

formula. It simply boils down to that and by passage of this amendment we are assuring real estate tax increases across the state regardless of the outcome of the Supreme Court decision. There is no way a subdivision can think that they will be sound in their fiscal budget policies if they budget with the higher amount that might be possible under a two way possible formula. I urge the Legislature to look at this aspect of it. We are now in a situation that I don't like and I don't feel responsible for because I originally opposed the passage of 518 which created the problem that we're in today. I believe that this Legislature must take the appropriate action, pass LB 816 and assure the funds will be distributed constitutionally and there and go to the subdivisions in the amounts that they will know what is coming. Without 816 as originally drafted we are going to shove real estate taxes upward for the year and create surpluses in many of the treasuries in many of the subdivisions' funds. I urge you to oppose this amendment and vote LB 816 across the board so we're through with this issue once and for all this year. I think it is the responsible thing to do.

SENATOR CLARK: Senator Newell.

SENATOR NEWELL: Mr. President, members of the Legislature, I rise to oppose the DeCamp amendment. You know one of the things that strikes me and I think it is important to mention to the members of this body is that Senator DeCamp has had tremendous sincerity in regards to this issue. He is concerned about his district which is a very noble and understandable sort of thing and Senator DeCamp has been persistent. Lord knows he has been persistent. I want to remind this body of the number of times that Senator DeCamp has asked the Attorney General for his opinion and the Attorney General being a decent man and a hard working man, brings back those opinions to Senator DeCamp and Senator DeCamp is generally unhappy with those opinions and so he rewrites them and sends them back again and the Attorney General sends back the same answer and Senator DeCamp rewrites them and sends them back once more. You know what we have here is five years of toughing it out. A lot of court cases, a lot of times to the trough, a lot of times we have recognized and been told and the evidence has been very clear, it just isn't constitutional. Now this Legislature enjoys the issue of personal property tax. I mean it has to enjoy this issue because it deals with it each and every year and we generally will listen to the arguments made by the Attorney General or by the Supreme Court or by the district court, we will generally heed those arguments, if they say something is unconstitutional, then, by golly, we understand it. We're going to try to either make it constitutional or we're not going to