

November 14, 1989 LB 2

interpreted against generally litigation arising after this time or the like. When there are cases in the pipeline the languages intend to say, and by the way, court, we mean this to apply to the cases that are already on your desk.

SENATOR CHAMBERS: Okay, but that says...okay, all cases. It doesn't say only cases growing out of the tax issues that resulted from an opinion by the Supreme Court, all cases, all cases pending.

PRESIDENT: One minute.

SENATOR CHAMBERS: If I've got a traffic ticket, they've got to find out whether this applies. This is an entirely new piece of language. This is an entirely distinct section that applies not to just what is in this bill, but to every case pending. Is that good drafting? Could it be done better?

SENATOR LANDIS: Perhaps it could be done better. I think it is sufficient. My guess is that there isn't practically a line in the Nebraska statutes that couldn't be improved.

SENATOR CHAMBERS: Thank you, Senator Landis. I wouldn't offer an amendment to any of these bills for any purpose. Give the department what they asked for and then give it to the court and say, we weren't sure what we were doing, but we're going to ask you to construe it and then if they say we construe it and it's unconstitutional, then they are going to be running around here like they are now saying the court kicked us in the teeth. They should kick us somewhere, but on the other side and a little lower.

PRESIDENT: Thank you. Senator Landis, are you going to close on this?

SENATOR LANDIS: (Response inaudible.)

PRESIDENT: Senator Hall, are you going to close? It's to advance it to E & R Initial.

SENATOR HALL: I don't think that would be fair and...

PRESIDENT: Okay, the question is, shall LB 2 be advanced to E & R Initial? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.