

unconstitutional or it may be, but let's give it a try. Who represents the interest of the Legislature? The Attorney General is going to be on the other side. We've had several of those cases where bills have been declared unconstitutional by the Attorney General. It is the duty of the Attorney General then to take that matter before the Nebraska Supreme Court. Who represents the interest of the Legislature? It turns out to be counsel selected and under the budget of the Attorney General. That makes me real uncomfortable. What are some other areas? Well, we've had termination of other staff employees within the Legislature. We've had...I think we've currently got a reapportionment or a redistricting lawsuit in the Legislature. Who represents the interest of the Legislature in that matter? We've wanted to file amicus briefs in the property tax issues. Who represents the interest of the Legislature there? There isn't any. Institutionally what you're looking at is that much like Congress, Congress has very few bills declared unconstitutional. Why is that? They have a rather efficient and a crack staff of those sorts of people who can review legislation who can give legal opinions, but also represent them before the U.S. Supreme Court and the appellate courts in the lower areas. They have very few bills declared unconstitutional because they do the work ahead of time. We have a lot of other things that the Legislature gets involved in and we're going to become more involved in in the future. We're on the cutting edge of legislation like choice legislation, we've been involved in low-level nuclear waste, all of which draw national attention which draw outside interest and which draw outside tactics. Many of those tactics are to attack the Legislature. They can attack you as individuals, they can attack the body in the form of lawsuits. We've also had investigations by this body where it would have been helpful to have legal counsel assist the issuing of subpoenas....

PRESIDENT MOUL: One minute.

SENATOR KRISTENSEN: ...collection of documents and defending ourselves in court and what do we wind up doing? Well we spend part of our time struggling with who are we going to get for outside counsel. We have little or no control then over expenses. If we have our own staff we do have control over our expenses and we can control the information. Now I'm sure you are going to hear yet this morning, in fact I'll talk about the Attorney General's Opinion later on, but I would endorse the committee amendments. The committee brought those to us and I'd