

already touched on it, because it is a legal issue, from my viewpoint; it's become made a political issue, but it is a legal issue. Senator Landis pointed out I was one who voted no on the bill in 1983, which I did. I didn't care who looked at my phone calls then and I don't care now. I should say I break the law every day, technically. Doesn't have to be long distance. But I call home three or four times a da' for reasons you all can understand. Every time I do it though if I don't use a pay phone, I broke the law. Now if you would live somewhere 50 miles from Lincoln and did that, you would be not only breaking the law but there would be money attached to it. So I want to freely admit that I break the law. Doesn't cost anything but I do. Well, yes, it does, costs something to have that phone in my office, I forgot. But we're going to go to court anyway with or without the bill. Senator Hall mentioned that all of you have seen the copy from the Attorney General's letter indicating that there was a question of constitutionality on whether or not the phone calls could or could not be checked in the manner that the Auditor wants to do. If we're going to go to court anyway, it's immaterial to me, you're not passing the statute, I'm not voting for a bill because of a person that happens to be the Auditor now, that's immaterial to me. You're passing a law that stands until again changed by the Legislature and there could be a dozen Auditors in between. There's nothing that I can think of that happens more frequently than if an agency gets a letter questioning the constitutionality of an act, they don't follow it. It's automatic almost. In fact, it was so automatic that Senator Hohenstein's predecessor had a bill enacted into law where an agency refuses to enact a...or to implement a legislation because the Attorney General said, (a), the Attorney General said it was unconstitutional and it had to go to court to be tested. They couldn't just arbitrarily not do it. Well, this is one of these cases where we're going to go to court no matter what because even though the current Auditor says or has said or might say that he would abide by these provisions, the Attorney General still has the letter saying it's questionable constitutionality. From my standpoint, if you adopt the Landis amendment, you just as well kill the bill. There really isn't any point in passing it whatsoever because the only basis for doing it is to set up a test case which isn't so unusual either, you know. Over the years, I have seen many a bill enacted and we did it purposely for the reason of being able to present a test case...

PRESIDENT MOUL: One minute.