
LB200 LB220 LB231 LB240 LB242 LB268 LB272 LB298 LB313 LB315 LB317 LB320
LB323 LB325 LB347 LB352 LB361 LB382 LB415 LB446 LB452 LB457 LB458 LB500
LB538A LB539 LB540 LB547 LB577 LB581 LB591 LB605 LB607 LB610A LB642 LR7CA
LR106 LR107 LR108 LR114 LR115]

SENATOR SULLIVAN PRESIDING

SENATOR SULLIVAN: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FORTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR WATERMEIER. PLEASE RISE.

SENATOR WATERMEIER: (PRAYER OFFERED.)

SENATOR SULLIVAN: THANK YOU. I CALL TO ORDER THE FORTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MADAM PRESIDENT.

SENATOR SULLIVAN: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS.

SENATOR SULLIVAN: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: THERE ARE, MADAM PRESIDENT. I HAVE A LIST OF SPEAKER PRIORITY BILLS THAT INCLUDES: LB47, LB196, LB200, LB231, LB240, LB315, LB317, LB325, LB347, LB361, LB382, LB415, LB452, LB457, LB458, LB500, LB539, LB540, LB547, LB577, LB581, LB591, LB605, LB607, AND LB642; THOSE ARE THE SPEAKER PRIORITY BILLS FOR THIS SESSION. I HAVE A CORRECTED COMMITTEE STATEMENT FOR LB320 FROM THE HEALTH AND HUMAN SERVICES COMMITTEE. I HAVE A COMMUNICATION FROM THE GOVERNOR TO THE CLERK: ENGROSSED LEGISLATIVE BILLS: LB45, LB88, LB122, LB160, LB167 LB177, LB180, LB181, LB272, LB298, LB313, LB352, LB446, WERE RECEIVED IN MY OFFICE ON MARCH 6. THESE

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BILLS WERE SIGNED AND DELIVERED TO THE SECRETARY OF STATE ON MARCH 12. NEW A BILL: LB538A BY SENATOR WATERMEIER (READ LB538A BY TITLE FOR FIRST TIME.) AND A NEW RESOLUTION, LR114, SENATOR CRAIGHEAD, THAT WILL BE LAID OVER. (LEGISLATIVE JOURNAL PAGES 857-862.) [LB47 LB196 LB200 LB220 LB231 LB240 LB315 LB317 LB325 LB347 LB361 LB382 LB415 LB452 LB457 LB458 LB500 LB539 LB540 LB547 LB577 LB581 LB591 LB605 LB607 LB642 LB320 LB45 LB88 LB122 LB160 LB167 LB177 LB180 LB181 LB272 LB298 LB313 LB352 LB446 LB538A LR114]

SENATOR SULLIVAN: THANK YOU, MR. CLERK. WE WILL...THANK YOU AGAIN, MR. CLERK. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA.

CLERK: MADAM PRESIDENT, THE FIRST ITEM IS A HEALTH AND HUMAN SERVICES COMMITTEE CONFIRMATION REPORT ON THE APPOINTMENT OF LAURA SCHOLL TO THE BOARD OF EMERGENCY MEDICAL SERVICES. (LEGISLATIVE JOURNAL PAGE 717.)

SENATOR SULLIVAN: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MADAM PRESIDENT. COLLEAGUES, THIS IS AN APPOINTMENT TO THE BOARD OF EMERGENCY MEDICAL SERVICES. AND AS THE FIRST TIME THAT MS. SCHOLL WILL SERVE ON THIS COMMITTEE. SHE JUST COMPLETED A TERM ON THE CHIROPRACTIC BOARD AS THE LAY REPRESENTATIVE AND ACTUALLY SERVED TWO TERMS. AND WE COMMENDED HER ON HER WILLINGNESS TO CONTINUE SERVICE TO THE STATE BY SERVING ON THIS...TAKING THIS NEW ASSIGNMENT. SHE HAS A BACKGROUND IN THE INSURANCE FIELD AND IS RETURNING TO SCHOOL FOR A CAREER IN MEDICAL ASSISTING AND SHE GREW UP IN HOLDREGE. WE WOULD ENCOURAGE YOUR FAVORABLE VOTE ON LAURA SCHOLL.

SENATOR SULLIVAN: THANK YOU, SENATOR CAMPBELL. IS THERE ANY DISCUSSION ON THE REPORT? SEEING NONE, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE HEALTH AND HUMAN SERVICES COMMITTEE. ALL THOSE IN FAVOR SAY AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH TO? RECORD, MR. CLERK.

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CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 862.) 35 AYES, 0 NAYS ON ADOPTION OF THE CONFIRMATION REPORT.

SENATOR SULLIVAN: THE REPORT IS ADOPTED. NEXT ITEM, MR. CLERK.

CLERK: SECOND REPORT IS FROM HEALTH AND HUMAN SERVICES COMMITTEE, INVOLVES THE APPOINTMENT OF TERESA KONDA TO THE STATE BOARD OF HEALTH. (LEGISLATIVE JOURNAL PAGES 717.)

SENATOR SULLIVAN: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION.

SENATOR CAMPBELL: THANK YOU, MADAM PRESIDENT. TERESA KONDA IS FROM OMAHA. SHE IS A CIVIL ENGINEER AND IS THAT SLOT'S REPRESENTATIVE ON THE BOARD OF HEALTH. SHE CURRENTLY IS WITH HDR ENGINEERING INCORPORATED. SHE HAS A BS AND AN MS IN ENVIRONMENTAL ENGINEERING FROM SOUTH DAKOTA STATE. SHE HAS EXTENSIVE EXPERIENCE WITH WATER AND WASTE WATER TREATMENT PLANS, AND WE WOULD ENCOURAGE YOUR FAVORABLE VOTE ON TERESA KONDA FOR THE STATE BOARD OF HEALTH. THANK YOU.

SENATOR SULLIVAN: THANK YOU, SENATOR CAMPBELL. IS THERE ANY DISCUSSION ON THE REPORT? SEEING NONE, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE HEALTH AND HUMAN SERVICES COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED WHO WISH TO? RECORD, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 863.) 35 AYES, 0 NAYS ON ADOPTION OF THE REPORT.

SENATOR SULLIVAN: THE REPORT IS ADOPTED. NEXT ITEM.

CLERK: THIRD AND FINAL REPORT FROM HEALTH AND HUMAN SERVICES COMMITTEE INVOLVES THE APPOINTMENT OF JOHN CRAIG TO THE RURAL HEALTH ADVISORY COMMISSION. (LEGISLATIVE JOURNAL PAGE 717.)

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SENATOR SULLIVAN: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE REPORT.

SENATOR CAMPBELL: THANK YOU, MADAM PRESIDENT. DR. JOHN CRAIG IS CURRENTLY A FAMILY MEDICINE RESIDENT PHYSICIAN AT UNMC AND WILL COMPLETE HIS RESIDENCY IN 2016. DR. CRAIG IS THE REPRESENTATIVE TO THE RURAL HEALTH ADVISORY COMMISSION FOR FAMILY PRACTICE. WHAT IS VERY INTERESTING ABOUT DR. CRAIG IS DR. CRAIG GREW UP IN MINDEN, NEBRASKA. HE WILL BE A RECIPIENT OF THE FUNDS FROM THE RURAL HEALTH ADVISORY COMMISSION AND HE WILL THEN FINISH HIS RESIDENCY AND RETURN TO PRACTICE IN MINDEN, NEBRASKA, HIS HOMETOWN, WHICH IS EXACTLY WHAT WE WANT THIS PROGRAM AND THE FUNDS THAT WE ALLOCATE FOR IT. HE WAS ELECTED AS THE CHIEF RESIDENT OF HIS CLASS AND RECEIVED AN UNDERGRADUATE DEGREE FROM UNK. WE WOULD ENCOURAGE YOUR FAVORABLE VOTE ON DR. JOHN CRAIG FOR THE RURAL HEALTH ADVISORY COMMISSION. THANK YOU, MADAM PRESIDENT.

SENATOR SULLIVAN: THANK YOU, SENATOR CAMPBELL. IS THERE ANY DISCUSSION ON THE REPORT? SEEING NONE, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE REPORT OFFERED BY THE HEALTH AND HUMAN SERVICES COMMITTEE. ALL THOSE IN FAVOR SAY AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED WHO WISH TO? RECORD, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 863-864.)33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

SENATOR SULLIVAN: THE REPORT IS ADOPTED. I DO HAVE SEVERAL ANNOUNCEMENTS TO MAKE. (DOCTOR OF THE DAY AND VISITORS INTRODUCED.) AND FINALLY, TODAY IS SENATOR KOLTERMAN'S BIRTHDAY. THE KOLACHES ARE BEING HANDED OUT TO CELEBRATE HIS BIRTHDAY. JAK SE MAS, SENATOR KOLTERMAN. MR. CLERK, THE NEXT ITEM ON THE AGENDA.

CLERK: MADAM PRESIDENT, SELECT FILE LB10. THE BILL HAS BEEN DISCUSSED ON MARCH 9, ENROLLMENT AND REVIEW AMENDMENTS WERE CONSIDERED AND ADOPTED. WHEN THE LEGISLATURE LEFT THE ISSUE THAT DAY, SENATOR CHAMBERS HAD PENDING AM528 AS AN AMENDMENT TO THE BILL. (LEGISLATIVE JOURNAL PAGE 639.) [LB10]

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SENATOR SULLIVAN: SENATOR McCOY, BEFORE WE GO TO THE AMENDMENT, COULD YOU GIVE US A REVIEW OF LB10, PLEASE. [LB10]

SENATOR McCOY: THANK YOU, MADAM PRESIDENT. GOOD MORNING, COLLEAGUES. AS I'VE MENTIONED IN SEVERAL OPPORTUNITIES TO REFRESH THE BODY ON LB10, I BROUGHT THIS BILL TO THE LEGISLATURE THIS YEAR FOR THE THIRD TIME IN MY LEGISLATIVE CAREER BECAUSE IT'S MY BELIEF THAT, IN LIGHT OF THE FACT THAT WE ARE A SMALL AGRICULTURALLY-BASED STATE, WE SHOULD PROTECT AND UPLIFT THE ENTIRE STATE BY HOLDING OUR FIVE ELECTORAL VOTES TOGETHER AND THE WINNER-TAKE-ALL SYSTEM THAT WE USED IN NEBRASKA PRIOR TO 1991. THE ENLIGHTENED VIEWPOINT IN 1991 WAS THAT THIS WOULD INCREASE VOTER TURNOUT, WHICH IT HAS NOT DONE SINCE THEN. AND I BELIEVE WE SHOULD RETURN TO WINNER-TAKE-ALL THUS NECESSITATING INTRODUCTION OF LB10. THANK YOU, MADAM PRESIDENT. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR McCOY. SENATOR CHAMBERS, YOU'RE RECOGNIZED TO REFRESH US ON YOUR AMENDMENT. [LB10]

SENATOR CHAMBERS: MADAM PRESIDENT, WOULD THIS BE COUNTED AGAINST MY TIMES TO SPEAK TODAY? [LB10]

SENATOR SULLIVAN: NO, IT WILL NOT. [LB10]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, SENATOR EBKE PUT TOGETHER A RESOLUTION WHICH, TO MAKE A LONG STORY VERY SHORT, WOULD CALL ON THE OTHER 48 STATES, WHO STILL LABOR IN THE VALLEY OF IGNORANCE, TO FOLLOW THE TORCH BEING CARRIED BY NEBRASKA AND MAINE AND FOLLOW THAT INTO THE MARVELOUS LIGHT OF ENLIGHTENMENT, POLITICAL ENLIGHTENMENT. SO WHAT I DID WAS TO HAVE THAT RESOLUTION DRAFTED, NOT AS A RESOLUTION, BUT AS AN AMENDMENT TO THIS BILL. THE RESOLUTION ACTUALLY HAS MORE MERIT THAN THE BILL ITSELF, BUT I'M NOT NAIVE ENOUGH TO THINK THAT IT WILL BE ADOPTED. BUT IT WILL ALLOW AN OPPORTUNITY TO DISCUSS THE BILL ITSELF, ANYTHING ELSE ANYBODY WOULD LIKE TO DISCUSS. THANK YOU, MADAM PRESIDENT. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR CHAMBERS. THE FLOOR IS NOW OPEN FOR DISCUSSION ON AM528. SENATOR CHAMBER, YOU WERE FIRST IN THE QUEUE. [LB10]

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SENATOR CHAMBERS: THANK YOU. MADAM PRESIDENT AND MEMBERS OF THE LEGISLATURE, I HANDED OUT AN EDITORIAL THAT WAS PRINTED IN THE SCOTTSBLUFF STAR-HERALD. THE HEADLINE IS: NEBRASKA, MAINE, M-A-I-N-E, HAVE IT RIGHT ON ELECTORAL VOTING. AND THIS WAS REPRINTED IN THE OMAHA WORLD-HERALD ON MARCH 6. AND IT SAYS IN PERTINENT PART: HAVE YOU SEEN ALL THE NEWS ABOUT THE NEXT PRESIDENTIAL ELECTION? YOU WOULD THINK FROM WATCHING THE NATIONAL MEDIA THAT THE ELECTION IS NEXT WEEK. YET, WE STILL HAVE VERY FEW CANDIDATES WHO HAVE OFFICIALLY STATED THEIR INTENT TO ENTER THE RACE. ALL THIS GOT ME THINKING ABOUT THE WAY WE ELECT A PRESIDENT. WE DON'T SIMPLY COUNT THE VOTES ON THE NIGHT OF THE ELECTION AND THE PRESIDENTIAL CANDIDATE WITH THE MOST VOTES WINS. WE DO THAT FOR EVERY OTHER ELECTED OFFICIAL, SO WHY NOT THE PRESIDENT? UNFORTUNATELY, WE STILL HAVE THE ELECTORAL COLLEGE WHICH SAYS THE STATES ACTUALLY GET TO DECIDE WHO THE NEXT PRESIDENT WILL BE. WE'RE GOING TO HAVE TO GET MORE LIGHT IN HERE OR I'M GOING TO HAVE TO GET BETTER GLASSES. EACH STATE GETS ONE ELECTORAL COLLEGE VOTE FOR EACH U.S. SENATOR AND EACH CONGRESSIONAL REPRESENTATIVE IT HAS IN WASHINGTON. IN NEBRASKA, THAT NUMBER IS FIVE. THEN HE MENTIONS HOW THOSE VOTES ARE COUNTED AND HOW MANY DAYS AFTER THE ACTUAL ELECTION. THEN HE CONTINUES: NOW, I SEE WHERE STATE SENATOR BEAU McCOY OF OMAHA WANTS TO CHANGE THE RULE. CURRENTLY, NEBRASKA CAN SPLIT OUR FIVE ELECTORAL VOTES BASED ON WHICH CANDIDATE WON IN THE DIFFERENT FEDERAL CONGRESSIONAL DISTRICTS. SOUNDS FAIR ENOUGH TO ME. BUT ONLY TWO STATES DO IT THAT WAY, NEBRASKA AND MAINE. THE OTHER 48 VOTE WINNER-TAKE-ALL. THAT MEANS IF A STATE VOTED 51 PERCENT FOR ONE CANDIDATE AND 49 PERCENT FOR THE OTHER, THE STATE WOULD HAVE TO CAST ALL OF ITS VOTES FOR THE 51 "PERCENTER." DOESN'T SEEM RIGHT TO ME. IN FACT, I THINK ONLY TWO STATES, NEBRASKA AND MAINE, HAVE IT RIGHT. McCOY INTRODUCED LB10, WHICH WOULD MAKE NEBRASKA A WINNER-TAKE-ALL STATE. HIS ARGUMENTS ARE WEAK. I SAID THAT TOO STRONGLY. HIS ARGUMENTS ARE WEAK. HE SAID, QUOTE, WOULDN'T IT BE NICE TO HAVE PRESIDENTIAL CANDIDATES CAMPAIGN IN NORTH PLATTE, CAMPAIGN IN SCOTTSBLUFF, NOT JUST IN OMAHA? UNQUOTE. WELL, OF COURSE, IT WOULD. BUT McCOY'S VOTE...McCOY'S BILL WOULD REDUCE THOSE ALREADY SLIM CHANCES. WHY? BECAUSE WE ALL KNOW NEBRASKA IS A HEAVILY REPUBLICAN STATE. THE PROSPECTS OF THAT CHANGING ANYTIME SOON ARE EQUALLY SLIM. SO, McCOY IS JUST TRYING TO PAD THE ALREADY TAINTED HAND OF PARTISAN POLITICS BY GUARANTEEING THAT HIS...EXCUSE ME, THAT ALL NEBRASKA PRESIDENTIAL VOTES WILL GO TO THE REPUBLICAN CONTENDER. SAY YOU DON'T WANT TO VOTE REPUBLICAN

