

Senator Hartnett.

SENATOR HARTNETT: Mr. President, members of the body, I simply urge you to vote against this amendment. I think that Senator Hoagland raises a policy question, I think maybe one of the things we ought to do is to find out, can we do this, hold it off for another year, and I kind of favor what Senator Hall is suggesting is to defer it for a year. Because I think we...some of you made...I wasn't here last year, some of you made a promise to provide this homestead exemption relief for taxpayers of this state and so I simply urge you to vote against this amendment of Senator Hoagland's. Thank you.

PRESIDENT: Senator Carsten. Senator Carsten.

SENATOR CARSTEN: (No response.)

PRESIDENT: Senator Withem, do you wish to speak a second time on this matter?

SENATOR WITHEM: Mr. President, members, I merely wanted to speak for a point of information. Senator DeCamp asked some questions regarding the basic constitutionality of this question. I did not...I thought at one time, when I heard him first begin to speak, I thought we had had an Attorney General's Opinion that may answer his question. Since then we have visited, as I understand his question specifically whether LB 809 as it was passed last year was an unconstitutional act by the Legislature by classifying homestead property differently than other forms of property, that opinion does not answer that question. However, just for a point of information by those of you who may have had some questions raised regarding the legalities of the Legislature having to fund this if it is on the books or not having to fund it, we do have an opinion in the books on page 2235, an Attorney General's Opinion which, basically, says that, as I read it, that passage of 809 was a guideline for the Legislature to use in setting its budget this year. However, we are not obliged to come up with the money I guess any more than because we have a Women's Commission on the books we are not necessarily obliged to come up with that money, as we found out yesterday, or the Mexican-American Commission on the books, we don't feel obliged to come up with money to fund that program. We can leave this. I guess what I am getting around to is the