

SENATOR MURPHY: On a point of order, Mr. Chairman.

SENATOR CLARK: State your point.

SENATOR MURPHY: Senator Chambers has indicated that this proposition is unconstitutional and the fact is that if a substitution has been made five days prior to our consideration and has been before us that that in according to the Attorney General makes the proposition in effect, Constitutional. I wouldn't want this body to vote under the specter of an unconstitutional proposition which does not exist in this case.

SENATOR CLARK: Clerk will read the bill.

CLERK: Mr. President, Senator DeCamp moves to return LB 940 to Select File for a specific amendment, the amendment being to strike Section 1.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, it was the only way I was going to get some information to correct some things. Senator Murphy corrected half of it. There is no Constitutional problem. Ernie only did half the research on it. The other half checked the cases. As long as it has been before the Legislature the five days in any form whether it is sitting there in another bill or anything else we are home free, and I welcome, if it passes I welcome a Constitutional test on it. It has been tested in other bills, I can't recall all of them now, but anyway, I would just submit to you, Senator Johnson, if your information on the balance of the bill is as accurate as your information on how many states have done what on this bill, then I think people should be just a little suspect. You kept saying two states, two states, two states, forty-eight other states are going in another direction. I have got a list of nine states already here that have gone with their own exemptions and 14 others that I have got right here, I can give you the names of, it is pending right now to write their own exemptions, exactly as the feds want it and the others, most of the others aren't in session. Remember this is the short year and a lot of the legislatures around the United States aren't in session this year. They are only in session one year. So, I think that it is exactly the opposite of the picture you are portraying. You make it sound like only two states have done anything and they are crazies. In fact, it is a large group of them and a number of...it is pending and the others are not in session. I withdraw my amendment. It is the same silly game he did.