

bill for a specific amendment.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker, and members of the Legislature, it is critical, I think, that I have a chance to have an unalloyed moment of explanation to remind the body that there is not one shred of evidence before you that the state is in any way responsible on this bill. If that allegation is made then it is without legal support. The Attorney General's Opinion, when read carefully, says there is no constitutional objection. Secondly, Kutak Rock firm has opined to this body and you have seen that material. Third, we have specifically, in two different instances, in the bill itself said the same thing. I do not mind and do not...I don't mind that there may be differences of opinion on policy and options to go. Fair enough. Fair game. Those issues are at risk and I think the body is entitled to weigh them, to compare mechanisms as to how you want to proceed. But what is without legal support from either the Attorney General's Office or from any other source that I can tell is that there is a lawyer saying that as a result of 311 the State of Nebraska has a responsibility for these bonds. They do not. The bill says it. The Attorney General recognizes that there is not a constitutional flaw to that objection. Kutak Rock, the leading law firm in the state, says the same thing. That point I want to make clear. Now, admittedly, there is risk in the world. Admittedly, a matter of legal opinion is a guess as to what a court would do but that allegation has not been made by an authoritative source and that is the one thing I want this body to understand. If you have a fear that the State of Nebraska is held responsible under 311 for these bonds, you are not supported by any of the language that affirmatively says that by the Attorney General. That is not what the Attorney General says. And you certainly run into the objections of the Kutak Rock firm that say the opposite as well. You may entertain those fears, but those fears are not supported by a clear, definitive declaration of any authoritative source that I know of. And having made that point clear, I will withdraw the motion.

PRESIDENT: Thank you.

CLERK: Mr. President, Senator Schmit would move to return the bill.