

left out of the resolution because it was not legally clear what could be done in that respect." Well, that was the right thing to do, Chris, because the Attorney General has ruled that it is not legally...we can't do it legally. So you were correct there. So my question that I would like to ask you, my question is, is there any reasonable doubt in your mind that the proposal made in the resolution is constitutionally suspect? In other words, in your mind legally can we do what we are trying to do underneath Article XIII, Section 3 of the Constitution of Nebraska?

SENATOR BEUTLER: Under Article XIII, Section 3?

SENATOR HABERMAN: I can't hear him. Section...I am quoting, Article XIII, Section 3 says that we cannot...the state shall never be given or loaned in any aid of individual association or corporation, the credit of the state. Is there any doubt in your mind that we are violating that part of the Constitution underneath this intent resolution?

SENATOR BEUTLER: Senator Haberman, under the way the intent resolution is drafted, there is no doubt in my mind but that you can do it constitutionally. Now the resolution allows for two different routes with regard to the bonding. One of those routes is a state bond, the other route is a City of Lincoln...the City of Lincoln issuance of a bond with then state payments to the City of Lincoln, much in the fashion that the State Office Building was done. Now I feel very comfortable with the second alternative. I still feel a little uncomfortable with the first alternative. But as far as the resolution is concerned, when you allow both alternatives, then I feel completely comfortable that it can be done by the second means if not the first.

SENATOR HABERMAN: You are saying that we can pledge the interest on the cash reserve of the State of Nebraska to do what the intent...the resolution wants to do?

SENATOR BEUTLER: Yes.

SENATOR HABERMAN: You are saying we can do that constitutionally?

SENATOR BEUTLER: I am saying I think we can, yes.