

SENATOR CHAMBERS: Madam President and members of the Legislature, what Senator Wehrbein read is not something that will be a part of this bill. What the courts have indicated is that a person should be able to go to the statutes and find out what the law is on a given subject, and this is why if legislators want to say, well, we meant such-and-such, what the legislators meant will make no difference. If the language of the statute is clear, even if it is the exact opposite of what the Legislature meant, that language is going to be the law. If we left out the word "not" and intended to put it in, and all of our discussion on the floor showed that, the court is not through its interpretation or construction going to insert a "not" because that would be the court amending a statute and they will not do it. There have been numerous cases where the court has said if you are talking about the wisdom of what the Legislature did, we would have no reluctance in saying that we find questionable the wisdom of enacting legislation like this, but it is what the Legislature did. The Legislature had the authority to do it, the legislation is not ambiguous, and it will be applied as written. If you read these cases, you get an idea of what the court might do. I am going to have to find a way to get myself standing, which means being in a position to challenge the enactment of this law, since it was not done in the way that the statutes say that it should be done. Periodically, as I was just telling Dad back there, well, you know that since Senator Witek claimed Senator Wickersham as her father, that indirectly made him my half-stepfather, or something, since Senator Witek and I have that relationship. He raised a very good point, and it is one that should not be laid aside lightly. The Legislature, last year, did enact that into law. As long as it is there, as it is there and not construed by a court to be unconstitutional, it is the law, and the Legislature is so anxious to pass this bill that it will ignore the existing law. In a way, that just follows what LB 371 has done, and what LB 371 is, lawmaking at its worst. This is one of those instances where because the Legislature has the power to do something, it is doing it. The Legislature can enact unconstitutional laws, as it has done on occasion, and until those laws are challenged, they represent and constitute the law of the land on that particular subject. So the issue that Senator Wehrbein I think tried to address with what he read still is out there. The bill contains none of those things required by existing law, and I think it is worthy of a challenge, and I am going to need something this summer to do