

PRESIDENT: Senator Cope.

SENATOR COPE: Mr. President, members, I think that Senator Kelly and Senator Marsh will attest to the fact that I have been very uncertain about this bill, which way I was going to vote and the way it was handled this morning I think probably makes up my mind because I just don't think that it is the fair way to do it. If this Attorney General's opinion had been brought out in General File, it certainly might have swayed me, it might have swayed other Senators' opinion on it but when it is used as a last-ditch effort, then I rather resent that and probably will change my vote if I have a chance to change it. So I would ask that we not return this to Select File to kill it and see what happens with it. If it does pass, then certainly if this one man's opinion, this Attorney General's opinion, or Attorney General's office opinion, is correct, a court case can be used to straighten it out, but remember, it is one man's opinion, one attorney's opinion.

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: Mr. President and members of the Legislature, we have two varied separate issues here before us today that are tied together only at the end. One issue is the bill. I hope you will look at it objectively to the best of your ability and vote on it on that basis. Senator Cope just said perhaps some people would be swayed by the Attorney General's opinion. I hope you will not be swayed by the Attorney General's opinion and you will make up your mind on this bill on the basis of what is there and what you have heard in testimony. I am appalled by this Attorney General's opinion. Mr. Royce Harper, whoever he may be, has given us a misdirected missile against the legislative branch. He suggests to us, as Senator DeCamp mentioned, on what basis we are making our opinion and then says it is a loser. I don't know how far this is going to go. When are we going to have our opinion from the Attorney General suggesting that we can't do something for first class cities and not do it for second class cities or vice versa. That probably will be the next step if trends continue. The most well known population distinction for legislation in the United States today is whether or not a county contains a city of 50,000, a standard metropolitan statistical area. As a matter of fact, just because that is deemed to be a sign of urbanism, it just so happens that this bill effects the only two counties in the state that contain cities of over 50,000. Mr. Harper, you ought to consider that fact if you are going to interject yourself inappropriately in this process in this Chamber. I am not raising this argument on the basis of this bill. I am going to look at that bill and see if I think it makes sense for the people of Nebraska and I hope you will. Now if I could offer a little free instruction to those of you who are here, I would suggest the first thing you do is pick up the Attorney General's opinion and you crumple it like that and you throw it south where it belongs because Senator DeCamp told you exactly what it is. It belongs in a trash can. Then you pick up your bill book and you look at the yellow copy and you ignore the inappropriate intrusion in the legislative process and you look at the bill and you decide