

conducting, I think. So, I would ask you please, we have been over this a couple of times before. Let's leave the bill the way it is adopted and not go back and get into the same thing again. But, in addition to that, let me point out to you that when the amendment was first adopted we asked for an Attorney General's opinion. That opinion is now being passed around to you. Let me point out to you that they say in the opinion that the amendment in its form that it is in right now is very dubious as far as its constitutionality is concerned. In addition to that they point out practical problems in constructing the law or how you would interpret the amendment, how it relates to other sections of the accountability law. So there are practical problems with it and the Attorney General has indicated that without further intent language that it is probably unconstitutional. So I hope for those reasons and for the reasons that we have been through this before and I consider it somewhat unfair to bring it back up again another time that you will simply proceed to go ahead and pass 134 in its present form without any additional amendments. If there is a loophole the introducers of 134, 134 itself does not create the loophole, if there is a loophole it has been there before, we have lived with it and we can live with it for a short time into the future. Certainly until next year. The amendment is not necessary, it is probably unconstitutional and it is certainly late. Thank you.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, members of the Legislature, this is an amendment which I supported the last time it was brought up on Select File and I supported it because I thought Senator Schmit had hit upon a point that needed to be talked about, brought to our attention and certainly was a problem. I do however think that it would be wrong at this point to bring the bill back and amend it once again in the form that Senator Schmit has talked about. I think the more appropriate step to take, the Miscellaneous Subjects Committee does have a study resolution on this issue. They have planned to look at this and other issues involving the question of the Accountability Commission. I think that they will do a good job. I think that we do need to do something about the problem. I support the fact that we need to put some constraints and controls on it. However, this is not the time to do that and I think that the bill has been worked out to a point where we can all live with it. It is something that we all can be proud of, and I think that the issue that Senator Schmit raises is kind of a day late, almost, in a sense. It is in a