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NEXT TIME THERE'S A PRESIDENTIAL ELECTION. SAY YOU WANTED TO VOTE DEMOCRAT OR EVEN INDEPENDENT, McCOY'S BILL WOULD MOST LIKELY COMPLETELY DISENFRANCHISE YOUR PRESIDENTIAL VOTE. CHANCES ARE, NEBRASKA WILL VOTE REPUBLICAN AND McCOY'S BILL WOULD GIVE ALL FIVE NEBRASKA VOTES TO THAT CANDIDATE, EVEN THOUGH THE DEMOCRAT OR THE INDEPENDENT MAY HAVE FINISHED IN A CLOSE SECOND. CURRENT STATE LAW ALLOWS NEBRASKA TO SPLIT ITS ELECTORAL VOTES IN A MORE PROPORTIONAL WAY, REFLECTING THE WAY WE VOTED. McCOY'S LB10 WOULD TOSS ALL THOSE OTHER VOTES AWAY AND GIVE ALL FIVE OF OUR VOTES TO A WINNER-TAKE-ALL, MOST LIKELY THE REPUBLICAN, HIS PARTY. [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

SENATOR CHAMBERS: THANK YOU. HEY, I DON'T LIKE THE ELECTORAL COLLEGE WAY OF DOING PRESIDENTIAL ELECTIONS. THE ONLY REASON IT WAS IN THE CONSTITUTION WAS THAT OUR FOUNDERS WHO THOUGHT THEY HAD A GREAT IDEA IN FORMING THE DEMOCRACY WERE NOT COMPLETELY SURE AND DID NOT TRUST DEMOCRACY AS MUCH AS WE THINK THEY DID. SO, BEING STUCK WITH THE ELECTORAL COLLEGE THING, THE LAST THING WE WANT TO DO IS PULL IT FURTHER AWAY FROM A PURE DEMOCRATIC VOTE, WHICH IS WHAT McCOY'S BILL WOULD DO. WE HAVE FAR TOO MUCH PARTISANSHIP ANYWAY. LB10 WOULD MAKE IT WORSE. NEBRASKA AND MAINE HAVE IT RIGHT. THE OTHER 48 STATES HAVE IT WRONG. AMEN. I ADDED THAT, AD LIBBING. THANK YOU, MADAM PRESIDENT. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE. [LB10]

SENATOR CHAMBERS: THANK YOU, MADAM PRESIDENT. MEMBERS OF THE LEGISLATURE, I HAVE WHAT'S CALLED A RHYMING BONE. THIS IS AN AFFLICTION THAT NOT EVERYBODY HAS AND NOT EVERYBODY WHO HAS IT HAS IT TO THE EXTENT AND DEGREE THAT I DO. BUT WHEN I SEE SOMETHING THAT CATCHES MY FANCY AND THAT RHYMING BONE ACTS UP, I CAN'T SAY WHETHER IT'S A TICKLE OR AN ITCH. BUT IT'S A TINGLING SENSATION WHICH IS UNPLEASANT AND UNCOMFORTABLE UNLESS IT'S GIVEN IN TO. AND HERE'S THE RHYME INSPIRED BY THE EDITORIAL THAT I JUST READ. THE TITLE WOULD BE-- BUT NOT FOR ME. OMAHA SENATOR BEAU McCOY BRINGS HIS REPUBLICAN PARTY GREAT JOY. ALL COMPETITION HIS BILL WILL QUENCH, MAKING HIS PARTY'S VICTORY A CINCH. SELF-ANOINTED SPOKESMAN FOR RURALS, PLOWING

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PARTISAN CROOKED FURROWS, PARTISAN RANTS COMPRISING LOTS OF GUFF, SPECIFICALLY INVOKE THE CITY OF SCOTTSBLUFF. HOWEVER, A SCOTTSBLUFF RESIDENT SPOKE, BRANDING BEAU'S RANTS A VIRTUAL JOKE. QUOTE, FOR ME, THE SENATOR DOES NOT SPEAK, HIS PATHETIC PARTISAN ARGUMENTS ARE WEAK. EXTREMIST PARTISANSHIP IS A CURSE. THE SENATORS LB10 MAKES IT WORSE. AND I HAVE MORE I'M GOING TO SAY, BUT ON THIS FIVE MINUTES AROUND, I'M GOING TO TALK ABOUT A BRIEF ITEM THAT CAN BE CALLED A MINI, M-I-N-I, EDITORIAL THAT THE WORLD-HERALD PRINTED AND IT WAS PUBLISHED LAST YEAR, OCTOBER 9, 2014, AND IT WAS DURING THE TIME THAT THERE WERE DEMONSTRATIONS IN A CERTAIN CITY CONTROLLED, BASED ON WHAT THE WORLD-HERALD POINTED OUT, BY THE CHINESE COMMUNIST PARTY, THE PARTY ON THE MAINLAND. AND THESE PEOPLE WERE NOT DENIED THE RIGHT TO VOTE, IT'S JUST THAT THEY COULD ONLY VOTE FOR THE CANDIDATES THAT THE PARTY HAD MADE AVAILABLE FOR VOTING. AND THAT'S THE WAY IT IS IN AMERICA, DEMOCRAT OR REPUBLICAN. BUT AT ANY RATE, THIS WAS THE LITTLE CAPTION THAT I WROTE UNDER IT--REPUBLICANS AND CHINESE COMMUNISTS HAVE A SIMILAR NOTION OF, QUOTE, FREE ELECTIONS, UNQUOTE. AND THIS IS WHAT IT SAYS IN THAT FURTHERMORE OMAHA WORLD-HERALD COLUMN--THE MINI EDITORIAL. THE THOUSANDS OF PRO-DEMOCRACY PROTESTERS, WHO HAVE Poured INTO HONG KONG'S STREETS, ARE DEMONSTRATING ADMIRABLE COURAGE AS THEY SPEAK OUT AGAINST THE CHINESE GOVERNMENT'S REFUSAL TO ALLOW FREE ELECTIONS IN THAT CITY. TO ADD TO THE INSULT TO HONG KONG, CHINA'S GOVERNMENT HAS DIRECTED THE COUNTRY'S NEWS MEDIA NOT TO REPORT ON THE PROTEST. IT'S A WIRED--W-I-R-E-D--IT'S A WIRED WORLD THOUGH AND WORD IS REACHING THE MAINLAND VIA SOCIAL MEDIA. WHAT AN ABYSMAL MESSAGE TO CHINA'S COMMUNIST GOVERNMENT...WHAT AN ABYSMAL MESSAGE CHINA'S COMMUNIST GOVERNMENT IS SENDING THE WORLD BY STRANGLING THE PEOPLE'S RIGHT TO FREELY-ELECTED LOCAL GOVERNMENT IN THAT WORLD-CLASS CITY. WHAT SENATOR McCOY AND HIS REPUBLICAN COHORTS WOULD DO IS STRANGLE THE RIGHT OF PEOPLE IN THIS STATE TO HAVE THEIR VOTE FOR AN ELECTORAL COLLEGE REPRESENTATIVE ACTUALLY COUNTED. THIS BILL WOULD EFFECTIVELY STRANGLE THAT. NO VOTES CAST BY ANYBODY, NOT A REPUBLICAN, WOULD HAVE ANY VALUE WHATSOEVER IN THE OSTENSIBLE ELECTION FOR PRESIDENT. THE STATES ARE THE ONES WHO DETERMINE THE WINNER. THERE HAVE BEEN INSTANCES WHEN THE... [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

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SENATOR CHAMBERS: ...INDIVIDUAL WHO WON THE POPULAR VOTE DID NOT GET THE MAJORITY OF ELECTORAL VOTES SO THE POPULAR VOTE WAS TRUMPED AND THE ONE WHO GOT FEWER ELECTORAL VOTES...FEWER POPULAR VOTES BECAME PRESIDENT. THAT NULLIFIED ALL OF THE VOTES CAST FOR THE OTHER PERSON. AND IN NEBRASKA, THAT'S WHAT SENATOR McCOY AND THE REPUBLICANS WANT. THEY FIRST WANTED TO MAKE IT AS DIFFICULT AS POSSIBLE FOR PEOPLE TO VOTE. NOW THEY WANT TO MAKE IT SO THAT THOSE WHO VOTE ARE VOTING FOR NOBODY. THANK YOU, MADAM PRESIDENT. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR CHAMBERS. THE CHAIR RECOGNIZES SENATOR EBKE. [LB10]

SENATOR EBKE: THANK YOU, MADAM PRESIDENT. AND THANK YOU TO SENATOR CHAMBERS FOR ADOPTING LR73 AS AM528. YOU KNOW, OVER THE COURSE OF THE LAST WEEK OR SO, SINCE WE LAST TALKED ABOUT THIS, I HAVE RECEIVED LITERALLY DOZENS OF E-MAILS FROM PEOPLE ABOUT THIS PARTICULAR ISSUE. WE HAVE, TO THE EXTENT THAT WE WERE ABLE, CHECKED THEIR PARTY REGISTRATION AND THEY HAVE BEEN SPLIT ALMOST HALF AND HALF BETWEEN REPUBLICANS AND DEMOCRATS. AND OF THOSE, ABOUT 10 OF THEM HAVE BEEN FROM MY DISTRICT, AGAIN SPLIT ABOUT HALF AND HALF. AND OUT OF ALL OF THOSE DOZENS OF E-MAILS THAT I'VE RECEIVED, I'VE RECEIVED EXACTLY TWO WHO BELIEVE THAT WE SHOULD GO BACK TO THE WINNER-TAKE-ALL SYSTEM. AND THOSE TWO PEOPLE WHO HAVE E-MAILED ME ON THIS ISSUE ARE PEOPLE WHO I KNOW TO BE PARTY ACTIVISTS, EITHER AS COUNTY CHAIRS OR WHATEVER. THE REALITY, I THINK, IS THAT MOST PEOPLE IN THE STATE REALLY DON'T CARE ABOUT THIS ISSUE. THEY DON'T CARE WHAT WE'RE DOING. THEY DON'T REALLY THINK THAT THIS IS AN ISSUE OF MONUMENTAL IMPORTANCE. THEY WANT TO KNOW, QUITE FRANKLY, WHY WE AREN'T DEALING WITH TAXES AND SPENDING AND OTHER ISSUES THAT ARE FAR MORE IMPORTANT. MOST OF THE PEOPLE WHO HAVE RESPONDED TO ME SAID, YEAH, THE WAY WE'RE DOING IT IS JUST FINE, LET'S JUST LEAVE IT AND MOVE ON. SO I AM EVERMORE CONVINCED, BASED ON THE E-MAILS THAT I'VE RECEIVED, THAT THERE REALLY IS NO REASON FOR US TO GO BACK TO WINNER-TAKE-ALL. AND YES, I GET ALL OF THE PARTISAN REASONS AND ON BOTH SIDES OF THE AISLE FOR THE ARGUMENT. BUT WHAT WE'RE DOING, I THINK, IS PROBABLY THE CORRECT DIRECTION AND IN THE WAY THAT WE'RE ALREADY DOING IT. AND I THANK SENATOR CHAMBERS FOR BRINGING THIS AMENDMENT. AND I WOULD YIELD THE REMAINDER OF MY TIME TO HIM IF HE WOULD LIKE TO USE IT. [LB10]

SENATOR SULLIVAN: SENATOR CHAMBERS, YOU HAVE 2:58. [LB10]

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SENATOR CHAMBERS: THANK YOU, MADAM PRESIDENT; THANK YOU, SENATOR EBKE. AND I WILL WILLINGLY ACCEPT TIME FROM ANYBODY ELSE WHO WOULD LIKE TO GIVE IT TO ME. IT'S CLEAR THAT THIS IS NOT A DISCUSSION OF THE KIND THAT WILL GENERATE A GREAT AMOUNT OF LIGHT. UNTIL, THAT IS, SENATOR EBKE HELD FORTH THE OTHER DAY BY GIVING A HISTORICAL RECAP ABOUT THIS WHOLE MATTER OF THE ELECTORAL COLLEGE, THE VOTING DONE BY THE ELECTORS, THE SPLITTING OF THESE VOTES, AND IT SHOWS WHAT HAS HAPPENED. NOW, THERE IS A STORY THAT JESUS TOLD, HIS STORIES WERE CALLED PARABLES, OTHER PEOPLE'S STORIES ARE CALLED FISHTAILS OR EXAGGERATIONS. SINCE I ONLY HAVE TWO MINUTES ON MY TIME THAT I'M USING THAT WAS GIVEN ME BY SENATOR EBKE, I WON'T GO INTO THAT. BUT THE NEXT TIME I SPEAK, I'M GOING TO USE A PARABLE THAT JESUS GAVE TO SHOW THAT IF YOU DO THIS, IT'S LIKE A DOG RETURNING TO ITS VOMIT. AND I'M GOING TO TELL THAT PARABLE. THE OLD WAY OF THE WINNER-TAKE-ALL WAS WRONG. A MORE RIGHTEOUS, SIGNIFICANT METHODOLOGY CAME INTO PLAY IN 1991. AND THAT JUST BY COINCIDENCE HERALDED THE FIRST SIGHTING IN THIS STATE OF THE RETURN OF THE MOUNTAIN LION. SO MAYBE ALL THE STARS ARE GOING TO LINE UP ON THIS ATROCIOUS THING THAT WE'RE TALKING ABOUT AND IT WILL BE GIVEN THE KIND OF DISPATCH THAT IT MERITS OR WARRANTS. IT HAS NO MERIT WHATSOEVER. [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

SENATOR CHAMBERS: AND I DON'T THINK THAT THERE SHOULD BE OR WILL BE 33 VOTES TO KEEP THIS GOING. I'M TEMPTED TO START MY STORY, BUT I WILL FIGHT THE TEMPTATION EVEN THOUGH OSCAR WILDE SAID--THE BEST WAY TO OVERCOME TEMPTATION AND DESTROY IT IS TO YIELD TO IT. AND IT DEPENDS ON WHAT IS INSPIRING THE TEMPTATION AS TO WHETHER I FOLLOW THAT ADVICE. BUT SINCE I'LL HAVE THE OPPORTUNITY TO TELL THE PARABLE, IN MY OWN WAY WITHOUT INTERRUPTION NEXT TIME I'M RECOGNIZED, I WILL SAY THANK YOU, MADAM PRESIDENT, AND STOP FOR NOW. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR CHAMBERS. AND YOU ARE NEXT IN THE QUEUE AND THIS WILL BE YOUR THIRD TIME BEFORE CLOSING. [LB10]

SENATOR CHAMBERS: THANK YOU. BEFORE CLOSING OR BEFORE I'M SPARED? BUT ANYWAY, JESUS WAS ALWAYS TRYING TO CAUSE PEOPLE TO UNDERSTAND WHAT HE WAS TRYING TO GET ACROSS. AND SOMETIMES PEOPLE WHO WANT TO DEAL WITH TRUTHS WILL USE STORIES THAT OBVIOUSLY ARE FALSE, MEANING

