

SENATOR KOCH: Mr. Speaker and members of the body, a week ago we had a simple bill on this floor. It had to do with the color of a bus, either chrome or glossary. This bill has far greater implications than that little bit of mess. I am doing this in good faith. I believe the bill has been amended on this floor to the point that it should go back to the committee for a hearing on the amendments we have adopted to see whether or not the Judiciary Committee can not come to this floor with a bill that is in proper order with a language that has been stated correctly and I appreciate Senator Chambers' testimony this morning and those who have attempted to work on this bill. For us to sit here and admit that there are constitutional issues with 316, I think, is an absolute wrong. We are saying that we still have a bad bill. Even Senator DeCamp has quoted in the World Herald yesterday, "It's a bad bill." Now then, the great compromiser, Henry Clay, in case you forget, 1854, is saying again to us, I have put together the pieces. I have brought in the splinter groups. We are now united and we have solved the problem of a law relating to a very sensitive issue. We have not solved it. We are going to be here one more time next year talking about the same subject. It is still going to be as volatile as it is now and those of you who are running for reelection will have the same problem I had. I suggest to you if you really want to treat this issue, you better treat it right there in the Judiciary Committee where they have the staff, where they have supposedly the background to come out here with a bill that meets the constitutional test until such time as a United States Supreme Court decision has some way or another been changed. You all took the oath to uphold the Constitution of the United States and the Constitution of the State of Nebraska, yet we find in this bill as we are going through it right now that it still is vulnerable to court decisions. Why fly in the face of that kind of trivia and that acknowledgement on the part of the introducer and those who support it? Senator Nichol says we should keep our cool. That is correct. We better keep our cool. We better sent it back to the Judiciary Committee. Let them wrestle with it. Let them research it. Let them bring it to the floor where there is no question of constitutionality. That is the reason I ask the bill be rereferred to the Judiciary Committee for a public hearing.

SPEAKER MARVEL: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I rise to oppose Senator Koch's suggestion, not that the