

this morning. Senator Duis and others want to say that population which has been accepted as a basis for making distinctions have been utilized in other bills, therefore, you should check all those bills. I think this opinion has indicated that if there is a valid basis for a population distinction that can be done. But it indicated that there are situations where that basis is not proper, and in that case the classification cannot stand. A lawyer wrote this opinion. You can say that lawyers are shysters which I have often done. You can say that they are going into every pocket which I have often done. You can say that one of the thieves on the Cross with Jesus was a lawyer and the other was a doctor which I have often said but the fact remains that you are dealing with a legal issue. An attempt was made to solicit an opinion from a person conversant with legal issues. You got the opinion and now you don't like it so you are going to say that the expert which is acceptable in other instances is not acceptable in this one. I would submit that if you disagree with the opinion you should give specific portions of it and specific reasons why you disagree rather than just say the whole thing is trashy because you don't like it. If this is a trashy opinion, all opinions from the Attorney General's office would have to be considered trashy. I think that an evasion of the issue has occurred this morning as evasions of various issues have been engaged in with reference to the entire discussion of LB 372. I am going to support the motion to return the bill. Others of you can go ahead and pass it. If it is challenged in court and the Attorney General happens to be upheld, then it will just show again how foolish the Legislature is, that rather than sit down in a deliberate fashion and enact a bill which, when you consider it, at least appears to be proper, if instead of doing that, you are going to rush through with it, then I think the Legislature would be in line for some ribbing, good-humored and otherwise. It is actions such as this in disregard of what we know we ought to do that will cause people to say that nobody is safe when the Legislature is in session, that even though we make \$400 a month, we are being overpaid. I believe that the record of the Legislature which is going to be condemned by people should be condemned on the basis of their disagreeing with the position that we took, not because we took a foolish position in disregard of prudent considerations. For example, I am strongly opposed to the death penalty. People can condemn me for that but they can't condemn me for being stupid or ignorant or unprepared in my presentation of the issue, itself. If we move in disregard of this opinion, then we can be condemned for being slipshod, nondeliberative and unwilling to sit down and consider whether what we are doing is prudent. If you don't want to return the bill to strike the enacting clause, you ought to at least hold up on passing it in its present form. Personally,....

PRESIDENT: You have one minute.

SENATOR CHAMBERS: ...I will support Senator Fowler's motion because that is the only one before us at this time.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, colleagues, the Attorney General's opinion has been in our hand for twenty minutes.