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THEY COULD NOT HAPPEN IN THE WAY THAT THEY'RE GIVEN. BUT HE WAS TRYING TO EXPLAIN THAT IF A PERSON COMES TO THE LIGHT AND THEN BACKSLIDES HOW BAD IT IS. HE SAID THERE WAS A SITUATION WHERE THIS DEVIL WAS INSIDE OF A PERSON. AND THAT DEVIL WAS CAST OUT AND THEN WHEN THE DEVIL CAME BACK, HE SAW THE HOUSE CLEANED, HE SAW IT SWEEPED OUT. AND HE WENT BACK AND TOOK UP RESIDENCY THERE AGAIN. AND JESUS SAID, THE STATE OF THAT MAN WAS WORSE THAN AT THE FIRST. AND IT WAS AS A DOG RETURNING TO ITS VOMIT. WHAT WAS BEING DONE BEFORE 1991 WAS NOT RIGHT; WRONGS LONG ENGAGED IN TAKE ON A CERTAIN SANCTIFICATION. BUT IT'S A MISTAKE TO CONVERT LONG-HELD ERRORS OF YESTERYEAR INTO TODAY'S ORTHODOXY. PEOPLE OUGHT TO GROW IN KNOWLEDGE, UNDERSTANDING, AND ULTIMATELY WISDOM. THE WISE THING TO DO, IF THIS COUNTRY IS GOING TO PREACH TO EVERYBODY IN THE WORLD ABOUT DEMOCRACY AND HOW ROTTEN A GOVERNMENT IS WHEN IT IMPINGES ON THE RIGHT OF THE PEOPLE TO BE ENGAGED IN FREE ELECTIONS, TO INFRINGE THE RIGHT OF PEOPLE TO VOTE IN A MEANINGFUL ELECTION. IF AMERICA IS GOING TO PREACH THAT MESSAGE AROUND THE WORLD, LET IT CLEAN UP ITS OWN HOME FIRST. THAT SAME JESUS SAID--PHYSICIAN, HEAL THYSELF. AND RALPH WALDO EMERSON SAID THAT CHARITY ABROAD IS OFTEN TYRANNY AT HOME. SO THESE PEOPLE, ESPECIALLY REPUBLICANS, CAN RUN AROUND THE WORLD, DOWNING EVERYBODY ELSE, SAYING AMERICA IS GOD'S COUNTRY, AMERICA IS DIFFERENT AND BETTER AND EXCEPTIONAL, YET EXCEPTIONALLY WICKED BECAUSE IT TURNS THE VERY THINGS IT SET UP AS ITS PRINCIPLES ON THEIR HEAD AND WILL DO THE OPPOSITE. THERE SHOULD BE NOBODY, IF THEY BELIEVE IN THIS NOTION OF DEMOCRACY, WHO WOULD WANT TO SET UP A SYSTEM WHERE YOU SYSTEMATICALLY DENY THE CONSEQUENCE OR SIGNIFICANCE OF THE VOTES OF A SUBSTANTIAL NUMBER OF THE POPULACE. THEY SAY IN A DEMOCRACY THE MAJORITY RULES, THE MAJORITY TYRANNIZES. AND BECAUSE THE MAJORITY TYRANNIZES, A CONSTITUTION AND LAWS WERE PUT IN PLACE. AND IT'S CONSTANTLY SAID TO THE POINT WHERE IT'S A CLICHE--LAWS ARE FOR THE PURPOSE OF HOLDING BACK THE TYRANNY OF THE MAJORITY. WHEN YOU'RE A MEMBER OF THE MOB, YOU GET CAUGHT UP IN THAT MOBOCRATIC SPIRIT... [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...AND YOU FORGET THAT YOU ARE A HUMAN BEING WITH RESPONSIBILITY FOR YOUR ACTIONS AND YOUR DEEDS. BUT WHAT THE MOB DOES IS TO TAKE ON A COLLECTIVE, INSANE PERSONALITY. AND DOWN THROUGH THE YEARS, OVER 500 PEOPLE OF MY COMPLEXION WERE LYNCHED

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BY WHITE CHRISTIANS AND THEIR MOBS. THEY CARRIED THE CROSS OF JESUS AND THE CHURCH. THEY HAD MINISTERS AND THEY SAID PRAYERS. AND THEY BROUGHT THEIR LITTLE CHILDREN TO OBSERVE. SO I KNOW WHAT CAN HAPPEN WHEN PEOPLE PRETEND TO BE SO RIGHTEOUS. THERE'S A MAN NAMED LAFAYETTE AND HE'S LIONIZED. [LB10]

SENATOR SULLIVAN: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: THANK YOU, MADAM PRESIDENT. [LB10]

SENATOR SULLIVAN: THE CHAIR NOW RECOGNIZES SENATOR CRAWFORD. [LB10]

SENATOR CRAWFORD: GOOD MORNING, MADAM CHAIR, THANK YOU. AND GOOD MORNING, COLLEAGUES. WELCOME TO ANOTHER DAY IN THE GEORGE NORRIS CHAMBER WHICH I THINK IS VERY FITTING AS WE'RE DEBATING LB10 AND AM528. AND I STAND IN OPPOSITION TO LB10 AND IN SUPPORT OF AM528. AND I REALLY APPRECIATE THE HISTORY AND CONSTITUTIONAL LESSON THAT WE RECEIVED LAST TIME WE WERE ON THIS BILL FROM SENATOR EBKE. I THOUGHT THAT WAS VERY VALUABLE IN TERMS OF REALLY TALKING ABOUT WHAT HAPPENED IN THE EARLY ELECTIONS AND HOW THAT PROVISION OF THE ELECTORAL COLLEGE WAS CARRIED OUT, WHICH REALLY, I THINK, HELPS US TO UNDERSTAND WHAT THAT INTENT LOOKED LIKE AND WHY IT MAKES SENSE TO DIVIDE UP THE ELECTORAL VOTES AS WE DO HERE IN NEBRASKA AND AS MAINE DOES. AND AGAIN, WHAT OUR CURRENT STRUCTURE DOES IS IT RECOGNIZES OUR FEDERALIST SYSTEM. WE HAVE OUR TWO ELECTORAL VOTES THAT ARE ASSIGNED BY SENATE. AND EVERY STATE, NO MATTER HOW LARGE OR HOW SMALL, GETS THOSE TWO VOTES. AND THOSE TWO VOTES GO TO THE CANDIDATE WHO WINS THE MOST VOTES IN A STATE. THAT REPRESENTS THE STATE INTERESTS. AND THE OTHER ELECTORAL VOTES GO BASED ON CONGRESSIONAL DISTRICT, WHICH REPRESENTS THE DIVERSITY OF EACH STATE AND REPRESENTS THE POPULATION FOCUS. SO JUST AS OUR CONGRESS REPRESENTS BOTH POPULATION AND STATE INTERESTS, SO TOO, THE ELECTORAL COLLEGE, IF DONE THE WAY THAT NEBRASKA AND MAINE DO IT, IS ABLE TO REPRESENT BOTH STATE INTEREST AND POPULATION INTEREST. AND IT WAS VERY INTERESTING TO HEAR THE STORY OF HOW MOST STATES HAD ACTUALLY OPERATED IN THAT WAY RIGHT AFTER THE ESTABLISHMENT OF THE CONSTITUTION, THE ESTABLISHMENT OF THE ELECTORAL COLLEGE. AND IT WAS ONLY WHEN THE PARTIES GAINED MORE POWER THAT THEY WERE ABLE TO CHANGE THAT STRUCTURE IN OTHER STATES, INCLUDING NEBRASKA, UNTIL

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THEN WE CHANGED IT BACK TO A SYSTEM THAT WE HAVE NOW, WHICH IS MORE IN TUNE WITH THE FEDERALIST STRUCTURE AND THE ORIGINAL INTENT, REALLY, OF THE ELECTORAL COLLEGE VOTE SYSTEM. SO, I THINK IT'S IMPORTANT TO REMEMBER THAT, RECALL THAT, RECALL THAT ORIGINAL INTENT, AND THAT ALSO IS, AGAIN, AN IMPORTANT REBUTTAL OF THE POINT THAT WAS MADE BY SUPPORTERS OF LB10 THAT WE NEEDED TO MAKE SURE WE WERE PRESERVING THE STATE VOICE. OUR CURRENT SYSTEM DOES PRESERVE THAT STATE VOICE IN THOSE TWO SENATORIAL ELECTORAL VOTES. THOSE REPRESENT THE STATEWIDE VOICE AND THEN WE HAVE THE THREE CONGRESSIONAL DISTRICT ELECTORAL VOTES TO REPRESENT THE DIVERSITY OF THE STATE. AGAIN, WE'RE IN THE GEORGE NORRIS CHAMBER. AND NAMED AFTER SENATOR GEORGE NORRIS WHO IS ALWAYS WILLING TO ASK THE QUESTION--WHAT INSTITUTIONS ARE THE BEST FIT FOR NEBRASKA AND WILLING TO STAND UP TO PARTISAN INTERESTS, TO OTHER INTERESTS, LOBBYISTS INTERESTS, WHO WOULD PUSH IN THE OTHER DIRECTION AND SAY THAT'S NOT HOW POLITICS WORKS. BUT HE WAS VERY INTENT TO THINK ABOUT HOW INSTITUTIONS WORK AND WHAT THE CONSEQUENCES OF THOSE INSTITUTIONS ARE. AND IN OUR CURRENT SYSTEM OF DIVIDING THE ELECTORAL VOTES ALLOWS US TO HAVE THE POSSIBILITY THAT WE'RE MORE LIKELY TO HAVE THE PRESIDENTIAL CANDIDATES OF BOTH PARTIES PAY ATTENTION TO NEBRASKA. AND SO THAT'S A VERY IMPORTANT ASPECT OF OUR CURRENT SYSTEM IS THAT IT CREATES THAT INCENTIVE FOR BOTH PARTIES TO PAY ATTENTION. AND AGAIN... [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

SENATOR CRAWFORD: THANK YOU. THANK YOU, MADAM PRESIDENT. THIS IS GOOD FOR ALL PARTIES, ALL ELECTED OFFICIALS IN THE STATE, BECAUSE IT MEANS THAT THE NATIONAL PRESIDENTIAL CANDIDATES AND THE PEOPLE WHO FUND THOSE CANDIDATES, PEOPLE WHO PAY ATTENTION TO THOSE CANDIDATES THEN HAVE TO PAY SOME ATTENTION TO NEBRASKA. AND THAT'S GOOD FOR NEBRASKA. I CAN SEE NO STATE INTEREST IN PASSING LB10. IN MY MIND, IF YOU PASS LB10, WE'RE SIMPLY GETTING RID OF A POSSIBILITY TO HAVE A STAKE IN THOSE PRESIDENTIAL ELECTIONS, A POSSIBILITY THAT WE GET PRESIDENTIAL CANDIDATES, AND THE PEOPLE WHO CARE ABOUT THOSE CANDIDATES TO PAY ATTENTION TO NEBRASKANS OF BOTH PARTIES, TO PAY ATTENTION TO ELECTED OFFICIALS OF BOTH PARTIES, TO PAY ATTENTION TO INVESTMENTS IN OUR STATE. AND THAT IS VERY IMPORTANT THAT WE MAINTAIN THAT ABILITY. [LB10]

SENATOR SULLIVAN: TIME, SENATOR. [LB10]

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SENATOR CRAWFORD: THANK YOU. [LB10]

SENATOR SULLIVAN: THANK YOU, SENATOR CRAWFORD. THE CHAIR RECOGNIZES SENATOR HAAR. [LB10]

SENATOR HAAR: MADAM CHAIR, MEMBERS OF THE BODY, I WANT TO GET UP THIS TIME AND SPEAK ON THIS BECAUSE I'M, OF COURSE, OPPOSED TO LB10 AND I WOULD SUPPORT SENATOR CHAMBERS' AMENDMENT. THE BILL I PUSHED A NUMBER OF YEARS, AND I UNDERSTAND IT DIDN'T GET OUT OF COMMITTEE THIS YEAR, BUT IS NATIONAL POPULAR VOTE. AND, OF COURSE, THE WAY THE PRESIDENT OF THE UNITED STATES SHOULD BE ELECTED SHOULD BE BY A POPULAR VOTE. BUT THE ELECTORAL COLLEGE IS IN THE CONSTITUTION AND WOULD REQUIRE A GREAT DEAL OF EFFORT TO CHANGE. SO I WOULD LIKE TO KEEP TALKING ABOUT THIS IDEA OF A NATIONAL POPULAR VOTE WHICH WOULD BE THAT A MAJORITY OF THE STATES WITH A MAJORITY OF ELECTORAL COLLEGE VOTES WOULD AGREE THAT WHOEVER GETS THE MOST VOTES NATIONWIDE WOULD GET THEIR ELECTORAL VOTES. AND THAT WOULD WORK BECAUSE THE CONSTITUTION ALLOWS EVERY STATE TO ASSIGN THEIR ELECTORAL VOTES. SO IN THE CASE OF, FOR EXAMPLE, IF CALIFORNIA, THAT USUALLY GOES DEMOCRATIC WITH THEIR ELECTORS, IF NATIONALLY THE POPULAR VOTE WENT TO THE REPUBLICAN PRESIDENTIAL CANDIDATE, THEN CALIFORNIA'S ELECTORAL VOTES WOULD GO TO THAT AND SO ON AND SO FORTH. IF IN THE CASE OF THE LAST TIME, OF COURSE, WITH PRESIDENT OBAMA GETTING THE MOST NATIONAL VOTES, THEN THE STATES WHO HAD AGREED TO THE COMPACT, WHICH IS NATIONAL POPULAR VOTE, WOULD GIVE THEIR ELECTORAL VOTES TO THE WINNER OF THE NATIONAL POPULAR VOTE. SO THERE ARE A NUMBER OF GROUPS WHO HAVE WORKED ON THIS IN THE PAST TO DEVISE METHODS THAT ARE ABSOLUTELY CONSTITUTIONAL, LIKE THE POPULAR VOTE INITIATIVE, BUT DON'T REQUIRE A CHANGE IN THE CONSTITUTION. IT WOULD HAVE TO BE AN AGREEMENT AMONG THE STATES IN TERMS OF A COMPACT. AND THE ONE I'VE BEEN WORKING ON ALL THESE YEARS IS CALLED NATIONAL POPULAR VOTE PLAN AND IF YOU'D LIKE A COPY OF THIS BOOK I HAVE MORE COPIES. THERE'S 1,059 PAGES WITH LOTS AND LOTS OF EXAMPLES AND LOTS OF GOOD WRITING BY A LOT OF PEOPLE. SO I WOULD LIKE TO TELL YOU WHAT...THERE'S A PERSON BY THE NAME OF THOMAS PEARCE WHO SERVED AS A REPUBLICAN MICHIGAN STATE REPRESENTATIVE FROM 2005 TO 2010. AND DURING HIS TIME IN THE MICHIGAN HOUSE, HE WAS APPOINTED DEAN OF THE REPUBLICAN CAUCUS. HE HAS LED SEVERAL FAITH-BASED INITIATIVES IN LANSING. AND PRIOR TO SERVING IN THE HOUSE IN MICHIGAN, HE WAS THE EXECUTIVE DIRECTOR OF THE NORTH KENT SERVICE CENTER AND

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SERVED AS DIRECTOR OF DEVELOPMENT AT MEL TROTTER MINISTRIES. AND MR. PEARCE IS A STRONG SUPPORTER OF NATIONAL POPULAR VOTE AND AGAINST THIS IDEA OF WINNER-TAKE-ALL. SO IN THE FOREWORD TO THIS 1,100-PAGE BOOK, I WOULD LIKE TO READ HIS FOREWORD: IN 2008, THE STATE OF MICHIGAN HAD 17 ELECTORAL VOTES. AS A STATE WITH NEARLY TWICE THE POPULATION OF THE AVERAGE STATE, MANY TIMES THE SIZE OF NEBRASKA, NOT TO MENTION TWICE THE PROBLEMS, MICHIGAN SHOULD HAVE HAD A STRONG VOICE IN THE PRESIDENTIAL ELECTION--TALKING ABOUT 2008, THE ELECTION OF PRESIDENT OBAMA. [LB10]

SENATOR SULLIVAN: ONE MINUTE. [LB10]

SENATOR HAAR: THANK YOU. YOU WOULD HAVE...LET ME GET ON THE LIGHT AGAIN...YOU WOULD HAVE EXPECTED BOTH CANDIDATES TO FIGHT LONG AND HARD FOR OUR VOTE. NOT SO. IN FACT, JOHN McCAIN PULLED OUT OF MICHIGAN FOUR WEEKS BEFORE THE ELECTION, CEDING MICHIGAN'S ELECTORAL VOTES TO BARACK OBAMA. AS A REPUBLICAN--SPEAKING FOR MR. PEARCE--I WAS DISAPPOINTED, OF COURSE. BUT AS A CITIZEN OF THIS GREAT STATE, I WAS OUTRAGED. OF COURSE, MICHIGAN WAS THE VICTIM OF A POLICY THAT ACTUALLY REWARDS PRESIDENTIAL CANDIDATES FOR IGNORING THE MAJORITY OF STATES. THE WINNER-TAKE-ALL SYSTEM OF AWARDED ELECTORAL VOTES TREATS THE ELECTION RESULTS IN MORE THAN 30 STATES AS A FOREGONE CONCLUSION. THE RESULT: NO CAMPAIGN STOPS, NO CAMPAIGN DOLLARS, AND NO INCENTIVE TO REPRESENT THE NEEDS OF MICHIGAN VOTERS AT A NATIONAL LEVEL. [LB10]

