

to be in session in June and July he assured me. So the argument that you are going to delay something or hinder something because of a court decision is simply not there. The court can and will get the thing processed. It is all ready to be done, the case is before it. The first distribution which is another myth that needs to be cleared up, the first distribution under this formula is by...

SENATOR CLARK: Your time is up, Senator DeCamp.

SENATOR DeCAMP: ...by December 20, 1982, and I guarantee you, no matter what formula you adopt, you are going to have to change to that date I think for cash flow problems and otherwise. So I would urge you to accept the amendment and go ahead with this proposal.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, as you recall I was very much in opposition to Senator DeCamp's proposal originally, knowing that there was a case pending that I felt was going to be very detrimental to the distribution of these monies to the governmental subdivisions and I think basically the reason for the Revenue Committee's proposal in the original of LB 816 and as it still is, is based on that very basis. We did not want to see that money held up again as it has been in the past to the detriment of governmental subdivisions. I rise this morning before you with a different philosophy I suspect than what I originally had and rise to tell you my personal feeling and believe you me, I have spent considerable amount of time wagering this in my own mind as to what is not good for whom or what is bad for whom, but what is right procedurally. And the conclusion that I have come to, as I understand and have been informed by the Attorney General, that what Senator DeCamp is doing with his amendment now does provide that that test in the Supreme Court we do desperately need for decision making down the road. I honestly believe that the Supreme Court from what I can learn is very mindful of the seriousness and the deep concern that the whole state has for this, that they will move as expeditiously as they possibly can and certainly I would hope that we would have that decision before they take their August vacation. It does seem apparent that that can very well be true. Now in the event that they uphold the previous decision, and this is unconstitutional in their minds, then 816 would become effective. We would not be called back here in a special session to rewrite the formula in a hurried fashion. I would suggest to you that in light of our present circumstances with the economy, with the actions on the federal level and with the return to local control, that we are facing probably two or three or possibly four alternatives and with that in mind...