

SENATOR WEHRBEIN: Yes, Madam Speaker, members, I do have some questions that I was supposed to ask Senator Lindsay, and he obligingly passed it over to Senator Kristensen, so you are on, Senator. I want to be sure that I am right, if Article III, Section 18 is on page 11 of the Constitution, am I correct?

SENATOR KRISTENSEN: Yes.

SENATOR WEHRBEIN: Those are the standards, and I am merely asking some questions here so I understand standards that you're talk...the special standards that I understand he is referring to. So I understand, I notice down there it says the Legislature shall not pass local or special laws in any of the following. Now would...it says the protection of game or fish. Now to my humble mind, we are doing that, so how does that, for example, apply here because I am going to get into household goods and livestock in a little bit, so.

SENATOR KRISTENSEN: Okay. You must read Section 18 through its entirety to get the flavor of what our special legislation phrase of the Constitution says. Eighteen says you shall not pass local or special laws and then it goes down and says the protection of game or fish. That means that Kearney County, for example, couldn't pass a local law protecting game or fish in that. That is reserved to the state. That is the reason this Section 18 is not just for special legislation. It also restricts local laws. Now if you get into the rest of Section 18, you will back in there, look on page 12, the very last paragraph, you start to see things like granting to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise whatsoever. Those are the phrases of the Constitution that you start to get into with special legislation.

SENATOR WEHRBEIN: Okay, thank you. Now let's go on to what if the Supreme Court, in its...would say that household goods must be back on, how would exemption for household goods apply if this amendment was to pass, assuming that it was on and there was general agreement to make the exemption to take it off, take them off?

SENATOR KRISTENSEN: Okay, you are talking about if the Legislature statutorily decided that they wanted to tax household goods?