

April 27, 1989

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SENATOR HABERMAN: And to be sure, I want to clarify...thank you, Senator Schmit. Senator Warner. Senator Warner, would you yield to a question, please?

SENATOR WARNER: Certainly. Yes.

PRESIDENT: Senator Warner, please.

SENATOR HABERMAN: In listening to the speaker box, Senator Warner, did I understand you to say that until a decision is made by the courts, then it is presumed to be legal?

SENATOR WARNER: Yes, I think I said something to that effect, Senator Haberman.

SENATOR HABERMAN: All right, when the Attorney General makes an opinion.

SENATOR WARNER: Pardon?

SENATOR HABERMAN: When the Attorney General issues an opinion, do you assume that whatever the Attorney General says no to is legal until it's tried in court?

SENATOR WARNER: Well the answer to that can't be a yes or no, Senator Haberman.

SENATOR HABERMAN: Well you just told me yes or no on the other question when you said that the ramifications of the grain pact, the letter from the Attorney General, it indicates this, it indicates that, but unless it is tried in court we don't know whether...

PRESIDENT: One minute.

SENATOR HABERMAN: ...it's legal or not. Now I ask you, when he gives an opinion which could be saying the same thing as a letter giving an opinion...

SENATOR WARNER: Sure.

SENATOR HABERMAN: ...whether we say that that opinion of the Attorney General holds or does it have to be tried in court for his opinion to be upheld?