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you?

SENATOR CHAMBERS: Right. I'm...

SENATOR LANDIS: Right, we both know that. That's right.

SENATOR CHAMBERS: ...setting it up for the record.

SENATOR LANDIS: Uh-huh.

SENATOR CHAMBERS: Anything that is set up by statute can be repealed by the Legislature. Do you agree?

SENATOR LANDIS: I would agree. It's a truism that we all know, as you well do.

SENATOR CHAMBERS: Now if the Legislature chose to repeal all statutory language relative to the Environmental Trust Fund, how could this provision of the constitution be operative, when it does not create a trust fund or say that the Legislature cannot repeal it?

SENATOR LANDIS: I'm not sure whether or not a mandamus would lie. I do know that the Legislature would not be free to spend the money for another purpose. And if you're asking me, is...could you construct that kind of ill will, you could construct it, and I'm not sure how the scenario would play out. I just don't expect the Legislature to do that, Senator Chambers.

SENATOR CHAMBERS: Thank you. Members of the Legislature, I don't put anything past the Legislature. We're plundering funds this session. We have plundered them in the past. Senator Landis is speculating. He cannot show a single decision by the Nebraska Supreme Court which would say that without the constitution creating a fund that such a fund, if it exists statutorily, cannot be done away with, because it's mentioned in statute. The mere mention of something in the constitution does not bring it into existence unless you give language that says, this provision is self-executing. There is in existence a fund that is referenced in this constitutional provision that is