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thing in this case, that entered into it, that doesn't apply to the Nebraska, they had the Newport Naval Station and on the, as I get it, when they took the census, naturally the navy boys were in and out, but they had to be counted someplace, so they were counted there. We don't have that in Nebraska, because, these were nonpermanent residents. In Offutt field we have permanent residents. It's altogether different. Now we get to fooling around with this thing and you are liable to come up with some real odd balls. The first place is, the constitution of the state of Nebraska says we redistrict every ten years with the latest Federal census we've done that, one time here as Senator Carstens says, we districted three or four times, since we've been here, but they were always under court order. There is a big difference. They were under court order, we were. Now if you recall on the Congressional District, we had to go by estimated population and there is reason to believe, however, no one can say for certain, there is reason to believe that since we wouldn't, this is 73 or 74 as Senator Carstens says, reason to believe that we might have to, go by estimation. Since 1970 census is over, in that event there might be some interesting things come out of this. In the first place, some places might have lost population in the meantime. Senator Proud for instance in Douglas County, if you could prove that he isn't adequately representing LaVista which he is you might be able to prove this in this particular case, just as an example, we'd cut off the five thousand people in Sarpy County, we still have the thirteen Douglas County Senators. But in the meantime, I think Sarpy County is probably with the five thousand, grown enough to have another Senator, so, the two they now have, you get three. I think, I think you'd better leave things alone, because you're liable to really get into some real mess. Now I think if Carstens, Senator Carstens and some of these people are so anxious to see if we did the wrong thing which I think we did the right thing, because at that particular time, generally courts were saying you had to keep within three percent, that was one half percent, one and a half percent low and one half, one and a half percent above. I don't think you can make a re-, a retroactive arrangement on this, and I don't think you could prove that in some of these places where you cross the county line that the people are being deprived of their representation. It would be pretty hard to do, because if that would be the case how about a Senator who represents five or six counties, I suppose all these counties have different interests, and you could prove that maybe it wasn't representing any of them, because he had five different county boards, five different, might have a geographical difference and all kinds of stuff, it's one of those things you can't avoid. So I would say that if the people that really want to test this, the thing they should do and it's always been done in other times, was file a case, and in that case prove some of these things and say that our reapportionment for 1971 was illegal, unconstitutional, then the courts would order this legislature to redo the job, but in absence of that, you might be in a lot of trouble because I think you have already reapportioned and you know you are you are operating under that bill. Now can't you see that the people that are up for election in 1974 will be thrown in a turmoil on this thing. In fact is they might end up in not even being in the district they now are. So I would say use judgement here today, and I think that this thing should be squelched as of now.

SPEAKER: The Chair recognizes Senator Frank Lewis.

SENATOR LEWIS: Mr. President, and members of the legislature, I rise to oppose Senator Carstens motion, certainly Senator Syas is an expertise in the area of redistrict, should be clear and I think what he said is correct, I think that if we really get in this, you can't get in it in a small way. You can't get