

March 11, 1992

LB 1063
LB 219

objective standard by which to make those exemptions?

SENATOR KRISTENSEN: Senator Hall, I guess the reason I had difficulty was that the reasonableness goes to whether you're going to further exempt. It doesn't go to the whole system.

SENATOR HALL: I thought the Constitution had to be looked at as a whole.

SENATOR KRISTENSEN: It does, and that's the reason I made my other comment to you. You just can't pick out this one word and apply it to the whole system, you've got to read LB 219 in its entirety because there are other...there are other rules and guidelines in 219 that we have to live by. What this does is talk about other exemptions, that's subsection (9), just can't be done...

PRESIDENT MOUL: One minute.

SENATOR KRISTENSEN: ...with whatever a whim of 25 people say it is. It...the standard of reasonable is a higher one that they've got to jump over.

SENATOR HALL: No your argument is that you have to look at the Constitution as a whole.

SENATOR KRISTENSEN: Yes.

SENATOR HALL: Okay, thank you very much. The argument, ladies and gentlemen, is that we have to put LB...LB 219 in place in order to enact LB 1063. In other words, he who wills the means must will the means necessary to achieve that end. Like we said...I said yesterday, the end doesn't justify the means to that end for purposes of what we're about here today. Senator Kristensen just said that the Constitution ought to be looked at as a whole, all its parts, not just pick out one specific aspect of it. But yet the proponents of this measure and the proponents of LB 1063 when arguing against exempting all personal property have only picked out one part and haven't looked at the Constitution as a whole.

PRESIDENT MOUL: Time. Thank you, Senator Hall. Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President, and members, I