SENATOR SULLIVAN: TIME, SENATOR. [LB10]

SENATOR HAAR: THANK YOU. [LB10]

SENATOR SULLIVAN: MR. CLERK, FOR AN AMENDMENT. [LB10]

CLERK: MADAM PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO AMEND HIS AMENDMENT WITH FA30. (LEGISLATIVE JOURNAL PAGE 864.) [LB10]

SENATOR SULLIVAN: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB10]

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SENATOR CHAMBERS: THANK YOU. MADAM PRESIDENT AND MEMBERS OF THE LEGISLATURE, SOME PEOPLE PAY ATTENTION TO PROCEDURE, BUT THEY DON'T UNDERSTAND THE IDEA BEHIND IT. SO I WANT TO DEMONSTRATE HOW WHEN YOU WANT TO ENGAGE IN EXTENDED DEBATE, YOU CAN DO IT BY AMENDING A PROPOSITION AND NOT SIMPLY MAKE MOTIONS TO RECONSIDER. SO ON LINE 23, THERE'S ONLY ONE PAGE TO THIS AMENDMENT, ON LINE 23, AFTER THE WORD "SAME" I WOULD INSERT THE WORD, "PROPORTIONAL." THE CURRENT LANGUAGE SAYS, "IN THE INTEREST OF FAIRNESS, ALL STATES SHOULD HAVE THE SAME METHOD FOR ALLOCATING PRESIDENTIAL ELECTORS AND THE PROPORTIONAL METHOD IS MOST DEMOCRATIC METHOD WHILE STILL MAINTAINING THE ELECTORAL COLLEGE." SINCE "PROPORTIONAL" IS USED IN THE SECOND LINE, "PROPORTIONAL" SHOULD BE USED IN THE FIRST LINE, SO WHENEVER YOU HAVE THE WORD "METHOD" AND YOU'RE TALKING ABOUT PROPORTIONAL METHOD, THE WORD "PROPORTIONAL" SHOULD BE THERE AS AN ADJECTIVE. SO THAT'S WHAT THE AMENDMENT IS. I WOULD LIKE TO ASK SENATOR HAAR A QUESTION IF HE WOULD YIELD? [LB10]

SENATOR SULLIVAN: SENATOR HAAR, WOULD YOU YIELD? [LB10]

SENATOR HAAR: YES. [LB10]

SENATOR CHAMBERS: SENATOR HAAR, FROM THAT...YOU SAID THAT BOOK HAS 1,059 PAGES. AM I RIGHT OR WRONG? DON'T LOOK, BECAUSE YOU'VE GOT THE BOOK. [LB10]

SENATOR HAAR: I THINK I SAID 1,098. [LB10]

SENATOR CHAMBERS: YOU SAID HOW MANY? [LB10]

SENATOR HAAR: IT'S ABOUT 1,100, I'M ROUNDING, 1,100 PAGES. [LB10]

SENATOR CHAMBERS: HOW MANY DOES IT ACTUALLY HAVE THEN? [LB10]

SENATOR HAAR: OKAY, NOT INCLUDING THE IIs AND THE IIXs AT THE BEGINNING... [LB10]

SENATOR CHAMBERS: RIGHT. [LB10]

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SENATOR HAAR: NO, YOU HAVE A BETTER MEMORY THAN I DO, SIR. [LB10]

SENATOR CHAMBERS: WELL, NO, I PAY ATTENTION TO LITTLE THINGS AND YOU DEAL WITH THE MACRO ISSUES. [LB10]

SENATOR HAAR: 1,059 ACTUAL PAGES, PLUS ALL THE IIs AND THE IXs. [LB10]

SENATOR CHAMBERS: HOW MANY DID I SAY? [LB10]

SENATOR HAAR: I THINK THAT'S WHAT YOU SAID. [LB10]

SENATOR CHAMBERS: FOR THE RECORD, WHAT DID I SAY? DID I SAY 1,059? AND YOU KNOW WHERE I GOT IT FROM? I GOT IT FROM YOU. THAT'S A METHOD THAT I USE. I LISTEN TO PEOPLE AND I GIVE BACK TO THEM WHAT THEY SAID. SOMETIMES THEY DON'T REALIZE THE VALUE OF WHAT IT WAS THEY SAID. AND BECAUSE SOMEBODY ELSE STATED IT, SOMEBODY WHOM THEY MIGHT ELEVATE ABOVE THEMSELVES, THEY GIVE CREDENCE TO IT AND FORGET THAT IT ORIGINATED WITH THEM. WHEN THERE ARE CHILDREN BEING TAUGHT IN SCHOOL, IN CHURCHES, IN HOMES, WHEREVER ADULTS ARE SUPPOSEDLY HELPING TO SHAPE THE MINDS AND OUTLOOKS OF CHILDREN, ONE OF THE FIRST THINGS THAT SHOULD BE INCULCATED IS SELF-RESPECT, SELF-BELIEF, SELF-CONFIDENCE. SO THAT IF YOU HEAR YOUR OPINION THAT YOU EXPRESSED COMING BACK TO YOU, ALL YOU DO IS SAY, QUIETLY OR SILENTLY, AMEN. NOT HAVE YOUR EYES GET BIG AND SAY, WOW, THAT'S AMAZING, I WISH I HAD SAID IT. THE FACT IS, YOU DID SAY IT. BUT YOU UNDERESTIMATE, UNDERVALUE SO MUCH ANYTHING THAT PERTAINS TO YOURSELF THAT THE ONLY THINGS THAT HAVE WORTH MUST COME FROM SOMEBODY ELSE. WHAT I HAVE DONE ON OCCASION, BECAUSE I KNOW PEOPLE IN AMERICA DON'T READ, I HAVE CONCOCTED STATEMENTS AND ATTRIBUTED SOME OF THEM TO SHAKESPEARE, SOME OTHERS TO EDGAR ALLAN POE, SOME TO THAT GUY SAID THAT REPORTS OF HIS DEATH WERE GREATLY EXAGGERATED. AND PEOPLE DON'T KNOW. BUT THEY TELL THE TRUTH WHEN THEY SAY I DIDN'T KNOW SO AND SO SAID THAT. WHAT WE'RE LOOKING AT WITH THIS BILL IS AN ATTEMPT TO CAUSE PEOPLE TO BRING INTO VOLUNTARY SUSPENSION THEIR OWN INTELLIGENCE, ALL THOSE THINGS THEY LEARNED IN CIVICS, ALL THE THINGS THAT THEY HEAR WHEN AMERICA IS SAID TO BE EXCEPTIONAL. WHEN THEY SEE THESE PEOPLE WHO DIFFER FROM THE MOBS WHO WENT AFTER FRANKENSTEIN, ONLY IN THAT THEY DON'T HAVE LIGHTED TORCHES, PITCHFORKS, AND MUSKETS, AND DOGS, BUT ALLEGORICALLY SPEAKING, THAT IS THE TYPE OF MOB THAT IS OPPOSED

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TO THE TRUTH BEING TOLD ABOUT AMERICA. AND WHEN YOU TELL THE TRUTH ABOUT THESE SLAVE HOLDERS, THE FIRST THING THOSE PEOPLE SAY IS STOP TALKING ABOUT THE NEGATIVES. THEY MEAN--DON'T TELL THE TRUTH. I SAW AN ARTICLE IN THE PAPER THE OTHER DAY. THERE WAS A JEWISH WOMAN AND UNDER HER PICTURE WERE THE WORDS, "SHE WILL NEVER STOP TALKING ABOUT THE HOLOCAUST." AND NOBODY CONDEMNS JEWS FOR NOT TALKING ABOUT THE HOLOCAUST. THAT HAPPENED IN GERMANY. YOU KNOW WHAT THEY CONDEMNED ME FOR? FOR TALKING ABOUT SLAVERY THAT HAPPENED IN THE UNITED STATES AND THE CARRYOVER TO THIS VERY DAY OF SLAVERY. JIM CROW LAWS, THE SO-CALLED BLACK CODES, THE KILLING OF OUR UNARMED PEOPLE, AND NOW THEY'RE KILLING UNARMED POOR WHITE PEOPLE AND FEMALES. AND IT'S NOT TO BE DISCUSSED. THE POLICE ARE NOT TO BE CRITICIZED. THE SYSTEM IS TO BE PRAISED. BUT WHILE YOU ALL IN YOUR MINDS MIGHT CONDEMN ME, I HAVE A CHANCE TO LISTEN TO ALL OVER THE COUNTRY, THEY'RE TALKING ABOUT DOWN WITH THE GOVERNMENT. WE DON'T LIKE THE GOVERNMENT. WE DON'T LIKE THIS, WE DON'T LIKE THAT. AND THE THINGS YOU DISLIKE ARE NOT NEARLY AS CONSEQUENTIAL AND MOMENTOUS AS THE THINGS THAT I DISCUSS, BUT I'LL CONTINUE DISCUSSING THEM. AND THIS BILL PLACES IT IN A GOOD CONTEXT BECAUSE IT SHOWS THAT IN THE SAME WAY THAT THEY HAVE NO RESPECT FOR PEOPLE OF MY COMPLEXION OR ANY RIGHTS THAT WE HAVE, BUT WHICH CHIEF JUSTICE ROGER B. TANEY STATED--A BLACK MAN HAS NO RIGHTS THAT ANY WHITE MAN IS BOUND TO RESPECT. AND THAT GOES BASICALLY FOR TODAY. THEY'RE NOW SPLASHING IT OVER ONTO WHITE PEOPLE. IF YOU'RE A WHITE DEMOCRAT, YOU HAVE NO RIGHTS THAT WHITE "REPELICANS" IN THE MAJORITY ARE BOUND TO RESPECT. BUT IT WOULD SEEM TO ME THAT IF YOU ARE GOING TO PREACH A MESSAGE TO THE OTHER WORLD, THE REST OF THE WORLD, THEN LET IT NOT BE HYPOCRITICAL. IN FACT, THERE WAS ONE COUNTRY WAS SUPPOSED TO BE TYRANNICAL AND THE HEAD OF THAT COUNTRY ACCEPTED WHAT AMERICA SAID. BUT THEY SAID, WE DON'T HAVE THE CONDEMNATION OF HYPOCRISY TO GO ALONG WITH IT. YOU TALK SOMETHING THAT YOU DON'T PRACTICE. AND LAFAYETTE, HE WAS AT THE LAST BATTLE OF THE AMERICAN REVOLUTION. PROBABLY PEOPLE WOULD ACCEPT THAT, BUT IT WAS REALLY THE WAR OF 1812. AND THE LAST BATTLE WAS FOUGHT IN 1814 IN NEW ORLEANS. AND THE HEAD OF THAT WAS ANDREW JACKSON, A SLAVE HOLDER. BUT HE DIDN'T MIND HAVING SLAVES FIGHTING FOR THIS SLAVE-HOLDING COUNTRY. AND HE HAD TOLD THEM THAT ONCE THE WAR WAS OVER, THEY WOULD GET THEIR FREEDOM. BUT THAT WAS THE LIE THAT WAS TOLD, BECAUSE HE CONTINUED TO HOLD SLAVES AFTER THAT. HE HAD PIRATES, HE HAD NATIVE AMERICANS. LAFAYETTE HAD INDICATED WHEN HE SAW AMERICA FALL INTO SUCH GRINDING SLAVERY THAT HAD HE KNOWN THAT

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AMERICA, WITH ALL ITS PROTESTATIONS ABOUT FREEDOM, JUSTICE, AND DEMOCRACY, WOULD BE THE WORST SLAVE-HOLDING COUNTRY IN THE WORLD, HE NEVER WOULD HAVE DRAWN HIS SWORD IN HER CAUSE. THAT IS THE TRUTH OF THIS COUNTRY. AND YOU SEE THAT ATTITUDE CARRIED OVER IN LEGISLATION SUCH AS THIS BECAUSE THEY HAVE BIGGER FISH TO FRY NOW. AND YOU ARE THE BIGGER FISH IF YOU'RE A WHITE DEMOCRAT. [LB10]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: THEY WANT THESE "REPELICANS" TO TAKE AWAY ANY DISSENTING VOICE, ANY POLITICAL COMPETITION. THEY DO NOT WANT THAT FIGHT AS IS STATED FOR ACCEPTANCE IN THE MARKETPLACE OF IDEAS. THEY DO WANT TO SHUT PEOPLE OFF. THEY WANT TO SHUT PEOPLE DOWN. THAT'S WHAT THIS BILL IS DESIGNED TO DO. AND IT'S WHAT I DON'T WANT TO SEE DONE. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: MR. CLERK.

CLERK: MR. PRESIDENT, THE HEALTH COMMITTEE...HEALTH AND HUMAN SERVICES WILL MEET AT 11:00 IN ROOM 2022; HEALTH COMMITTEE AT 11:00, 2022.

SPEAKER HADLEY: WHILE THE LEGISLATURE IS IN SESSION CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR106, LR107, AND LR108. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LR106 LR107 LR108]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I HOPE EVERYONE HAD A CHANCE TO SEE THE ARTICLE THAT WAS PLACED ON YOUR DESK THIS MORNING: "NEBRASKA, MAINE HAVE IT RIGHT ON ELECTORAL VOTING." WHEN THAT WAS IN THE PAPER JUST A SHORT TIME AGO, I THOUGHT IT WAS RIGHT ON TARGET AND I STAND OPPOSED TO LB10 AND IN SUPPORT OF THE AMENDMENTS THAT WE SEE BEFORE US. AND WITH THAT IN MIND, I WOULD LIKE TO YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. THANK YOU VERY MUCH. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 4:30. [LB10]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR KOLOWSKI. MEMBERS OF THE LEGISLATURE, AS I STATED, I TOOK FOR MY MAJOR, HISTORY. AND WHEN I WAS GOING TO SCHOOL AT CREIGHTON, IF YOU LOOKED AT THE COURSES I TOOK, IT WOULD HAVE BEEN MORE LIKE A POTPOURRI, SOME OF EVERYTHING. HISTORY WAS THE ONLY SUBJECT IN WHICH I HAD ENOUGH COURSES TO HAVE A DECLARED A MAJOR. I TOOK EVERY CLASS IN SPANISH THAT WAS OFFERED AT CREIGHTON. THE PROFESSOR WOULD EVEN COME IN AND HAVE ME GIVE GRAMMAR LESSONS ON THE BOARD. BUT THEY HAD NO LABS WHERE YOU SPOKE THE LANGUAGE. SO I COULD READ IT, I COULD WRITE IT, BUT MY EAR COULD NOT RECOGNIZE IT, UNLESS IT WAS SPOKEN VERY, VERY SLOWLY. SO THAT BECAME MY MINOR. AND AT CREIGHTON, WHEN I WAS AT TECH HIGH SCHOOL AND A GUY CAME TO TRY TO RECRUIT PEOPLE TO GO TO CREIGHTON, HE EMPHASIZED THAT IT'S A CATHOLIC SCHOOL, BUT THERE IS NO PROSELYTIZING. AND EVEN THOUGH I WAS IN HIGH SCHOOL, I KNEW WHAT THAT WAS BECAUSE I WENT TO A HOLINESS CHURCH. IT WAS CALLED...IT WOULD BE CALLED TODAY A FUNDAMENTALIST CHURCH AND WE KNEW WHAT PROSELYTIZING WAS. AND THE JEHOVAH'S WITNESSES DID IT ALL THE TIME, THEY'D COME KNOCKING ON YOUR DOOR AND GIVING YOU THE "WATCHTOWER." AND WE AS KIDS, WOULD WHEN THEY WOULD COME AND SAY HERE'S A "WATCHTOWER" WE WOULD TELL THEM--WATCH OUT, BECAUSE WE DIDN'T WANT IT. BUT AT ANY RATE, YOU TOOK WHAT THEY CALLED PHILOSOPHY COURSES. THEY WERE REALLY CATHOLIC DOGMA, CATHOLIC THEOLOGY. I KNEW THE NAMES OF ALL THE MAJOR--THEY CALLED THEM ANGELIC DOCTORS, LIKE THOMAS AQUINAS, CHERUBIC DOCTORS, SERAPHIC DOCTORS TO SHOW THE AWE AND THE HONOR THEY WERE SUPPOSED TO HAVE BESTOWED ON THEM. AND I WENT THROUGH ALL OF THAT. SO I HAD ENOUGH HOURS IN IT TO DECLARE AN UNRELATED MINOR. AND CREIGHTON WAS THE ONLY UNIVERSITY I WAS AWARE OF IN THIS AREA WHERE YOU HAD TO TAKE THOSE ORAL EXAMS AT THE END. THEY ASK YOU QUESTIONS ON YOUR MAJOR. WELL, I DIDN'T KNOW WHAT TO STUDY FOR. I DIDN'T HAVE CLASSMATES WHO TALKED TO ME ABOUT THINGS LIKE THAT. BUT IN THE PROCESS OF READING HISTORY, I WAS ABLE TO ANSWER ALL OF THE QUESTIONS THAT WERE PUT TO ME. AND SINCE I DID NOT ATTEND CLASSES, I THINK THE PROFESSORS WERE SURPRISED THAT I WOULD KNOW THE ANSWERS TO QUESTIONS. AND WHEN ONE OF THEM ASKED ME AFTERWARDS HOW I KNEW SO MUCH ABOUT THE SUBJECT, I SAID FIRST OF ALL, IT'S MY MAJOR OR YOU WOULDN'T BE GIVING ME THESE ORAL EXAMS. BUT SECONDLY, I CAN READ AND I UNDERSTAND WHAT I READ. NOW THAT'S AT CREIGHTON WHICH WAS SUPPOSED TO BE A VERY HIGH RANKING ACADEMIC SCHOOL AND I DIDN'T EVEN HAVE TO ATTEND CLASSES. I HAD SO MANY HOURS THAT I BEGAN TO CUT CLASSES AND DROP THEM. YET I

