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one hour or more of dissertation that the Attorney General's opinion didn't mean anything. Now I think that--that with--anytime the state without a court action refunded your money back plus the fact of all the Senators that have served ahead of us in this Legislature, they may not want their money back, they might want this taken to court. I think that I should hear from Senator Luedtke and some of the rest of you because I think we did the wrong thing and I think that this thing should go to court and get adjudicated. Now in my mind the judges could not have their remuneration raised during their term of office, the same section I think of the Constitution, and yet I think in their bill they found theirs constitutional. Where did we lack the courage and intestinal fortitude to just weakly do what we did. Why didn't we initiate a friendly court suit and do the proper thing to clear the air and see whether we could or could not. I have more to say on this but I'd like to hear from some of the rest of you. Just bear in mind that when that motion was made to refund we were a Legislative Council not a Legislature. I think someone could take this Legislature to court and the state of Nebraska to court on this thing and just clobber them if we were really illegal.

SPEAKER: Senator Luedtke, do you care to respond?

SENATOR LUEDTKE: Mr. President, members of the Legislature, I assumed that this was--had gone through the proper legal channels and that we had had the Attorney General's opinion on this. We have always followed the General's opinion on matters relating to this kind of action. I think it is up to the individual if he wants to initiate a lawsuit. Senator Syas, I don't think there is anything to prevent your initiating a lawsuit on this. As far as I, personally, am concerned I am satisfied with things the way they are. I was very happy to get that money back.

SPEAKER: The chair recognizes Senator Duis, then Senator Proud.

SENATOR DUIS: Mr. President, I wish to address myself to Senator Luedtke and also to Senator Syas. I didn't--it doesn't make particular difference to me whether the money remains in there or the money came back, but I am concerned with the fact that they used this money during this period of time of interest and someone has gained the interest from this money that was left in there and it was not returned. Now it is my question is, did the life insurance company who apparently had charge of this use this money and did they gain from the use of this money and the state of Nebraska has not received this back. This is my question and I think it's a serious question that should be answered because this life insurance company which was endowed with the grand use of this money, and I am sure they made interest above the interest that we would have gotten in return and suffered no losses whatsoever, should be, return this money either to the state of Nebraska to the General Fund or should return it to these people who were so kind to leave their money in there during that length of time so they might enhance their financial statement.

SPEAKER: The chair recognizes Senator Proud, then Senator Whitney.

SENATOR PROUD: I didn't catch everything Senator Syas said but he said something about the Judges couldn't raise their own salary, was that right Senator? Of course, only the Legislature can do that whereas the

SENATOR SYAS: No, that isn't what I said, Senator Proud. Before you get started I want to clear it. I said you couldn't