

never be forgiven for that mistake. But if I led you to believe and if I misspoke, I would like to clarify that. It is only constitutional until it is challenged. There has been a challenge against a portion of it that deals with the funding mechanism. My argument in terms of constitutionality deals with the issue of the exemptions. What I tried to say was that if this is passed by the voters and becomes a part of the Constitution, that those exemptions clearly, at least it is my belief, Senator Wickersham disagrees, that they would be constitutional. Under this amendment after being adopted to the Constitution by the voters in the state, only then, and it clearly just a matter of time, as I think Senator Lindsay and others have pointed out, where there will be challenges, or there is...the potential is there for challenges to 829, to the balance of '91 or into '92. This would, I think, solve that problem, at least I think it would. Now I don't mean to lead you to believe that it's constitutional right now, although, frankly, it is. Until it is challenged, it is constitutional. It is your time.

SENATOR HARTNETT: Senator Hall, this is Senator Hartnett, not Senator Haberman. What if we put it to the people for a vote, we pass this, 40 of us agree that this is the right way to go. We put it to the people. They reject it. Where are we at, the same place we are...

SENATOR HALL: ...today.

SENATOR HARTNETT: ...today. Thank you.

PRESIDENT MOUL: Thank you, Senator Hartnett. Senator Robinson. Senator Schmit.

SENATOR SCHMIT: Madam President and members, I rise in support of what Senator Hall is attempting to do. I recognize the risk that is involved. It is not dissimilar to what I tried to do when I tried to extend LB 829 for a period of six months. It would appear to me that if we do not do something of this nature, that if we just go home, that we will probably be back here prior to January 1st to extend LB 829 because that would be necessary to avoid some of the problems that would develop relative to assessment of taxes, which cannot be forgiven, which must, of course, be paid, and which would trigger automatically if we did not extend 829. There may be some...there is some downside to it, of course, that being that the public might