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GRADUATED IN FOUR YEARS. I THOUGHT YOU WERE SUPPOSED TO GRADUATE IN FOUR YEARS. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: I ALSO DIDN'T KNOW UNTIL I WAS OUT OF CREIGHTON THAT IF YOU CARRIED 18 TO 21 HOURS A SEMESTER, THAT WAS CONSIDERED A HEAVY LOAD. YOU GOT AN HOUR FOR EVERY HOUR YOU SPENT IN A CLASS. IF YOU HAD 15 HOURS, THAT MEANT YOU ONLY SPENT 3 HOURS A DAY IN CLASS, THAT WAS NOTHING. SO TO CARRY 18 TO 21 HOURS WAS NOTHING. BUT THEY THOUGHT IT WAS SOMETHING. AND THAT'S WHY PEOPLE WHO ARE NOT WHITE NEED TO BE AROUND WHITE PEOPLE SO WHEN WE'RE TOLD ABOUT HOW SUPERIOR THEY ARE AND HOW DIFFICULT EVERYTHING IS THAT THEY DO WHEN WE'RE KEPT OUT OF IT, THEN WE DON'T KNOW. AND WE TAKE THEIR WORD FOR IT, BECAUSE EVERYBODY WHO DOES ANYTHING IS WHITE. EVERYBODY IN CHARGE OF ANYTHING IS WHITE. EVERYBODY GIVING ORDERS IS WHITE. SO YOU ASSUME THAT THEY MUST KNOW WHAT THEY SAY THEY KNOW. BUT WHEN I WENT TO SCHOOL WITH THEM...AND THE SAME WITH THEIR LAW SCHOOL... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: (SENATOR) KEN HAAR, YOU'RE RECOGNIZED. [LB10]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, "BROTHER" CHAMBERS, SOMETIMES I JUST READ AND QUOTE BECAUSE I THINK PEOPLE CAN SAY THINGS BETTER THAN I CAN. AND, IN FACT, THIS VALENTINE'S DAY, IF YOU REMEMBER THE POETRY THAT YOU HANDED OUT, I TOOK IT HOME AND GAVE IT TO MY WIFE AND SAID, SENATOR CHAMBERS IS A BETTER POET THAN I AM. AND SHE APPRECIATED IT. SO ANYWAY, I'M GOING TO GO AHEAD AND KEEP READING BECAUSE I THINK THOMAS PEARCE REALLY SAYS IT WELL. HE'S TALKING ABOUT THE WINNER-TAKE-ALL SYSTEM IN MICHIGAN: THE RESULT--NO CAMPAIGN STOPS, NO CAMPAIGN DOLLARS, NO INCENTIVE TO REPRESENT THE NEEDS OF MICHIGAN VOTERS AT A NATIONAL LEVEL. THAT COULD BE SAID OF NEBRASKA IF NEBRASKA HAD WINNERS TAKE ALL. IF EVERY SINGLE VOTER IN MICHIGAN HAD CAST HIS OR HER VOTE FOR BARACK OBAMA, THE OUTCOME WOULD HAVE BEEN EXACTLY THE SAME. THE WINNER-TAKE-ALL SYSTEM OF AWARDING

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ELECTORAL VOTES EFFECTIVELY DISENFRANCHISES EVERY VOTER BEYOND THOSE NEEDED TO ESTABLISH A PLURALITY. IN 2008, THE PEOPLE OF MICHIGAN SPOKE AND NOBODY LISTENED. IT WAS ASSUMED WHERE THEIR VOTE WOULD GO. WHEN I THINK OF BLUE STATES OR RED STATES, MICHIGAN DOESN'T EXACTLY COME TO MIND. OUR PRESIDENTIAL VOTE TOTALS ARE TYPICALLY CLOSE. WE RECENTLY FLIPPED THE STATE HOUSE AND THE GOVERNOR'S OFFICE. AND THIS IS WRITTEN BACK IN 2008, I BELIEVE. MICHIGAN ISN'T A ONE-PARTY STATE LIKE UTAH OR MASSACHUSETTS. EVERY MODERATE STATE, LIKE MICHIGAN, ARE BEING CAST ASIDE AS THE LIST OF BATTLEGROUND STATES CONTINUES TO SHORTEN. THIS IS A HIGH SCHOOL CIVICS LESSON GONE WRONG. WE SEE THE IMPACT OF THIS POLITICAL CALCULUS AT A NATIONAL LEVEL. COMPARE THE RESPONSE TO HURRICANE KATRINA, IN LOUISIANA, A SAFE STATE, TO THE FEDERAL RESPONSE TO HURRICANES IN FLORIDA, A SWING STATE, UNDER PRESIDENTS OF BOTH PARTIES. PRESIDENT OBAMA ONLY BECAME ANGRY ABOUT THE BP OIL SPILL ONCE IT REACHED FLORIDA'S SHORES. THIS IS MR. PEARCE'S WORDS: THANKFULLY HURRICANES AND OIL SPILLS AREN'T A PROBLEM HERE IN MICHIGAN. WE HAVE AN EQUALLY URGENT DISASTER, HOWEVER, IN THE FORM OF UNEMPLOYMENT. OUR PEOPLE NEED JOBS AND DESERVE RESPECT FROM THE EXECUTIVE BRANCH IN ACCORDANCE WITH OUR POPULATION. THERE'S NO TIME TO BE TAKEN FOR GRANTED. FORTUNATELY, THE U.S. CONSTITUTION GIVES THE STATES THE MEANS TO REMEDY THE SHORTCOMINGS OF THE PRESENT SYSTEM AND RESTORE A VOICE TO VOTERS IN STATES LIKE MICHIGAN. THE WINNER-TAKE-ALL RULE, WHICH MAY HAVE ONCE MADE SENSE, CAN BE CONTINUED OR DISCONTINUED AT OUR OR ANY STATE'S DISCRETION. IT'S NOT INTENDED ANYWHERE IN THE CONSTITUTION, MUCH LESS MANDATED. THE NATIONAL POPULAR VOTE COMPACT LEVERAGES THE POWER ACCORDED TO THE STATES BY THE CONSTITUTION TO ENSURE THAT EVERY VOTE COUNTS EQUALLY. UNDER THIS SYSTEM, STATES AGREE TO AWARD THEIR ELECTORAL VOTES TO THE CANDIDATE WHO WINS THE MOST VOTES IN ALL 50 STATES. THIS WOULD GIVE MICHIGAN A VOICE COMMENSURATE WITH ITS POPULATION. WHEN STATES LIKE MICHIGAN ARE GETTING LOST IN OUR ELECTORAL SYSTEM, IT'S TIME FOR A CHANGE. THE NATIONAL POPULAR VOTE INITIATIVE IS LONG OVERDUE AND IT HAS MY FULL SUPPORT. THIS IS THOMAS PAINE (SIC-PEARCE) WHO SERVED IN THE MICHIGAN HOUSE OF REPRESENTATIVES. SO THEN I WANT TO GO TO WHAT THE CONSTITUTION SAYS AND DOES NOT SAY ABOUT PRESIDENTIAL ELECTIONS. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

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SENATOR HAAR: THANK YOU. WHAT'S THE METHOD FOR COUNTING THE VOTES CAST FOR PRESIDENTIAL ELECTORS? IN 1789, ONLY THREE STATES AWARDED THEIR ELECTORAL VOTES USING A METHOD THAT RESEMBLES A SYSTEM THAT'S NOW USED BY 48 STATE, NAMELY THE STATEWIDE WINNER-TAKE-ALL RULE. IN 1789, VIRGINIA ELECTED PRESIDENTIAL ELECTORS IN SPECIALLY-CREATED PRESIDENTIAL ELECTOR DISTRICTS, THEREBY CREATING THE POSSIBILITY THAT MINORITY SENTIMENT WITHIN THE STATE COULD WIN SOME OF THE STATE'S ELECTORAL VOTES. SKIPPING AHEAD: THE THREE STATES THAT USED THE WINNER-TAKE-ALL RULE IN THE NATION'S FIRST PRESIDENTIAL ELECTION IN 1789 HAD ABANDONED IT BY 1800. SO THE THREE STATES THAT USED WINNER-TAKE-ALL IN THE NATION'S FIRST PRESIDENTIAL ELECTION HAD ABANDONED IT BY 1800. HOWEVER, A COUNTER TREND... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR HAAR: THANK YOU. [LB10]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SENATOR HAAR QUOTED FROM ONE OF THE PEOPLE I LIKE TO READ, THAT WAS THOMAS PAINE. AND AS YOU KNOW HE WROTE COMMON SENSE, THE NAME OF IT, AND THAT WOULD BE VERY PERTINENT AND RELEVANT TO THIS VERY DAY. HE ALSO COINED A PHRASE THAT A LOT OF PEOPLE USE, THEY DON'T KNOW WHERE IT CAME FROM: THESE ARE THE TIMES THAT TRY MEN'S SOULS. AND HE WAS TALKING ABOUT...IT COULD HAVE BEEN LITERALLY S-O-L-E-S, LIKE ON THE BOTTOM OF YOUR SHOES, BECAUSE AT THE TIME HE MADE THAT DESPERATE COMMENT, GEORGE WASHINGTON AND THE ARMY WERE FLEEING ACROSS THE JERSEYS FROM THE BRITISH ARMY WHO WERE IN HOT PURSUIT. AND THE JOKE WAS COINED THAT BRITISH SOLDIERS DIDN'T KNOW WHAT GEORGE WASHINGTON'S FACE LOOKED LIKE UNTIL THEY SAW A QUARTER BECAUSE ALL THEY HAD SEEN WERE HIS COAT TAILS FLAPPING AND THE SOLES OF HIS SHOES AS THEY FLED. THERE ARE MANY THINGS THAT PEOPLE NEED TO BE TAUGHT ABOUT. THE PEOPLE WHO LIVED IN THE EARLY DAYS OF THIS COUNTRY, AND THE EARLY DAYS OF THE WORLD WERE HUMAN BEINGS. THEY WERE FLAWED; SOME WERE GOOD, SOME WERE BAD, SOME MORE GOOD THAN BAD, SOME MORE BAD THAN GOOD, BUT MOST, A MIXTURE OF THE TWO AND YOU COULDN'T TELL ONE FROM THE OTHER AS IF YOU HAD A LARGE

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BOX OF WRITHING SNAKES AND REACHED IN AND YOU CAUGHT ONE, YOU WOULDN'T KNOW IF YOU HAD IT BY THE HEAD OR THE TAIL UNTIL YOU LOOKED AT IT AND YOU HOPED YOU GOT IT BY A PART WHERE THE HEAD, IF IT WAS VENOMOUS, COULDN'T TURN AROUND AND BITE YOU. BUT, IF THE SNAKE DID THAT, IT WOULD BE ACTING IN ACCORD WITH ITS NATURE. WHEN HUMAN BEINGS ACT AGAINST THEIR OWN INTERESTS, THEY'RE ACTING CONTRARY TO THEIR NATURE BECAUSE THE NATURE OF THE HUMAN MIND, WE'RE TOLD, IS TO SEEK THE TRUTH, IS TO KNOW. AND UNLESS YOU ARE MISLED, LIED TO AND TRICKED, YOU CAN MAKE A FAIRLY GOOD APPROXIMATION OF THOSE MAJOR THINGS THAT WILL HELP YOU MAKE IT THROUGH THIS WORLD WITH AS LITTLE FRICTION AS POSSIBLE, EXCEPT THAT YOU'LL FIND SOME OF THOSE SHARPIES DRESSED IN RELIGIOUS CLOTHES MAKING RELIGIOUS PROFESSIONS WHO WILL SEE YOU AS BEING NAIVE, AN EASY MARK, THEY'LL SEE YOU AS A PIGEON OR A SUCKER AND THEY WILL TRICK YOU OUT OF WHAT YOU HAVE. THEY WILL SEE THAT YOU'RE A PERSON WHO KEEPS YOUR WORD SO THEY'LL TAKE ADVANTAGE OF THAT AND MAKE YOU THINK THAT THEY KEEP THEIR WORD THE SAME WAY YOU DO. AND THEN MAKE A PROMISE TO YOU, A PROMISE FOR A PROMISE, THAT CONSTITUTES A CONTRACT, IF THERE'S SOMETHING KNOWN AS CONSIDERATION GIVEN. AND A PROMISE FOR A PROMISE IS SUFFICIENT. BUT THEY KNEW THAT WHEN YOU MADE YOUR PROMISE, YOU PUT YOURSELF AT A DISADVANTAGE AND THEY TOOK ADVANTAGE OF YOU BECAUSE THEIR WATER WAS...THEIR WORD WAS AS STABLE AS WORDS WRITTEN IN WATER. WHEN THE REPUBLICANS TAKE CONTROL ALL OVER THIS COUNTRY, YOU SEE THINGS BECOMING MORE BITTER, THERE'S MORE ANGER, THERE'S MORE VULGARITY. THERE'S A TENDENCY TO SAY--IF PEOPLE ARE ILL, DON'T PROVIDE MEDICAL CARE; TEACH THEM NOT TO GET SICK. THAT'S WHAT THEY TALK, UNLESS SOMETHING HAPPENS TO THEM. BUT A LOT OF THOSE WHO TALK THAT WAY HAVE MEDICAL COVERAGE FROM THE MILITARY, FROM A JOB, OR THEY MAKE ENOUGH MONEY. AND THAT JESUS THAT THEY CLAIM TO WORSHIP IS KICKED ASIDE. THERE'S SOME PEOPLE WHO WOULD MAKE A BOBBLE-HEAD DOLL, LIKE A MEMBER OF OUR BODY DID WHEN HE WAS RUNNING FOR PRESIDENT (SIC), HE MADE A BOBBLE-HEAD DOLL OF THE PRESIDENT, SET IT ON A FENCE POST, AND KNOCKED IT OFF. YOU COULD HAVE PUT JESUS' HEAD ON THERE AND THAT WOULD BE THE CHRISTIANS KNOCKING HIM OFF. IN THE DAYS OF GREECE, THERE WERE STOICS, THERE WAS STOICISM. AND YOU COULD FIND STOICS, PRACTITIONERS OF STOICISM. YOU COULD FIND CYNICS; YOU COULD FIND ARISTOTELIANS. BUT WHEN IT COMES TO CHRISTIANITY, WHERE ARE THE CHRISTIANS? [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

