

April 2, 1992

LB 78

should diligently work together to find the best possible solutions for all citizens of Nebraska on this issue. So unless she can talk about the amendment where she disagrees, I think we're in total agreement on the Bernard-Stevens amendment. Senator Labeledz's only argument was against the amendment that is being proposed and again also to the amendment to the amendment that Senator Hillman would propose that would set up the task force was simply that it gutted LB 78. Now that would be normally a legitimate argument if there was a chance for LB 78 to actually to be enforced. The fact of the matter is even if LB 78 would become law, it would be immediately enjoined. It is not constitutional no matter how Senator Lindsay wants to argue. It is not constitutional at this point. It may, in fact, change depending upon a case law that will be coming down from the Supreme Court, but at this point if the bill were passed, it's not constitutional and, quite honestly, it would be enjoined. Senator Labeledz argues that the amendment...she disagrees with the Bernard-Stevens amendment because it strikes LB 78. She would rather stay with LB 78 even though it's a bill that will not pass this Legislature this session. We could get away from the fight, we could acknowledge this bill is not going anywhere. We could acknowledge that there are some areas that we're all concerned with. We could move aside and...

SPEAKER BAACK: One minute.

SENATOR BERNARD-STEVENS: ...move on to other discussions. But again the point of the matter is Senator Labeledz does not want this body to do that. Senator Labeledz would rather stick with LB 78 regardless because they want to rally both sides, both sides of the issue want to use this body for their own political purposes. We are being used as this body, we should be aware that we're being used. We should be ashamed that we're being used. We should resent the fact that we're being used and we should strike out on our own and say enough is enough. The Bernard-Stevens amendment is common ground that we can move onto. We can get away from the issue and we can take back our institution for ourselves rather than having us being wagged around by someone holding onto our tail and throwing us hither and yon.

SPEAKER BAACK: Thank you, Senator Bernard-Stevens. Senator Bohike.

SENATOR BOHLKE: Thank you, Mr. Speaker, members, I see Senator