

May 15, 1973

on all this and it is in court on several points and what we do today we'll never know whether it will meet the court tests on this whole thing or not, but this merely adds the savings clause to the bill and this bill is intended, this amended is intended to keep Omaha as it is.

SPEAKER: Senator Barnett.

SENATOR SYAS: At present.

SENATOR BARNETT: Senator Syas yield to a question?

SPEAKER: Do you yield, Senator Syas?

SENATOR BARNETT: I know the same thing is going to be done in the Omaha area but I question, what, would you tell me what happens if it is declared unconstitutional? Then what would we revert back to in Lincoln and Omaha if these amendments pass through court?

SENATOR SYAS: I couldn't, this is now in court, the whole thing not just on this point, on several points and I think the attorney from Senator Carpenter's district, Bob Simmons, is testing the constitutionality of this whole thing so I don't, I suppose what's left in the bill if it's knocked out would be valid and maybe if they knock too much out of it the whole thing would go down the drain. It's pretty hard to say on the various points that Bob Simmons was telling us about at the public hearing and there were several of them, if they'd all hold I suppose the whole thing would go down the drain and we'd have to start over. It's pretty hard to predict a question like that, Senator.

SENATOR BARNETT: Would that mean we'd come back into an emergency session?

SENATOR SYAS: I don't know if we'd come back in an emergency session or not. Whether you adopt this amendment or not, the bill is still in jeopardy in court and that's

(End of Belt #11)

(Begin Belt #12)

something none of us can do anything about here today. Whether the Governor would call us back or not I can't predict the Governor any more than anybody else.

SENATOR BARNETT: Possibly the worst that could happen would be the courts would order us to get a new board in the Lincoln and Omaha area, right?

SENATOR SYAS: I didn't hear your first...

SENATOR BARNETT: I said possibly the worst that could happen would be the courts to tell Lincoln and Omaha they needed a new board?

SENATOR SYAS: Well, if they did that we would comply naturally.

SENATOR BARNETT: And they'd probably give us time to do that, right?

SENATOR SYAS: I should think they would.

SENATOR BARNETT: Thank you.

SPEAKER: Motion on the desk. Clerk will read.

CLERK: Mr. President, we have a motion to amend the Syas