

the Executive Board to General File which the rules and the law does allow. So that is why I wanted it to be handled this year in the same way it was last year by being placed directly on General File and that is why it is where it is this morning.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I, too, have two or three questions of Senator Chambers and perhaps I can ask them, all three, and you can answer them all at once. As I understand the bill, the Legislature is asked to make their opinion as to what the Constitution says, in the first two or three lines of the bill. I don't know if the Legislature is the one who should say what the Constitution says. Maybe we are, and you can explain that. The second thing is, perquisite is used in the bill and according to the dictionary "perquisite" says "A payment or profit received in addition to a regular wage or salary" and I don't think you mean it to include the word "profit" in defining the word "perquisite". And also in the bill it says any expenses incidental to the performance of duty which may mean things not necessary in the performance of duty. And, lastly, I was wondering if you had any thoughts about referring this again back to the public for a vote which would probably be futile.

PRESIDENT: Senator Chambers, do you wish to respond to those three questions?

SENATOR CHAMBERS: As far as referring it to the public, I think, Senator Nichol, do you mean as a constitutional amendment? It is not necessary to do it by the constitutional amendment route. The Legislature can enact such a law. So that wouldn't be necessary. But as to perquisite, the idea is to indicate that "perquisite" is "profit". It is additional pay which the Constitution prohibits. However, expenses are not defined as profit or additional pay so there is a distinction. If expenses were perquisites of office, we could not even get the expenses that we now get between sessions. So what the Attorney General has said is that when we are functioning indirectly, so to speak, as Senators between the sessions, we can get expenses, but when we are functioning directly as Senators in the session, we cannot. So there is a conflict right there. But as far as the Constitution being construed by the Legislature, I am going to read you again language from a U...Nebraska Supreme Court decision, I almost said United States Supreme Court decisions. The case is State versus Sheldon. It is found at 78 Nebraska 552 and here is what