

before the Legislature for five legislative days when it's offered on the 57th day, then that has to be the ruling on any matter that comes before the Legislature forever after. That is a ruling on what the constitution will mean and as far as our enacting legislation. So there's more at stake here than just whether or not an opinion by the appellate court...

PRESIDENT ROBAK: Time. Thank you, Senator Chambers. Senator Matzke.

SENATOR MATZKE: Madam Lieutenant Governor and members of the Legislature, I want to address my remarks to Senator Dierks and I want to do my best not to talk like a lawyer. I want to quote a provision out of our constitution. Now, it's...it's the constitution for all of us whether we're lawyers or nonlawyers. But Article V, Section 1, which is the first paragraph and the first line of the section on the judiciary says, and I think this contradicts what Senator Chambers has just said. He's suggesting that we're dictating to the Supreme Court. We're not. We're fulfilling our constitutional prerogatives. Our constitution says, "The judicial power of the state shall be vested in a Supreme Court, an appellate court, a district court, county courts, et cetera, as the Legislature shall provide." As the Legislature shall provide. This deals with the judicial power of the state, as the Legislature shall provide. All we're doing is performing our constitutional function here. This is not legalistic. This is straight out of the constitution. We are defining the use of judicial power in this state as to what should be considered precedents and what should be thrown to the wind. And I think we're fulfilling our responsibility, and I certainly disagree with what Senator Chambers says we're...and for the record, we're not in any way trying to dictate to the Supreme Court.

PRESIDENT ROBAK: Thank you, Senator Matzke. Senator Withem.

SPEAKER WITHEM: Yes, Madam President, members of the body. I was hoping I could wait to make this announcement after we had made a decision one way or the other on this measure, but I think I need to make it now. We have about three other bills other than this one up there, that are waiting for motions to return. It would be my intent, and the other part of the dynamics with the agenda tonight would be any bill that gets amended today needs to go upstairs, be acted upon, and come back