

allow the state to assume the counties' Medicaid payment. In addition, this does help some of those counties and I want to refer you to the passout that we have given to you to the best of our knowledge and to the latest figures that we can get from several sources, the comparisons that you have in your hands now. This was done, as I said, with our Revenue Committee staff along with the Association of County Officials. It does seem to me that we are trying hard to bring at least as much equity as we can under this formula even though we're fully aware that some are going to be helped and some are not going to be helped and I say to you that over the last two or three years the Revenue Committee as well as several individuals in this body has tried desperately hard to find a formula that was constitutional, that had as great a degree of equity in it as possible and that was constitutional without question. It is a difficult role and I suggest to you now, if you have a better way, I would hope that you would come to us and work with us to get this problem solved on a permanent basis. But we believe this is one step. It is one that we have not taken before but in light of the suit that is now pending before the Supreme Court we may very well find ourselves in the same position that we were in very recently and find that that \$70 million has been held up. The governmental subdivisions will not have that money to be used and we will be called back in here and in a short few days, draft a distribution formula again. Now that seems unfair and unless you want to spend some time this summer or fall in the event that the Supreme Court does find that the present formula is unconstitutional, then I would suggest you support this proposal that is before you today. I think you have been informed that the Attorney General's opinion of the formula that we're now using, while this year he has told us that he will defend it, still has that question on the bottom line of whether it will be upheld or whether it won't and I think with that same thing other than the Attorney General saying he will defend it this year and he would not or could not last year, is the only significant difference that I can read in that opinion. I would, with that, Mr. President, move for the adoption of the amendment to the committee amendments.

SENATOR CLARK: Senator Kahle, on the amendment to the committee amendments.

SENATOR KAHLE: Mr. President, members of the Legislature, I think if you will look in your bill book you will find that LB 816 came out of committee with, I don't know if there were any dissenting votes or not, there may have been one, I'm not sure. I don't believe there were any. The stipulation was at that time that we would like to have a readout to what it was going to do which we did not have