

the court itself said: "That body", meaning the Legislature, "has the right to construe the Constitution, and if the language of that instrument is subject to two equally reasonable interpretations, if the Legislature adopt one, the courts will not adopt the other." Now in the Attorney General's 1937 opinion this is one of the definitions he gave or one of the constructions that could be placed on the constitutional provision relative to our pay, "Perquisites refers only to compensation or reward for the performance of an official duty and this would not prohibit reimbursement of expenses." So what the Attorney General admitted is that if you accept the definition of "perquisite" as additional compensation, it does not include expenses and by accepting that interpretation expenses can be granted during the session. But the Attorney General in 1937 of his own accord chose to reject that interpretation. So if the Legislature, which the court has said can construe the Constitution, accepts that interpretation of perquisite which the Nebraska Supreme Court has already accepted and we put it in a law, the court will accept the Legislature's construction and the law will be upheld and we will get the expenses.

SENATOR NICHOL: Thank you, Senator Chambers. I would just add that for the record then you say "perquisite" means actual expenses and not any profit so that we have that clear. Any comment on that, Senator Chambers, for the record, you don't want to include additional profit other than actual expenses, is this correct?

SENATOR CHAMBERS: "Perquisite" means the opposite. "Perquisite" does mean profit and we are prohibited by the Constitution from getting that. There is no way I would be in favor of trying to enact a law to increase our compensation or salary, and if a court looked at what we call "expenses", and it turned out to be a guise for increasing the salary, it would be struck down. So I am not trying to increase the salary. This is "actual expenses". We can prepare an A bill and either select a lump sum amount or use the Internal Revenue Code as a guide and give a certain per diem which will reflect the actual expenses connected with being in the Legislature.

SENATOR NICHOL: Thank you, Senator Chambers, that answers my questions exactly. I would only suggest one other thing, Senator Chambers, and that is this, that you have specific items which should or should not be included in these expenses. For example, I live four hundred miles away and I think it is imperative that I have an apartment here during the session. I would say that as far as I am concerned that