

He's, as I see it, the executive branch, we being the legislative branch, that would be a violation. He is totally independent, can do whatever he wants to. I suppose we could pass a resolution urging him to do that, but I'm not sure that we could bind him to do that.

SENATOR BERNARD-STEVENS: Yes, thank you, Senator Kristensen. That's the thought that I had as well that, members of the body, the intent that I think Senator Coordsen has is admirable. And it would be nice if we could have an opinion to know whether we can go one way or another. But, in essence, what we're doing is putting another legal...a legalistic battle on a bill that we don't really need to have. In essence what we're doing is quite probably a violation of separation of powers between the executive and the judicial and legislative branches. And I really don't think this is a question we need to get involved with on LB 259, whether you're pro or con to the bill. This is not....this is one of those amendments that I think is very well-intentioned but would cause more problems than it would help. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Senator Withem, would you care to make another comment?

SENATOR WITHEM: Yes, just very briefly. Again, just to repeat, I know there is a lot of confusion because the amendment isn't readily available and it's not necessarily easily understood. I think I would accept Senator Coordsen's explanation that the intent is to get the Attorney General involved immediately after the passage of this, the effective date of this bill, arguing the case before the Supreme Court. It just doesn't seem to be that good a policy. I know where it came from. It was a provision in LB 662, and it was lifted right out of 662. And that, at that time, was designed to test a very specific, key portion of LB 662 about keeping the attendance centers open and if the Legislature could, in fact, mandate that or not. That was a key portion of the entire bill. This really tests the whole bill and kind of sets the court out into a fishing expedition of can you find something wrong with it, so we can go back to the old system. I just don't like the idea of us, as a Legislature, directing the Attorney General to take action and particularly direct the court, in effect direct the court to give us a judgment by a particular date. There is a lot of other things that are out there pending in the court that deserve answers as quickly as this does. We should not get into