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SENATOR CHAMBERS: MEANING THOSE PEOPLE WHO PRACTICE WHAT THEY PREACH. THANK YOU, MR. PRESIDENT. [LB10]

SPEAKER HADLEY: SENATOR HAAR, YOU'RE RECOGNIZED. [LB10]

SENATOR HAAR: MR. PRESIDENT AND MEMBERS OF THE BODY. AGAIN, I WANT TO GO BACK TO THE METHOD OF--FOR COUNTING VOTES CAST FOR PRESIDENTIAL ELECTORS IN THE BEGINNING OF THE UNITED STATES. AS I SAID, IN 1789, ONLY THREE STATES AWARDED THEIR ELECTORAL VOTES USING A METHOD THAT RESEMBLES TODAY'S WINNER-TAKE-ALL. AND THEN THE THREE STATES THAT USE THE WINNER-TAKE-ALL RULE HAD ABANDONED IT BY 1800. HOWEVER, A COUNTER TREND DEVELOPED IN FAVOR OF WINNER-TAKE-ALL RULE, AND I THINK THIS IS INSTRUCTIVE IN THE PRESENT SITUATION. AS EARLY AS THE NATION'S FIRST COMPETITIVE PRESIDENTIAL ELECTION, 1796, IT HAD BECOME CLEAR TO POLITICAL OBSERVERS THAT THE DISTRICT SYSTEM DIVIDED A STATE'S ELECTORAL VOTES AND THEREBY DIMINISHED THE INFLUENCE OF THE STATE'S DOMINANT POLITICAL PARTY. AS HISTORIAN, NOBLE CUNNINGHAM WROTE, QUOTE, THE PRESIDENTIAL ELECTION OF 1796 HAD BEEN EXTREMELY CLOSE. AND IN EXAMINING THE RESULTS OF THAT CONTEST, REPUBLICAN PARTY MANAGERS HAD BEEN STRUCK BY THE FACT THAT ADAMS' THREE-VOTE MARGIN OF VICTORY IN THE ELECTORAL COLLEGE COULD BE ATTRIBUTED TO ONE VOTE FROM PENNSYLVANIA, ONE FROM VIRGINIA, AND ONE FROM NORTH CAROLINA. IN EACH OF THESE STATES, THE REPUBLICANS HAD WON AN IMPRESSIVE VICTORY AMASSING IN THE THREE STATES A TOTAL OF 45 ELECTORAL VOTES. THE LOSS OF THREE VOTES IN THE STRONGLY JEFFERSONIAN STATES WAS DUE TO THE DISTRICT METHOD OF ELECTING PRESIDENTIAL ELECTORS. IN LOOKING FOR WAYS TO IMPROVE THEIR CHANCE FOR VICTORY IN THE NEXT PRESIDENTIAL ELECTION, REPUBLICAN MANAGERS THUS TURNED THEIR ATTENTION TO STATE ELECTION LAWS. IN 1798, VIRGINIA REPUBLICANS BECAME FURTHER ALARMED BY THE FACT THAT THE FEDERALISTS WON 8 OF VIRGINIA'S 19 CONGRESSIONAL RACES. ON JANUARY 12, 1800, THOMAS JEFFERSON, THE LOSING REPUBLICAN CANDIDATE FROM THE 1796 PRESIDENTIAL ELECTION WROTE JAMES MONROE, WHO WAS THEN A MEMBER OF THE LEGISLATURE IN JEFFERSON'S HOME STATE OF VIRGINIA, JEFFERSON WROTE, QUOTE, ON THE SUBJECT OF AN ELECTION BY A GENERAL TICKET, THE STATEWIDE WINNER-TAKE-ALL, IN OTHER WORDS, OR BY DISTRICTS MOST PERSONS HERE SEEM TO HAVE MADE UP THEIR MINDS. ALL AGREE THAT AN ELECTION BY DISTRICTS WOULD BE BEST IF IT COULD BE GENERAL. BUT WHILE TEN STATES CHOOSE EITHER BY THEIR LEGISLATURES OR BY A GENERAL TICKET, IT IS FOLLY WORSE THAN FOLLY FOR THE OTHER SIX NOT TO DO IT. THE

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RESULT IS DESCRIBED BY CUNNINGHAM WAS THAT, QUOTE, IN JANUARY, 1800, THE REPUBLICAN-CONTROLLED LEGISLATURE OF VIRGINIA PASSED AN ACT PROVIDING FOR THE ELECTION OF PRESIDENTIAL ELECTORS ON A GENERAL TICKET INSTEAD OF BY DISTRICTS AS IN PREVIOUS SELECTIONS. BY CHANGING THE ELECTION LAW, REPUBLICANS IN VIRGINIA, CONFIDENT OF CARRYING A MAJORITY OF THE POPULAR VOTE THROUGHOUT THE STATE, BUT FEARFUL OF LOSING ONE OR TWO DISTRICTS TO THE FEDERALISTS, ENSURE THE ENTIRE ELECTORAL VOTE OF THE UNION'S LARGEST STATE FOR THE REPUBLICAN CANDIDATE. THIS POLITICALLY-MOTIVATED CHANGE ENSURED JEFFERSON'S 100 PERCENT OF HIS HOME STATE'S ELECTORAL VOTES IN THE 1800 ELECTION. SO GOING BACK TO 1800, IT WAS THE PARTIES WHO SAW THE ADVANTAGE OF WINNER-TAKE-ALL. THIS POLITICALLY--OKAY, OF COURSE THE REPUBLICANS WERE NOT THE ONLY POLITICIANS WHO HAD A KEEN EYE FOR POLITICAL ADVANTAGE. IT'S NOT JUST THE REPUBLICANS, FOLKS. [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR HAAR: THE FEDERALISTS, UNEXPECTEDLY, LOST CONTROL OF THE NEW YORK LEGISLATURE IN APRIL, 1800. UNDER NEW YORK'S EXISTING LAW, THE LEGISLATURE EMPOWERED ITSELF TO APPOINT ALL OF THE STATE'S PRESIDENTIAL ELECTORS. THE LOSS OF CONTROL OF THE LEGISLATURE MEANT THAT THE FEDERALISTS WOULD LOSE ALL 12 OF NEW YORK'S ELECTORAL VOTES WHEN THE NEW LEGISLATURE WAS SCHEDULED TO MEET LATER IN THE YEAR TO CHOOSE THE STATE'S PRESIDENTIAL ELECTORS. AS JOHN FERLING WROTE IN ADAMS VS. JEFFERSON: THE TUMULTUOUS ELECTION OF 1800, QUOTE, JARRED BY THE SPECTER OF DEFEAT IN AUTUMN, FEDERALIST ALEXANDER HAMILTON IMPORTUNED GOVERNOR JOHN JAY TO CALL A SPECIAL SESSION OF THE FEDERALIST DOMINATED NEW YORK LEGISLATURE SO IT MIGHT ACT BEFORE THE NEWLY ELECTED ASSEMBLYMEN TOOK THEIR SEATS ON JULY 11. HAMILTON'S PLAN WAS FOR THE OUTGOING ASSEMBLY TO ENACT LEGISLATION PROVIDING FOR POPULAR ELECTION... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

SENATOR HAAR: ...IN DISTRICTS OF THE STATE'S PRESIDENTIAL ELECTORS. A PLOY VIRTUALLY GUARANTEED... [LB10]

SPEAKER HADLEY: TIME, SENATOR. [LB10]

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SENATOR HAAR: THANK YOU. [LB10]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THE REASON I AM GLAD THAT SENATOR HAAR IS READING IS BECAUSE EVERYTHING WE SAY IS RECORDED AND IT'S TRANSCRIBED. SO I HOPE SENATOR HAAR REALIZES THAT HIS WORDS ARE NOT LIMITED TO BEING HEARD ONLY BY THE PEOPLE WHO ARE IN THIS CHAMBER. THERE ARE PEOPLE WHO WILL BE INSTRUCTED BY THEM AND THEY WILL BE SURPRISED TO LEARN THAT THIS THOMAS JEFFERSON, WHO IS PRAISED TO THE HIGHEST, AND SOME THINK HE WAS SO HOLY THAT HE WENT TO HEAVEN WITHOUT DYING, THAT HE WAS TRANSFIGURED, IN OTHER WORDS, THAT HE WOULD DO SUCH A JOB OF UNDERHANDED POLITICAL SCHEMING TO UNDERMINE THE PRINCIPLE OF REPRESENTATIVE GOVERNMENT OF WHICH HE IS HELD UP AS THE IDEAL EXAMPLE. JUST AS THOUGH HE'S GIVEN CREDIT FOR BEING THE MAIN AUTHOR OF THE DECLARATION OF INDEPENDENCE. WHILE HE WROTE "ALL MEN ARE CREATED EQUAL" HE HAD A SLAVE HOLDING THE LIGHT SO HE COULD SEE WHILE HE WROTE THAT ALL MEN ARE CREATED EQUAL. THAT DID NOT INCLUDE BLACK PEOPLE, OBVIOUSLY. IT DID NOT INCLUDE WOMEN, OBVIOUSLY. AND AS THE CONSTITUTION AND LAWS TOOK EFFECT, IT DIDN'T INCLUDE POOR WHITE MEN, BECAUSE THEY PUT CERTAIN RESTRICTIONS ON VOTING WHICH MADE IT A THING THAT ONLY THE ELITISTS COULD TAKE CARE OF. THERE WAS A BRITISHER SITTING IN THE BALCONY WATCHING THE SHENANIGANS AS THE AMERICANS, WHO WERE BUILDING A GOVERNMENT, AFTER THEY COMMITTED TREASON AGAINST ENGLAND, WATCHING THEM SET UP THIS GOVERNMENT. AND HE HEARD THEM TALKING ABOUT THE REPRESENTATIVES AND THE SENATORS AND HE SAID WHAT THEY'RE TRYING TO DO IS FORM A HOUSE OF LORDS, BUT THEY HAVE NO LORDS FOR THE PURPOSE. SO THERE WAS A LOT THAT WENT ON IN THE EARLY DAYS OF THIS COUNTRY. WHICH WOULD MAKE A "REPELICAN" OF TODAY SHUTTER AND HE WOULD SAY THAT IT'S NOT TRUE, IT'S NOT TRUE. BUT AGAIN, WHEN THEY TAKE OVER, THEY BRING BILLS LIKE VOTER ID TO SUPPRESS THE VOTE, AND IN NEBRASKA THEY FOUGHT FOR IT AND LOST, TALKING ABOUT THE POSSIBILITY IN THE FAR FUTURE WHEN THERE MIGHT BE VOTER FRAUD. NO EXAMPLE, NO CASE, AND, FORTUNATELY, THAT BILL WAS PUT TO BED. THEN WHEN A BILL WENT TO THE REPUBLICAN-DOMINATED GOVERNMENT COMMITTEE THAT SIMPLY WOULD HAVE REQUIRED CAMPAIGNS TO GIVE AN END OF THE CAMPAIGN STATEMENT, A FINAL STATEMENT, A BANK STATEMENT, AND THEN IT WAS AMENDED SO IT DIDN'T HAVE TO BE A BANK STATEMENT, BUT ON A STATE FORM WHAT THEY HAD LEFT. AND THOSE REPUBLICANS HAVE TIED

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THAT BILL UP AND THEY WILL NOT SEND IT OUT HERE. AND DESPITE THE FACT THAT AT LEAST THREE EXAMPLES WERE GIVEN OF SENATORS WHO HAD MISUSED CAMPAIGN FUNDS, AT THREE SENATOR CAMPAIGNS, TWO WERE SENATORS, ONE WAS THE TREASURER OR SECRETARY OF ANOTHER SENATOR RUNNING FOR OFFICE. YOU KNOW WHAT THE CHAIRMAN OF THAT COMMITTEE HAD THE NERVE TO SAY? AND IT DID POINT OUT THAT HE'S THINKING OF RUNNING FOR CONGRESS. SO WE HAVE THAT RIGHT IN OUR OWN BODY. HE SAID, WELL, A FEW EXAMPLES ARE NOT A REASON TO MAKE EVERYBODY HAVE TO ACCOUNT FOR THEIR MONEY. WELL, IT WAS DETERMINED THAT THERE ARE SENATORS WHO MAKE LARGE LOANS TO THEMSELVES. THEY MAKE LARGE REIMBURSEMENTS TO THEMSELVES. REIMBURSEMENTS FOR WHAT? THEN THEY WANT TO TALK ABOUT TRANSPARENCY. SOME OF THEM SAY THEY WANT TO MAKE THE OFFICIALS IN POLITICAL SUBDIVISIONS... [LB10]

SPEAKER HADLEY: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...CAST CERTAIN VOTES PUBLICLY FOR TRANSPARENCY. BUT WHEN IT COMES TO THAT MONEY, THEY DON'T WANT TRANSPARENCY. SO WHEN THAT BILL, WHICH WILL COME OUT HERE FROM THE GOVERNMENT COMMITTEE, I'M GOING TO MENTION THE NAMES OF SOME OF THESE PEOPLE WHO DON'T WANT TO BE TRANSPARENT. ONE OF THEM DID NOT WANT THOSE WHO CONTRIBUTED TO A POLITICAL ACTION COMMITTEE TO HAVE THEIR IDENTITIES KNOWN BECAUSE HE DIDN'T THINK THAT KIND OF TRANSPARENCY OUGHT TO BE IN PLAY. BUT HE THINKS IN THESE LOCAL GOVERNING BODIES EVERYTHING OUGHT TO BE ON THE RECORD. SO WE'RE GOING TO HAVE FUN ON THAT BILL. BUT, AGAIN, IT WILL SHOW THE DIRECTION THAT THE REPUBLICANS GO. ALL REPUBLICANS? CERTAINLY NOT. NOT ALL OF ANY GROUP IS BAD. NOT ALL OF ANY GROUP IS GOOD. NOT ALL OF ANY PERSON IS GOOD OR BAD. THERE ARE MIXTURES. [LB10]

SENATOR KRIST PRESIDING

SENATOR KRIST: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: BUT SOMETIMES ONE ELEMENT TAKES OVER AND THE RESULT IS VERY BAD AND THAT'S WHAT THIS BILL WILL DO... [LB10]

SENATOR KRIST: TIME, SENATOR. [LB10]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB10]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR HAAR, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB10]

SENATOR HAAR: MR. PRESIDENT AND MEMBERS OF THE BODY, AS HISTORY SHOWS, IT'S BEEN NOT JUST ONE PARTY TRYING TO TAKE AWAY THE VOTE OF THE PEOPLE, BUT BOTH PARTIES. AND SO I'M GOING TO CONTINUE TO READ, AND THIS IS WAY BACK IN THE 1800s. AND HAMILTON HAD TRIED TO GET THE NEW YORK ASSEMBLY TO GO TO A SYSTEM SO THAT THE MAJORITY OF THEIR VOTES WOULD GO THE WAY HE WANTED THEM TO. AND AS ALEXANDER HAMILTON PUT IT IN HIS LETTER TO THE GOVERNOR JOHN JAY ON MAY 17, 1800, THE MORAL CERTAINTY, THEREFORE, IS THAT THERE WILL BE ANTIFEDERAL MAJORITY IN THE EVER...ENSUING LEGISLATURE; AND THE VERY HIGH PROBABILITY IS THAT THIS WILL BRING JEFFERSON INTO THE CHIEF MAGISTRACY, UNLESS IT BE PREVENTED BY THE MEASURE WHICH I NOW SUBMIT TO YOUR CONSIDERATION, NAMELY, THE IMMEDIATE CALLING TOGETHER OF THE EXISTING LEGISLATURE. AND HIS PURPOSE WAS TO CHANGE THE WAY ELECTORS WERE CHOSEN SO HE WOULD GET HIS WAY. QUOTE, I AM AWARE THAT THERE ARE WEIGHTY OBJECTIONS TO THE MEASURE, BUT THE REASONS FOR IT APPEAR TO ME TO OUTWEIGH THE OBJECTIONS; AND IN TIMES LIKE THIS IN WHICH WE LIVE, IT WILL NOT DO TO BE OVERSCRUPULOUS. INTERESTING ARGUMENT: THE TIMES IN WHICH WE LIVE, IT WILL NOT DO TO BE OVERSCRUPULOUS. IT'S EASY TO SACRIFICE THE SUBSTANTIAL INTERESTS OF SOCIETY BY A STRICT ADHERENCE TO ORDINARY RULES. IN OBSERVING THIS, I SHALL (NOT) BE SUPPOSED TO MEAN THAT ANY THING OUGHT TO BE DONE WITH (SIC--WHICH) INTEGRITY WILL FORBID, BUT MERELY THAT THE SCRUPLES OF DECENCY (SIC--DELICACY) AND PROPRIETY, AS RELATIVE TO A COMMON COURSE OF THINGS, OUGHT TO YIELD TO THE EXTRAORDINARY NATURE OF THE CRISIS. THEY (SIC--THIS) OUGHT NOT TO HINDER THE TAKING (SIC--THINKING) OF A LEGAL AND CONSTITUTIONAL STEP TO PREVENT AN ATHEIST IN RELIGION, AND A FANATIC IN POLITICS, FROM GETTING POSSESSION OF THE HELM OF STATE. HAMILTON DID NOT GET HIS WAY. HE WANTED TO CHANGE THE WAY ELECTORS WERE CHOSEN. HE DID NOT GET HIS WAY. GOVERNOR JAY, A FORMER CHIEF JUSTICE OF THE UNITED STATES, WROTE THE FOLLOWING NOTATION ON HAMILTON'S LETTER, "PROPOSING A MEASURE FOR PARTY PURPOSES, WHICH (I THINK IT) WOULD NOT BECOME ME TO ADOPT." I THINK THAT'S WHAT OUR WHOLE DISCUSSION ON LB10 IS ABOUT, PROPOSING A MEASURE FOR PARTY PURPOSES WHICH IT WOULD NOT BECOME ME TO ADOPT, END QUOTE. IRONICALLY, PRIOR TO THE APRIL 18 LEGISLATIVE ELECTIONS, NEW YORK REPUBLICANS, BELIEVING THAT THE DISTRICT SYSTEM

