

beginning to wonder if maybe the Nebraska Accountability Office ought to look into a lobbyist who is representing two different clients and the World Herald has brought out the idea and says that they have interviewed people who have said vote trading is going on. Whose side is he on? I don't know. I don't know that Radcliffe is doing it, but I know that Senator Marge Higgins didn't do it. Now if I vote for the Commonwealth resolution, I shall probably be accused of having made a trade in favor of Commonwealth. If I vote against it, I still stand accused, suspect. I've never made any bones about where I stood on LB 144. Last year I was for video lotteries. This year I am for it, but I have not gone out and tried to trade a vote.

PRESIDENT: One minute.

SENATOR HIGGINS: But I want you to know, the people of Commonwealth, that I have no choice now. I cannot vote because either way, if I vote yes or no, I'm a loser and your lobbyist Walt Radcliffe put me and six other senators in that position. Thank you, Mr. President.

PRESIDENT: The motion is to advance LB 713 and, Senator Haberman, you are recognized to speak.

SENATOR HABERMAN: Mr. President, members of the body, I'd like to have you listen to me for just a minute. I asked to have the language, "the tort claim have a valid legal basis and a meritorious," I wanted that removed. Do you know why? I'll tell you why. Because the Banking Department wants that language for the court review. Wesely said, "It's puffery for the consumption of the courts," he said. Now there, members of the Legislature, are the facts. There are the facts that we are to influence the courts because Senator Wesely said the Banking Department wants that language for the court review. Wesely said, "It's puffery for the consumption of the courts." Now maybe Senator Wesely knows something I don't know, but evidently he is right because they didn't want to take that out of the bill. They wanted to leave it in there. Therefore, I say this is dangerous. If you vote to advance this bill, you are putting your stamp of approval to the courts for puffery reasons if none other, that it's okay and all of these little questions the Supreme Court and the Chief Justice and the Attorney General, they are all going to say, Legislature, your bill is okay, you did fine, because as far