

April 11, 1974

PRESIDENT: Debate will now close. Senator Chambers is closing on his motion. I'm going to remind the Body we're still on Final Reading. That requires you to be in your seats. Final Reading. Senator Chambers has the floor.

SENATOR CHAMBERS: Mr. President, my job would be much easier if I did not have an opponent who was so tenacious and eloquent. But what I must say here is that nobody was appointed to this Body who is defending these bills except Senator Fellman. He happens to have been appointed by the incumbent governor who is Mr. Exon. Senator Carpenter and others who are astute and some not so astute have pointed out that my candidacy will affect nobody so much as it does Governor Exon. It's probably just a coincidence that Senator Fellman belongs to Governor Exon's party, that Senator Fellman was appointed by Governor Exon, and that Senator Fellman will probably support Governor Exon in the coming election. Those are just coincidences that do happen in this world and although it wouldn't be likely to happen in Hollywood and be believable, it can be believable in the real world. Unbelievable things do happen. But what I'm advocating here today is a course of action which would not compound an already difficult situation. Senator Fellman has stated that a lawsuit could be started, argued and completed in the short time of the middle of July and the latter part of August. Those of you who have had involvement with the court system know that this is very difficult to predict.

(End of Belt 6A)

(Begin Belt 7A)

There is no way anybody can compel the federal courts to do anything. The court could say it doesn't even want to hear the case if it chose to. So what Senator Fellman is talking about is vague possibilities. But the ultimate outcome of what he is recommending is to make it as difficult as possible for me to be on the ballot and oppose his candidate which I can understand. This bill will not just benefit me. Let me tell you what I think will happen if you pass these bills without the emergency clause. I file my petitions with the 2,000 signatures. Without these bills, Senator Fellman, the Attorney General and the Secretary of State say that the current scheme for electing governor and lieutenant governor violates the federal constitution. Remember this, if the Secretary of State accepts my petitions, these laws when they come into effect, cannot invalidate them. If he refuses to accept them, then I will try to get a court order compelling him to accept them and that brings into challenge not the law with these bills because they're not the law but the current system which is defective. And this defective system would be ruled in violation of the U. S. Constitution and when that would happen, anything that had occurred in the primary up to that time would be ruled invalid. That is what would result from a lawsuit that Senator Fellman is telling you will come about. If the bills are not passed, there is no need for anybody to bring a lawsuit. The two candidates from both parties can still run as a team and nobody is the worst. So I'm asking that you bring these bills back to strike the enacting clause.

PRESIDENT: The question is, shall LB932 be returned to Select File for specific amendment. That is to strike the