

September 28, 1992 LB 10

amendment we have barely moved in that direction. Like I say, the committee attempted to provide what we could towards some kind of cutting mode back when we introduced the amendment.

SPEAKER BAACK: One minute.

SENATOR CONWAY: We're now at a point where it just really isn't making that much difference. And if we need a period of time to rationally study and address the program and see what the impact would be on recruiting and go through that whole process, because...since we're not really cutting funds at this time, then maybe it would be wise to come back and bracket it for January 1, put it into the regular committee structure, let the National Guard and other people provide the information that is appropriate, and then you're going to be making the right decision, and it probably isn't going to make any difference because there is no savings between now and next July anyway. So I guess I'm rising to support the bracket motion.

SPEAKER BAACK: Thank you, Senator Conway. Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, and especially Senator Conway, this Legislature, all it wants to, can write words in the Nebraska statute books, such as Nebraska National Guard. This is the State of Nebraska. We are the Legislature with supreme legislative authority, unless the federal government preempts what it is that we want to legislate on. The Constitution of the United States says that the U.S. Constitution and the laws enacted by Congress are the supreme law of this land, the action by any state notwithstanding. Meaning that no matter what a state does it bows or falls before a federal law or provision of the federal Constitution. Let me try to jog your memory so that you will put into perspective what Senator Conway said about the National Guard being under the control of the Governor. When "Robert" Reagan was the President of the United States (laugh), Senator Conway, he wanted to send National Guard troops into Central America. And there were Governors who said, oh no, these are our young men and women and we're not going to have them used for this purpose, and the Governors said no. And Reagan took them to court, and the federal government said, yes, they will, because the federal government controls the National Guard. And they went. America was not at war, there was not a natural disaster. It was a political move, known to be political, but the court said that the federal government had the right to move the