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WOULD BE ADVANTAGEOUS TO THEM, HAD UNSUCCESSFULLY URGED THE FEDERALIST CONTROLLED LEGISLATURE TO SWITCH FROM A LEGISLATIVE APPOINTMENT OF PRESIDENTIAL ELECTORS TO POPULAR ELECTION USING DISTRICTS. AS IT TURNED OUT, A SHIFT OF ONLY FIVE ELECTORAL VOTES FROM JEFFERSON TO ADAMS IN THE 1800 ELECTION WOULD HAVE RESULTED IN ADAMS' REELECTION. HAD THE FEDERALISTS AGREED TO THE REPUBLICANS' EARLIER PROPOSAL, QUOTE, AN ATHEIST IN RELIGION AND A FANATIC IN POLITICS, END QUOTE--NAMELY, THOMAS JEFFERSON--WOULD NOT HAVE WON ALL 12 OF NEW YORK'S ELECTORAL VOTES AND ULTIMATELY THE PRESIDENCY IN THE 1800 ELECTION. OVER A PERIOD OF YEARS, THE STATES ONE BY ONE GRAVITATED TO THE STATEWIDE WINNER-TAKE-ALL RULE TO AVOID THE, QUOTE, FOLLY, END QUOTE, OF FRAGMENTING THEIR ELECTORAL VOTES. THE COMPELLING REASON FOR THIS CHANGE WAS THAT THE POLITICAL PARTY THAT CONTROLLED THE GOVERNORSHIP AND LEGISLATURE IN A PARTICULAR STATE WAS GENERALLY CONFIDENT... [LB10]

SENATOR KRIST: ONE MINUTE. [LB10]

SENATOR HAAR: ...THANK YOU...OF WINNING THE STATEWIDE VOTE FOR PRESIDENT, BUT ALMOST NEVER CONFIDENT OF WINNING EVERY SINGLE DISTRICT WITHIN THE STATE. AS MORE AND MORE STATES ADOPTED THE WINNER-TAKE-ALL RULE, THE WINNER-TAKE-ALL RULE SEEMED TO MAKE MORE AND MORE SENSE TO THE REMAINING STATES. AS JAMES MADISON WROTE TO GEORGE HAY IN 1823, QUOTE, THE DISTRICT MODE WAS MOSTLY, IF NOT EXCLUSIVELY IN VIEW WHEN THE CONSTITUTION WAS FRAMED AND ADOPTED AND WAS EXCHANGED FOR THE GENERAL TICKET AND THE LEGISLATIVE ELECTION AS THE ONLY EXPEDIENT FOR BAFFLING THE POLICY OF THE PARTICULAR STATES WHICH HAD SET THE EXAMPLE, END QUOTE. IT CAN BE SEEN IN RETROSPECT THAT THE EMERGING OF NATIONAL POLITICAL PARTIES IN 1796, IN CONJUNCTION WITH THE CONSTITUTION'S 17-WORD DELEGATION OF POWER TO THE STATES, MADE IT ALMOST INEVITABLE THAT THE STATEWIDE WINNER-TAKE-ALL WOULD BECOME THE PREDOMINANT METHOD OF CHOOSING PRESIDENTIAL ELECTORS. [LB10]

SENATOR KRIST: TIME, SENATOR. [LB10]

SENATOR HAAR: THANK YOU. [LB10]

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SENATOR KRIST: THANK YOU, SENATOR HAAR. SEEING NO ONE ELSE IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR FLOOR AMENDMENT. [LB10]

SENATOR CHAMBERS: THANK YOU. AND, MR. PRESIDENT, I WILL TAKE A VOTE ON THIS ONE, BECAUSE I HAVE ANOTHER ONE TO GO AHEAD AND TAKE US...TAKE SOME MORE TIME. AND ONCE AGAIN, I'M GLAD THAT SENATOR HAAR IS NOW TAKING UP WHERE SENATOR EBKE LEFT OFF AND IS GIVING US SOME HISTORICAL UNDERPINNINGS FOR WHAT WE'RE TALKING ABOUT TODAY. THEY ARE ADDRESSING A WIDER AUDIENCE. I'M SAYING SOME THINGS FOR THE BENEFIT OF MY COLLEAGUES BOTH IN THIS CHAMBER AND THOSE WHO ARE HIDING OUT IN THEIR OFFICES. YOU KNOW WHO I'M TALKING ABOUT, BUT IN CASE YOU DON'T, THE CHAIRMAN OF THE GOVERNMENT COMMITTEE IS SENATOR MURANTE. AND HE WAS ONE OF THOSE WHO WAS VERY STRONGLY IN FAVOR OF VOTER ID, AND THERE WERE NO EXAMPLES OF ANY VOTER FRAUD. BUT WHEN THE EXAMPLES OF MISSPENDING OF CAMPAIGN MONEY WERE PRESENTED, CRIMINAL CHARGES BROUGHT AGAINST LEGISLATORS, ONE HAD STATE AND FEDERAL CHARGES BROUGHT, YOU KNOW WHAT THIS MAN WHO COULDN'T GIVE ONE EXAMPLE OF VOTER FRAUD BUT HE WANTED VOTER ID TO SUPPRESS THE VOTE OF CERTAIN PEOPLES, DO YOU KNOW WHAT HE SAID? YOU CAN'T LET A FEW EXAMPLES CREATE A REQUIREMENT FOR EVERYBODY TO DO DIFFERENTLY. WELL, IF NO EXAMPLES SUFFICE, WHY WON'T THESE OTHER VERY SERIOUS ONES? BECAUSE HE'S A REPUBLICAN, HE'S BEEN IMBUED WITH THE REPUBLICAN SPIRIT, WHICH IS ONE WHICH IS...THEY CALL IT ANTIGOVERNMENT, BUT IT'S ANTIDEMOCRATIC WITH A SMALL "D." I WOULDN'T BELONG TO EITHER PARTY. I DON'T. AND I DON'T PARTICIPATE IN EITHER PARTY'S POLITICS BECAUSE I WILL NOT GIVE MY ALLEGIANCE TO ANY ORGANIZATION OF THE KIND BOTH OF THEM REPRESENT. NOBODY IS GOING TO OWN ME OR DICTATE TO ME AS REPUBLICANS ON THIS FLOOR HAVE BEEN DICTATED TO AND ARE BEING DICTATED TO NOW. AND I WANT THESE PEOPLE WHO DO THESE THINGS IN THEIR COMMITTEES TO DISCUSS IT ON THE FLOOR OF THE LEGISLATURE BECAUSE THEY'RE GOING TO BOTTLE UP THOSE BILLS THAT ARE IN THE PUBLIC INTERESTS THAT GO TO THE INTEGRITY OF THE SYSTEM BY WHICH PEOPLE ARE ELECTED TO THIS BODY, THAT WILL FUMIGATE THE SYSTEM OF RAISING CAMPAIGN FUNDS AND HOW THEY ARE SPENT. WHY DOESN'T SENATOR MURANTE WANT THE PUBLIC TO KNOW HOW THIS MONEY IS SPENT, HOW MUCH MONEY IS ON HAND WHEN THEY SAY THEY'RE THROUGH CAMPAIGNING, WHAT IS DONE WITH THAT MONEY? I DON'T RAISE MONEY, BUT I GOT A CHECK THAT I WROTE TO HEARTS UNITED FOR ANIMALS FOR THE MODEST BIT OF MONEY THAT PEOPLE HAD GIVEN ME. AND THE PEOPLE THAT I ACCEPT MONEY FROM

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ARE THOSE WHO WILL NOT BE TOLD NO. THEY ASKED ME TO LET THEM DO WHAT THEY WANT TO DO AND I SAY, WELL, IF IT'S SOMETHING VERY SMALL, THEN GO AHEAD AND SEND IT AND I'LL ACCEPT IT AS A FAVOR TO YOU, BUT WHEN THE CAMPAIGN IS OVER, THERE IS A NO-KILL ANIMAL SHELTER THAT I CARE ABOUT AND THAT'S WHERE YOUR MONEY IS GOING TO WIND UP. AND IN ONE FORM OR OTHER OF THIS STATEMENT, IT DIDN'T MATTER WHAT I DID WITH THE MONEY, THEY WANTED TO SHOW THEIR SUPPORT FOR ME. AND I SAID, YOU DON'T HAVE TO GIVE ME MONEY, THE WAY YOU SUPPORT ME IS A VOTE FOR ME IF YOU FAVOR ME, AND IF YOU DON'T, DON'T VOTE FOR ME. EVERYTHING I DO THAT'S OF A PUBLIC NATURE IS AN OPEN BOOK, AND THAT'S WHAT THEIRS SHOULD BE TOO. THE WORLD-HERALD ENDORSED SENATOR MURANTE AND TALKED ABOUT HIM BEING A POLITICAL OPERATIVE FOR THE REPUBLICAN PARTY AND PEOPLE PROBABLY THOUGHT THAT MEANT WHAT HE DID HERE WOULD BE PARTISAN. BUT THEY SAID, BASED ON THE WAY HE ANSWERED QUESTIONS, THEY DIDN'T THINK HE WOULD BE. I'M LOOKING AT THE BILLS THAT ARE BOTTLED UP IN THAT COMMITTEE,... [LB10]

SENATOR KRIST: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...THE ONES THAT ARE SENT OUT HERE. AND YOU'D THINK A SPLIT PERSONALITY IS INVOLVED IN THIS, OR TWO DIFFERENT FACTIONS, BECAUSE THE APPROACHES ARE SO DIAMETRICALLY OPPOSED. THEY TALK ABOUT INTEGRITY ON THE ONE HAND WHEN THEY WANT TO SUPPRESS THE VOTES. BUT I GUESS THEY FEEL THAT THE PUBLIC HAS NO BUSINESS KNOWING WHAT THEY DO WITH THIS MONEY THAT'S SUPPOSEDLY RAISED FOR A SPECIFIC PURPOSE, AND THAT'S TO OBTAIN ELECTION TO OFFICE. AND WHEN PEOPLE DONATE IT, IF THEY'RE ON THE UP AND UP, THAT'S WHAT THEY INTEND IT TO GO FOR. AND IF THEY'RE NOT ON THE UP AND UP, THEY DON'T EVEN HAVE TO RUN IT THROUGH A CAMPAIGN COMMITTEE. THEY CAN JUST GIVE IT TO YOU DIRECTLY. BUT WE'LL HAVE A CHANCE TO DISCUSS THOSE MATTERS AND THEY CAN HIDE OUT WHEN THAT DISCUSSION OCCURS ALSO. BUT I'M TIPPING THEM OFF TO THINGS THAT I AM GOING TO TALK ABOUT. [LB10]

SENATOR KRIST: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: I'M GOING TO ASK, MR. PRESIDENT, FOR A CALL OF THE HOUSE. AND IF WE DON'T HAVE 25 PEOPLE HERE, WE DON'T HAVE A QUORUM AND WE'RE ADJOURNED. [LB10]

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SENATOR KRIST: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB10]

CLERK: 27 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL, MR. PRESIDENT. [LB10]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS NORDQUIST, MORFELD, SENATOR GLOOR, IF YOU CHECK IN. SENATOR PANSING BROOKS, IF YOU WOULD CHECK IN, PLEASE. SENATOR KUEHN, SENATOR BOLZ, SENATOR BURKE HARR, SENATOR KOLOWSKI, THANK YOU. PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR BOLZ AND SENATOR BURKE HARR, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR BOLZ, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. OKAY, SENATOR CHAMBERS WOULD LIKE TO PROCEED AND IT WILL BE A MACHINE VOTE. ALL THOSE IN FAVOR OF FA30, VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB10]

CLERK: 15 AYES, 18 NAYS, MR. PRESIDENT, ON THE AMENDMENT TO THE AMENDMENT. [LB10]

SENATOR KRIST: THE FLOOR AMENDMENT IS NOT ADOPTED. RETURNING TO DISCUSSION ON AM528, PLEASE RAISE THE CALL. [LB10]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO AMEND WITH FA31. (LEGISLATIVE JOURNAL PAGE 865.) [LB10]

SENATOR KRIST: SENATOR CHAMBERS, YOU ARE RECOGNIZED OPEN ON FA31. [LB10]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THE OTHER DAY THE SPEAKER TESTIFIED BEFORE THE JUDICIARY COMMITTEE AND MENTIONED HOW IN A LAW THERE WERE TWO WORDS USED. THEN WHEN IT...THE IDEA OCCURRED SOMEWHERE ELSE, ONE OF THOSE WORDS WAS LEFT OFF. AND IN THE COURT THERE WAS A DIFFERENCE TO EACH ONE OF

