

rest who support this bill cannot give us a single example in Nebraska. Maybe there are people in other parts of the country who have challenged a federal regulation or rule. Maybe there are people in other states who have challenged a law of their individual Legislature or their respective Legislatures, but that cannot be transported into Nebraska and used as a basis for a law such as this. Senator Bromm is not accurate when he says we don't have to rank or rate rights and freedoms. In a general sense, that may be accurate, but when we're talking about specific legislation whose intent is to do that very thing, then it is necessary for those of us who feel there are rights more important that need this kind of consideration, we must speak and we must attempt to bring into the same forum at the same time a discussion of those rights which we feel are of equal stature and, in some cases, command greater respect and are of greater import to the citizens than this thing of these vague notions of property. Senator Bromm would have to tell you, if he was going to talk about bodies of law, that the state courts and the federal courts have dealt with the issue of a governmental agency taking private property for a public use. In some cases, the courts have said the taking of the property cannot occur because it's not for a public use. In other cases, the courts have said you can take it because the use is public but the compensation you've offered is inadequate, therefore, you must ante up some additional compensation. So the constitution offers a protection of property, the statutes offer it and the decisional law will provide additional guidelines and concrete guarantees. What Senator Jones and Senator Bromm and others are trying to do is to say that we want to put on the statute books a law that elevates what are called property rights above every other right guaranteed by the constitution. And I think a point needs to be made about that. When the Federal Constitution, which is a government of granted powers, talks about the Bill of Rights, it is not bestowing these rights on anybody. What the constitution is saying is that these rights already exist. It is not within the power of the government to bestow them because they are inalienable rights, they attach wherever there are human beings in an organized setting and because these rights are fundamental, basic and inalienable, the government doesn't have the power to grant them, what the constitution says is the government does not have the power to interfere with them. That's the way the federal Constitution is to be read. These rights exist independently of the constitution. Those people who are trying to persuade the states to adopt the U.S. Constitution were prevailed upon to