

the issue as Senator Labeledz and they, too, have been here. And for the body to get down to a very menial, low level of discussion of who is giving up the most and sacrificing the most and who is a more righteous person because it's really nonsense because all of us here are giving up so much simply to be here. And I think many of you know...well, I won't mention that. Senator Labeledz also commented upon the bill, 769, and she mentioned that what do we know that is so much better than the judge that's on the 8th Circuit Court of Appeals. And, once again, we have a very trivialization of an issue down to a bare statement that has no merit. I'm sorry, it doesn't have a merit, because courts rule in their minds what are constitutional. The court never said whether they felt it was a good law. To give you an equally ridiculous comparison, if the State of Nebraska, if the Legislature would decide to tax, through the income tax, 100 percent of all people's income and we passed that, that would be the most ridiculous thing I could ever imagine. But if it was challenged in the courts as to its constitutionality, I suspect the courts would rule, yes, it is constitutional for them to do that. And that's what Senator Labeledz is trying to, in my estimation, pull over everyone, that because the 8th Circuit Court of Appeals ruled a law constitutional, she is trying to make then the connection and the linkage that because it's constitutional it is, in fact, right. And there can be and is no linkage. I will never argue with Senator Labeledz that the 8th Circuit Court of Appeals has not ruled this to be constitutional. I will argue forever anyone saying that anything constitutional makes that good, right and fair and just. Courts are not there to dictate what is fair and just in regards to good policy. Courts are there to interpret the law as to whether or not it is feasible under the law to do so. I may be innocent of a crime but the evidence against me is so heavy and I have no witnesses to verify what I was doing except me, I have no friend out there who will come to my aid and hire a very expensive attorney.

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: I have a public defender who is way overworked and it's just me and only I know that I am innocent and God knows. But I cannot prove it in a court of law against the overwhelming testimony that people believe to be true but is not. And the court will find me guilty and I will go to jail. And the courts would have been just because they performed their function based on what the rules were but everyone in this body