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THOSE BECAUSE IT'S FELT THAT THE LEGISLATURE MEANS WHAT IT SAYS WHEN IT GIVES A CERTAIN CONSTRUCTION, THEN ON THE SAME SUBJECT IT GIVES A DIFFERENT CONSTRUCTION. WHAT THAT AMENDMENT DID SIMPLY WAS TO MAKE THE LANGUAGE PARALLEL. BUT IT ALSO DEMONSTRATES THAT PEOPLE WILL VOTE AGAINST A PERSON AND NOT EVEN LOOK AT WHAT THE ISSUE IS THAT'S INVOLVED. ALL THAT AMENDMENT DID WAS PUT THE WORD "PROPORTIONAL" BEFORE THE WORD "METHOD," BECAUSE IN THE RESOLUTION THE METHOD BEING REFERRED TO IS THE PROPORTIONAL METHOD. NOW THIS AGAIN DEALS WITH ONE WORD. IN LINE 25, AFTER THE WORD "IS," I WOULD INSERT "THE," T-H-E. THE WAY IT READS: THE PROPORTIONAL METHOD IS MOST DEMOCRATIC METHOD. IT SHOULD BE "IS THE MOST DEMOCRATIC METHOD." SO ON THE CHANCE THAT THE AMENDMENT WOULD BE ADOPTED, I'M INSERTING THAT WORD AND THAT WORD IS T-H-E, "THE." AND I EXPECT THE BOARD TO LIGHT UP RED, BUT I'M JUST PASSING TIME, BUT IN THE PROCESS OF DOING IT, DEMONSTRATE HOW THINGS OCCUR ON THIS FLOOR. AND IT FRANKLY DOES NOT BOTHER ME, BECAUSE I'VE BEEN HERE FAR TOO LONG TO BE SURPRISED BY ANYTHING THAT HAPPENS HERE. BACK TO WHAT WE'RE TALKING ABOUT WITH SENATOR McCOY'S LB10. WHY WOULD A PERSON BE INTERESTED IN A DEMOCRATIC SETTING IN CREATING A STRAITJACKETED PROCESS WHICH NULLIFIES THE VOTES OF ANYBODY WHO IS NOT A REPUBLICAN? THE VOTES SIMPLY DO NOT COUNT. AND BY EXTENSION OR EXTRAPOLATION, THE PEOPLE CASTING THOSE VOTES DO NOT COUNT. THERE'S NOT ENOUGH REGARD OR RESPECT ACCORDED THOSE PEOPLE TO ALLOW THE VOTE TO COUNT WHEN THEY PARTICIPATE IN AN ELECTION. WHETHER IT'S THE SECRETARY OF STATE OR THE ELECTION COMMISSIONER IN THE LARGER COUNTIES, AND CERTAIN NEWSPAPER EDITORS, AND ALL AROUND THE COUNTRY, THERE IS UNIVERSAL MOANING AND GROANING ABOUT HOW FEW PEOPLE VOTE COMPARED TO THE NUMBER ELIGIBLE TO VOTE. AND IN NEBRASKA, YOU HAVE THE REPUBLICANS DOING WHAT THEY CAN TO SUPPRESS THAT VOTE, AS SMALL AS IT ALREADY IS, AND IN THIS CASE TO NULLIFY THE VOTES THAT ARE ACTUALLY CAST. WHY SHOULD ANYBODY CAST A VOTE WHEN THE VOTE MEANS NOTHING? WHEN RUSSIA WAS A COMMUNIST COUNTRY, THERE WERE STAND-UP COMICS WHO WOULD MOCK RUSSIA BECAUSE THERE WAS ONE CANDIDATE AND EVERYBODY WHO WAS GOING TO VOTE WOULD VOTE FOR THAT ONE. AND THEY LAUGHED AND THEY MOCKED. BUT THEY DECIDED IN THIS COUNTRY, IF THEY'RE REPUBLICANS, THAT THE COMMUNISTS HAVE A PRETTY GOOD IDEA AFTER ALL: MAKE SURE THAT YOU FASHION A SYSTEM WHERE IF PEOPLE VOTE FOR SOMEBODY ELSE, IN REALITY, THEY'RE VOTING FOR NOBODY BECAUSE THE SYSTEM IS STRUCTURED IN SUCH A WAY THAT THEIR VOTE WILL NOT COUNT. IT'S THE SAME AS IF THEY DID NOT VOTE. LET'S SAY YOU HAVE, OUT OF THE

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1,700,000 OR SO PEOPLE IN NEBRASKA, 1,600,000 WHO ARE "REPELICANS." WHY WOULD ANYBODY ELSE VOTE? SENATOR WATERMEIER IS TOO SMART FOR THAT. IF HE WASN'T A REPUBLICAN, HE WOULDN'T STOP FARMING TO GO CAST A VOTE. FOR WHAT? HE WOULD BE LAUGHED AT. HE'D BE MOCKED BY THE PEOPLE WHO ARE CONDUCTING THE ELECTION. THEY'D SAY, PARTNER, WHAT ARE YOU DOING HERE, WE DON'T EVEN HAVE A BALLOT FOR YOU; MOST OF THE PEOPLE LIKE YOU ARE TOO SMART TO COME HERE BUT SINCE YOU CAME, THEY FIND A NAPKIN AND SAY, HERE, WRITE WHAT YOU WANT ON THE NAPKIN. AND IT HAS ABOUT AS MUCH MEANING AS THE VOTES THAT DEMOCRATS WOULD CAST IN THIS STATE WHEN ELECTORS ARE BEING CHOSEN. THAT'S WHAT THIS HAS BEEN REDUCED TO. AND THEY OUGHT TO BE HONEST ENOUGH FROM THE SECRETARY OF STATE ON DOWN TO LET PEOPLE KNOW, YOU'RE NOT VOTING FOR THE PRESIDENT, YOU'RE VOTING FOR ELECTORS. AND SINCE THERE ARE NOT ENOUGH OF YOU TO CAST ENOUGH VOTES, THEN THE REPUBLICANS ARE GOING TO GET ALL FIVE OF THE ELECTORS TOO. NOW, IF YOU WANT TO GO THROUGH THE ROUTINE SO YOU CAN SAY YOU ALWAYS VOTE, OR IF YOU'RE ONE OF THOSE NAIVE PEOPLE WHO DREAMS THE IMPOSSIBLE DREAM, THEN YOU CAN COME ON DOWN AND MARK THIS BALLOT, AND ORDINARILY WE JUST THROW IT IN THE TRASH. BUT SINCE YOU'RE HERE, WE'RE GOING TO PUT IT IN THIS LITTLE BIN AND WE'LL COUNT IT. AND YOUR VOTE MEANS NOTHING. AND THAT'S THE WAY SENATOR McCOY AND HIS ILK WANT IT. THAT'S THE WAY SENATOR MURANTE WANTS IT. AND I COULD CALL THE ROLL OF ALL THOSE WHO VOTED FOR THIS AND TELL YOU THAT'S HOW THEY WANT IT. THEY CAN DENY IT ANY WAY THEY CHOOSE. DO YOU KNOW THAT WHEN JESSE JAMES AND FRANK JAMES SAT DOWN TO DISCUSS MORALITY WITH THE DALTON BROTHERS, ALL SIX OF THEM AGREED THAT THE OTHER FIVE WERE GOOD GUYS. JESSE, WHAT DO YOU THINK ABOUT FRANK AND THE OTHER FOUR? OH, I THINK THEY'RE GREAT. FRANK, WHAT DO YOU THINK ABOUT IT? OH, I THINK THEY'RE GREAT. AND THEY ALL LEAVE THERE. AND THEY THINK THE NOISE THAT THEY MADE IN THAT ROOM IS WHAT'S BEING SAID BY EVERYBODY IN SOCIETY. PEOPLE USED TO THINK JESSE JAMES WAS AN HONORABLE MAN. I THINK SENATOR BLOOMFIELD MIGHT HAVE EVEN THOUGHT THAT AT ONE POINT. THEY THOUGHT HE WAS LIKE ROBIN HOOD, BECAUSE JESSE JAMES WOULD NOT ROB FROM THE POOR. BUT JESSE JAMES WAS A HONEST MAN IN THIS REGARD, BECAUSE THEY ASKED JESSE JAMES, THEY SAID, JESSE, YOU DON'T ROB FROM THE POOR SO YOU MUST BE A PRETTY GOOD GUY. HE LAUGHED. HE SAID, IT AIN'T GOT NOTHING TO DO WITH BEING GOOD. THEY SAY, WELL, JESSE, WHY DON'T YOU ROB FROM THE POOR? HE SAID, THEY AIN'T GOT NO MONEY. THAT'S WHY THEY DON'T ROB FROM THE POOR, BUT NOT SO IN THIS LEGISLATURE. AND JESUS GAVE THEM THE WAY ON THAT. HE SAID THEY...TO HIM THAT HAS MUCH IT SHALL BE GIVEN; FROM HIM THAT HAS NOT

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SHALL BE TAKEN EVEN THAT WHICH HE SEEMS TO HAVE. SO WHAT DOES A POOR PERSON SEEM TO HAVE? MAYBE A BIT OF DIGNITY, BUT THAT'S GOING TO BE STRIPPED AWAY ALSO. AND THOSE WITH MUCH SHALL HAVE MORE AND MORE AND MORE, BECAUSE THEY CONTROL THE MEANS OF PRODUCTION AND DISTRIBUTION. BUT THEY DON'T DO THE PRODUCING THEMSELVES. THEY HAVE PEOPLE WHO ARE CALLED SERFS, SLAVES, INDENTURED SERVANTS, UNDERPAID WORKERS, WOMEN, AND CHILDREN DOING THE PRODUCING, BUT THEY DID NOT ENJOY THE FRUITS OF THEIR LABOR. SO WHEN ALL OF THESE STATEMENTS ARE MADE ABOUT YOUNG MEN AND WOMEN FIGHTING AND DYING OVERSEAS, FIGHTING AGAINST ISIS OR ISIL, THEY SAY--BY THEY, I MEANT THE WARMONGERS IN THIS COUNTRY WHO MAKE WARS BUT DON'T FIGHT THEM--THEY'RE FIGHTING FOR THE RIGHTS AND FREEDOMS... [LB10]

SENATOR KRIST: ONE MINUTE. [LB10]

SENATOR CHAMBERS: ...OF PEOPLE IN THIS COUNTRY. THAT'S NONSENSE. THAT'S NONSENSE. THEY'RE NOT FIGHTING FOR ANYTHING THAT HAPPENS IN THIS COUNTRY. IF THAT WERE THE CASE, THEY WOULDN'T BE FIGHTING AT ALL, BECAUSE VOTING IS SUPPOSED TO BE ONE OF THE PARAMOUNT RIGHTS THAT PEOPLE HAVE IN THIS COUNTRY. AND YOU HAVE LEGISLATURES, SUCH AS THIS ONE, AND PEOPLE AT THE NATIONAL LEVEL DOING ALL THEY CAN TO TAKE AWAY THE RIGHT OF CERTAIN PEOPLE TO VOTE AND IT'S GOING TO CONTINUE TO GO THAT WAY. BUT BECAUSE THE ODDS ARE OVERWHELMING IS NO REASON FOR THOSE OF US WHO KNOW BETTER TO TAKE LOW, TO SIT BACK AND SWALLOW SPIT AND SAY IT'S BEEN LIKE THIS AND IT WILL CONTINUE TO BE LIKE THAT. IT WILL CONTINUE TO BE LIKE THAT IF SOME OF US DON'T TRY TO DO SOMETHING TO CHANGE IT. AND SOMETIMES, IF WE WORK HARD ENOUGH AND TAKE ENOUGH TIME,... [LB10]

SENATOR KRIST: TIME, SENATOR. [LB10]

SENATOR CHAMBERS: ...WE CAN REMIND PEOPLE THAT THEY WERE BETTER THAN THEY SEEM TO BE NOW. THANK YOU, MR. PRESIDENT. [LB10]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB10]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, TO FINISH THIS BIT OF HISTORY, WHICH IS VERY IMPORTANT TO UNDERSTAND, BY 1836, ALL BUT ONE

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STATE HAD ADOPTED THE CONCEPT OF WINNER-TAKE-ALL. ALL THE STATES USED THE STATEWIDE IN THE HIGHLY LENGTHY PERIOD BETWEEN 1868 AND 1968 WITH THREE ISOLATED EXCEPTIONS. AND THEN MAINE, IN 1969, AND NEBRASKA, IN 1992, BROKE THE PATTERN AND ADOPTED LAWS THAT AWARDED ONE ELECTORAL VOTE TO THE PRESIDENTIAL CANDIDATE CARRYING EACH CONGRESSIONAL DISTRICT AND TWO ELECTORAL VOTES TO THE CANDIDATE CARRYING THIS STATE. AND REALLY THERE ARE TWO KEY TAKE HOMES FROM THIS HISTORY. FIRST OF ALL, THE PRESENT-DAY STATE LAWS IN MAINE AND NEBRASKA ARE REMINDERS OF THE FLEXIBILITY THAT THE FOUNDERS BUILT INTO THE U.S. CONSTITUTION. THESE LAWS ARE REMINDERS THAT THE MANNER OF AWARDING ELECTORAL VOTES IS STRICTLY A MATTER OF STATE LAWS. THE SECOND TAKE HOME... WELL, SO I GUESS THAT PART OF THAT THEN IS IT DOESN'T REQUIRE A CHANGE IN THE CONSTITUTION. THE CONSTITUTION ALREADY ALLOWS FOR CHANGES THAT WOULD ALLOW ELECTING A PRESIDENT OF THE UNITED STATES BY POPULAR VOTE. THE SECOND TAKE HOME IS OVER...AGAIN, OVER A PERIOD OF YEARS, THE STATES ONE BY ONE GRAVITATED TO THE STATEWIDE WINNER-TAKE-ALL RULE TO AVOID THE FOLLY, IN POLITICAL PARTIES' TERMS, OF FRAGMENTING THEIR ELECTORAL VOTES. THE COMPELLING REASON FOR THIS CHANGE WAS THAT THE POLITICAL PARTY THAT CONTROLLED THE GOVERNORSHIP AND LEGISLATURE IN A PARTICULAR STATE WAS GENERALLY CONFIDENT OF WINNING THE STATEWIDE VOTE FOR PRESIDENT BUT ALMOST NEVER CONFIDENT OF WINNING EVERY SINGLE DISTRICT WITHIN THE STATES. SO IT WAS THE REPUBLICANS AND IT WAS THE FEDERALISTS GETTING INVOLVED IN THE POLITICAL PARTY AND TRYING TO SEW UP THE VOTE FOR THEIR STATE. IT STARTED EARLY ON IN THIS NATION, AND THE CONSTITUTION ALLOWS US THE FLEXIBILITY TO CHANGE THAT, BECAUSE AT THE TIME, AS THE EDITOR PUT IN THE SCOTTSBLUFF ARTICLE, NOT SO SURE THAT ALL THE FOUNDING FATHERS REALLY BELIEVED IN DEMOCRACY. SO THEY WANTED TO GIVE THE POWER TO THE LEGISLATURES IN THE STATES. THEY WEREN'T SO SURE OF THE ELECTORAL VOTE OF ALL THE PEOPLE. BUT I THINK ACROSS THIS COUNTRY AND THE RESEARCH THAT'S GONE INTO THIS BOOK AND INTO NATIONAL POPULAR VOTE SHOWS THAT THE VAST MAJORITY OF PEOPLE IN THIS COUNTRY FAVOR ONE PERSON, ONE VOTE, AND THAT THE PRESIDENT SHOULD BE ELECTED BY A NATIONAL POPULAR VOTE. IT'S THE PARTIES THAT THINK THEY CAN STILL GAIN ADVANTAGE BY HAVING WINNER-TAKE-ALL. AND WE'LL SHOW YOU TOMORROW THE SHORTCOMINGS OF THE CURRENT SYSTEM, GIVE YOU SOME ACTUAL NUMBERS ABOUT HOW ATTENTION TO STATES, NOT JUST CAMPAIGNING IN THOSE STATES, NOT JUST SPENDING MONEY IN THOSE STATES, BUT ALSO THE ATTENTION TO ISSUES IN THOSE STATES GOES TO THE BATTLEGROUND STATES WHERE THE VOTE OF THE PEOPLE CAN GO IN A

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WINNER-TAKE-ALL SYSTEM IN THOSE PARTICULAR STATES, IN THOSE BATTLEGROUND STATES, COULD CHANGE THE COURSE OF AN ELECTION. SO I APPRECIATE THE EFFORT THAT SENATOR CHAMBERS, SENATOR EBKE HAVE PUT INTO THIS, AND I'LL TAKE UP FROM THERE TOMORROW. THANK YOU. [LB10]

SENATOR KRIST: THANK YOU, SENATOR HAAR. MR. CLERK. [LB10]

CLERK: MR. PRESIDENT, YOUR COMMITTEE ON NATURAL RESOURCES REPORTS LB141 TO GENERAL FILE. THE EXECUTIVE BOARD CHAIRED BY SENATOR KRIST REPORTS LB56 AND LR7CA TO GENERAL FILE WITH AMENDMENTS. SENATOR SMITH OFFERS A NEW A BILL, LB610A. (READ LB610A BY TITLE FOR THE FIRST TIME.) SENATOR WILLIAMS, NEW RESOLUTION, LR115. THAT WILL BE LAID OVER. SENATOR BLOOMFIELD WOULD LIKE TO PRINT AN AMENDMENT TO LB242. SERIES OF NAME ADDS: SENATOR CRAWFORD TO LB268; SENATOR HUGHES, PANSING BROOKS, HAAR, MORFELD, AND SCHNOOR TO LB323; SENATOR HANSEN TO LB268; SENATOR LINDSTROM TO LB591. (LEGISLATIVE JOURNAL PAGES 865-867.) [LB141 LB56 LR7CA LB610A LR115 LB242 LB268 LB323 LB591]

MR. PRESIDENT, SENATOR STINNER WOULD MOVE TO ADJOURN THE BODY UNTIL TUESDAY, MARCH 17, AT 9:00 A.M.

SENATOR KRIST: YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR, AYE. OPPOSED, NAY. WE ARE ADJOURNED UNTIL TOMORROW MORNING AT 9:00.