

injunction applies only as to the plaintiffs in that case. With the decision, however, in the Eighth...it doesn't apply to the world, it only applies to those plaintiffs. The County Attorney of Lancaster County, today, could go out and enforce that statute. And, in my opinion, I think maybe John will concur, that under Hodgson there is no way, shape or form that that statute would be held unconstitutional, because Hodgson is less restrictive. I'm sorry. The statute in Hodgson is more restrictive on the minor than is this statute. So it is clearly constitutional, in my opinion, and would be held so. That was in '83...Urbom's decision was in '83, the Eighth Circuit case intervened. The Eighth Circuit case was in 1986. And so that...there lies the problem. Now you either repeal that law or you work with that law as it is and amend it. But to bring it...But right now, if we passed 769, we'd have two conflicting statutes, the one that already exists and...

SENATOR SMITH: ...the one that we're working on right now.

SENATOR ASHFORD: ...the one that we're working on now, and they are significantly similar. I mean...

PRESIDENT: One minute.

SENATOR ASHFORD: ...so...

SENATOR SMITH: Thank you. And then, Senator Labedz, would you respond now, please. Can you tell me then, Senator Labedz, what your intent to do here then is to reinstate, in the statutes, with the piece of legislation we have before us, basically what we had before?

SENATOR LABEDZ: I can't...I don't understand your question. Would you repeat that again.

SENATOR SMITH: Well, see, basically the response I've had from the two attorneys, instead of just reinstating the statute that we have is your intention, I mean is that what you're trying to do with this new piece of legislation, to reinstate what we originally had in statute?

SENATOR LABEDZ: No, it's different. That's why I believe Senator Lindsay is repealing 28-347, is it? Yeah.

SENATOR SMITH: All right, now explain to me what's the