

incorporated if we adopt it, whether we reference it or not, and that will be the determination of then constitutionality, correct? Subsequently?

SENATOR CHAMBERS: If...I'm going to answer this way and then give a yes or no to what you asked. If we were not singling out one item for specific consideration in this process, my answer would be unequivocally yes. But since the purpose of this bill is to set up a priority in terms of which rights are most important, I think there are others that have to be listed to have the same stature for the purposes of 168.

SENATOR BRASHEAR: All right, and then, Senator Chambers, in it's broadest sense, wouldn't we expect at law that any agency of government would do all of its work analytical or otherwise with reference to the Constitution of the United States and the Constitution of the State of Nebraska?

SENATOR CHAMBERS: Unequivocally, yes.

SENATOR BRASHEAR: Thank you. What I...and I really wasn't overly serious with this. What I really come to the conclusion we're doing here is that we are stating the law as it, in fact, is in your amendment and, therefore, we could all vote for it or because it is already the law, we could all vote against it. And I, you know, in my freshman naivete, I was then going to inquire if you, given your experience with the rules, I wonder if we just unanimously adopted this by acclamation if that then would solve the process and we could move on with this legislation? I said since it seemed we could go either way, my question is, given your experience with the rules, I was wondering if you could advise me is there a way we could then adopt this unanimously by acclamation and if that would satisfy your concerns and then we could move on?

SENATOR CHAMBERS: We can only adopt an amendment by a vote.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: And it has to be by a majority of the elected members. But here's what we could do. We could change, we could get rid of LB 168 as a bill, convert it to a resolution and state the same thing and I wouldn't fight it nearly as hard as I am something that is going to go into the statute books.