

April 27, 1981

LB 284

SENATOR SCHMIT: Mr. President and members of the Legislature, Senator Chambers has conveyed upon me a rather dubious honor of having enacted into law the worst bill that has ever passed this Legislature. Now, Senator Chambers is not one that is given to exaggeration, and so I guess I would have to say that I would have to accept that honor, Senator Chambers, with a certain amount of chagrin. It's a little bit like one of my Abraham Lincoln stories that I won't go into that again. It's kind of like the honor of the thing, if it hadn't been for the honor I would just as soon you had given it to someone else, Senator Chambers. But in any case, the Newell amendment as he says is about 90 percent Schmit, the DeCamp amendment is only two-thirds Schmit, and so it looks like going back to the Chambers philosophy you probably ought to go with the DeCamp amendment. I have wondered from time to time how the issue would be resolved. We talked about the unconstitutionality. We have been told that the distribution the first two years is defensible. I think that should give us some assurance that the money will be distributed for last year and this year. This body, by an overwhelming vote, with only two dissenting votes, one of which was mine and one of which was Senator Newell's, chose the valuation formula, and, therefore, I would have to assume that there is still some support for that concept, and so the reason for tying that valuation formula into the proposal is to give the court the opportunity to declare it either constitutional or not. But we have sufficient time to reach that decision. I have some very real problems with the valuation formula, which I have explained to you, which gives me some deep concern if it is going to be used forever and ever. But I have confidence that it will be changed in future years. I think the Revenue Committee is going to come up with some kind of a revenue sharing proposal and I think for those of you who have talked about equity and fairness, I think you will have to concede that the proposal I offered to the Revenue Committee was somewhat more fair, if that is possible, to everyone than anything we have talked about on this floor. Certainly it treats the cities well, and I think that if we were to look back in retrospect, many of us wish that perhaps 524 had come to the floor and that it had been acted upon. I am sure it would have been whittled at, chiseled at, added to, subtracted from, probably made into a better bill than it was when I offered it. That wouldn't be the first time it happened on this floor. I think that expediency is very rarely a reason to pass a bill, and I have mentioned that on this floor. But I think that if you want to look to some method of distribution