

picked up through tax dollars would be. What's happened in terms of practical experience? Senator Beck, I think, mentioned an example over in Iowa. Over in Iowa they have a similar program to this. Their experience has been that the costs that have been incurred were approximately a little over 160,000 dollars, I think. And of that, 60 percent of those who use this benefit, this deduction were families who had children in public schools. Now, clearly, because of the difference in cost, those folks who had their kids in a nonpublic institution would derive a larger benefit. But if you'd follow, I guess, Mr. Mosher's opinion and you take his thought process to the end, I guess that then you know the argument could be made that only those individuals in public schools receive the benefit of tax dollars with regard to education, and there could be, based on the constitutional provision that was passed in '72, a problem with somebody who decided to use a public...nonpublic institution, or maybe a home schooler who decided to not go the public route, could make arguments with regard to how their tax dollars were being used and what benefit they derived from that.

SENATOR HANNIBAL: One minute.

SENATOR HALL: I mean it is convoluted logic, at best, and clearly does not stand up to the very recent history, all four of these cases were passed, handed down from the Nebraska Supreme Court in the last six...excuse me, eight years, and Mr. Mosher, in his opinion to Senator Hefner, fails to mention those. He was on the short end of the stick in all of those. I respect his opinion, I respect the hard work that he does on behalf of the Attorney General's Office. But I think he's wrong in this case and the Massachusetts Constitution that he deals with is the broader interpretation of the aid to nonpublic schools that would have very likely applied, prior to the constitutional passage, constitutional change in 1972 in Nebraska. It does not apply, it is not applicable in this case. And I don't think it is an issue in LB 346.

SENATOR HANNIBAL: Thank you, Senator Hall. Senator Dierks, please, followed by Senator Schmit.

SENATOR DIERKS: Thank you, Mr. President, members of the body. I'm, of course, supporting this legislation. I signed on as one of the supporters when the bill was introduced. I have a real good example for you as to why I think this legislation is essential and will help. In my district there is a school known