

May 22, 1981

LB 472A

SENATOR CLARK: Senator Marsh.

SENATOR MARSH: Mr. Chairman and members of the Legislature, it seems to me that when we took the oath of office, we as individuals promised to uphold the Constitution of the United States and the Constitution of the State of Nebraska. Senator Beutler pointed out that even if this were introduced today, there are not sufficient days remaining in this legislative session to make this a constitutional bill. I cannot imagine that a group of persons who call themselves a religious body would ask you to do something which is, in fact, unconstitutional. The group of persons who have requested the action which some of you are trying to take are a group who say they are a religious group. In no way can I believe they would want this body to go on record as doing something which the body is aware is unconstitutional by the State Constitution of the State of Nebraska, for each one of us took that oath when we accepted the responsibility of serving in this legislative body. In no way could I vote to suspend any rules when the ultimate objective is to do something which is unconstitutional. I urge you to consider carefully your vote and not cast your vote for the emotion of the topic but to do your responsible action thing which is to uphold our Constitution. Try by rule and legislation and vote to change the Constitution if you do not like it but do not ignore the Constitution of our state which is here for our safety and the safety of all of the persons who live within our state. This is not something to be taken lightly and I know that Senator Kremer took his oath of office and did not really mean that we should pass this any way, notwithstanding what our Constitution says.

SENATOR CLARK: The Clerk informs me that there are five days left, today and four additional days. I am just making that as a point of clarification. Senator Wesely.

SENATOR WESELY: Thank you, Mr. President, members of the Legislature, I also rise to oppose this attempt to gut this bill and to put the issue before us before we have had a chance to, I think, look at it very carefully and also because of the constitutional question Senator Beutler raised. I kind of resent the situation we are placed in. We understand the problems they have. The court case have caught them by surprise but they have taken up an awful lot of our time this session. This is the third or maybe the fourth time this has come up. We argue, we debate, we take time. We have four days left with bills we spent a lot of time with already and yet, yet, they are back again and my question is this. It seems to me that the decision came down. It was