

have responsibility to both. From time to time when we get into the urban/rural twist if, in fact, the pendulum is starting to swing one way or the other, it puts me in a very precarious situation, because it's about almost exactly 50-50 with half my residents living in first class cities and the other half living in rural communities. As I look at this I don't want any provisional of this bill to jeopardize what it is we're doing even if there is some segment and if it even got between the urban/rural twist. We've had Attorney General's Opinions in almost every aspect of this bill that we looked at. Most of the people on the floor, I'm sure, were looking at the provisions, what would be the homestead provision portion and what is the percentage rate relative to the other side. We've had an Attorney General Opinion on almost everything except now what may be a legal question and that being a reverse severability clause which we haven't had an opinion on. May the reverse severability clause in and of itself is unconstitutional and would be viewed to jeopardize the whole bill. I think we're moving into a whole new precedence of what we're putting into language that the courts could interpret. We're telling the courts basically that we're ruling unconstitutionality if they see anything wrong at all, they've got to rule it all as unconstitutional or inoperable. To me, with that kind of lack of knowledge in here, I don't think it's worth running the risk to jeopardize the bill by having a situation in here where that be the case. If, in fact, there were some aspect of this that were deemed unconstitutional, we could forward the rush of the bill and we can come back and negotiate the process by which we take care of that other provision if that is possible, but I think that it's inappropriate to be putting in something that may be jeopardizing this kind of legislation. I strongly support it and I offer this and the intentions of making sure that we don't jeopardize it in any way, shape or form.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. The question is, shall the bill be returned to Select File? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 13 ayes, 21 nays, Mr. President, on the motion to return.

SPEAKER BARRETT: Motion fails. Mr. Clerk.