

February 26, 1974

PRESIDENT: The motion fails. Senator Stahmer is next.

SENATOR STAHMER: Mr. President, and members of the body. I think Senator Fred Carstens hit on the key issue here. As the State Supreme Court districts line are now drawn it would be possible for Omaha to control four out of the seven seats. We could elect the Supreme Court Justice at large if he has the right name, and we have appointed an elected from the three districts and we could control the courts, and it absolutely amazes me that Senator Nore and some others would stand up here and

(End Belt #8)

(Start Belt #9)

defend this proposition on what Senator Fellman is trying to do is to keep Omaha from every having the opportunity to control the Supreme Court. All Senator Fellman is asking for is justice but if justice doesn't come this day, perhaps some of the others will live to see the day when Omaha does control the supreme court, oh how sweet it would be.

PRESIDENT: Senator Cavanaugh:

SENATOR CAVANAUGH: Mr. President and members of the Legislature. I rise to support Senator Fellman's motion to raise this bill from Committee. And I think I would begin by addressing Senator Syas, which I think he quite unfairly, which in his nature, accused a fellow Senator, Senator Fellman as a liar. And I would submit to you that fortunately, Senator Syas submitted to us the evidence that would indicate that he is not only a liar, but a slanderer of Senator Fellman in that this item that he passed out to you relating to Mr. Dunlevey's testimony before the committee. The first item is Mr. Dunlevey's testimony on LB 1030 which was the residency requirement of the Supreme Court Justices, in which Mr. Dunlevey stated that he was appearing on behalf of the Chief Justice, who directed him to express his opposition, that is the Chief Justices opposition to the residency requirement in the Constitution regarding the Supreme Court Justices. Now if the move down the page to Mr. Dunlevey's testimony regarding LB 1031 and 1033 which were the redistricting bills, Mr. Dunlevey says, I want to say also, that the members of the Supreme Court are not opposed to redistricting of the present districts, but the members of the court feel this matter requires careful study. Now if I would...I think the only thing that you can construe Senator Syas's remarks to be in that context are a lie, first of all regarding the testimony of Mr. Dunlevey, and slander of Mr. Fellman, of Senator Fellman's representation of that testimony of the Supreme Court did not feel that the present districts were adequately drawn and that they do not oppose redistricting of those present districts. But to get back to the issue before us regarding the bill. I think the issue is simple as Senator Stahmer stated. It's a matter of justice. And I think that the issue is quite severable from the issue of legislative redistricting.