

April 27, 1981

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SENATOR FITZGERALD: Thank you.

PRESIDENT: I can't make you do it, so don't do it. If you don't want to, don't do it. It's all right with me. Do you want to proceed, Senator Newell? The Chair recognizes Senator Newell.

SENATOR NEWELL: Mr. President and members of the body, I think the best way to close is to kind of envelope in the argument some of the discussion that's taken place. Senator Koch, Senator Fenger, the reason...the original proposal that we had drafted included putting the money into the present state aid formula exactly as it is today but in the end I felt that some people on this floor could get up and say, especially my good friend, Senator DeCamp, see, you are trying to take the money to the urban areas and run, you are trying to steal us blind again and so I said, you know, a legitimate compromise probably ought to be made to stick it into foundation. And in the end we have to be cognizant of the fact that there has been some work done on the other proposal that will come up next. There have been people that have made calls and suggested that the other proposal is a preferable proposal, not because it is, in fact, the better proposal, not because it is constitutional...they've never cared about that too much, but, in fact, because they have written the formulas in the past and they think they ought to be able to continue to write the formulas. And so I said, let's try to compromise this as best we can to find a long term solution, a legitimate compromise. That is why the foundation aid. I honestly believe that the issue here is this proposal or the Schmit-DeCamp proposal. We have said and I have indicated the problems with the Schmit-DeCamp proposal it is clearly constitutionally suspect according to the Attorney General. This proposal is not. It is a long term solution. It is a phased in solution. It is, in fact, a proposal that will last, that will free this legislative body to do other things than just fight over this distribution formula for the years to come. Now we have passed two unconstitutional proposals in the past, and I think this Legislature has to be mindful of its responsibilities to uphold and defend the Constitution. I think this body has been rather cavalier in the past, and I think it is time for us now to look at another solution. That is why I have offered this one. The proposal is very clear. The Attorney General said that we can defend the Schmit proposal for the first two years and so we use it the first year or this year to distribute the money. It is weighted heavily rural. The second year we use foundation