

we begin to consider voting on it. Thank you.

SENATOR CLARK: Senator Hoagland.

SENATOR HOAGLAND: Mr. President, colleagues, I would rise in opposition to this amendment also. Not only are we going to expend \$10,000 in funds but we are going to ask the Supreme Court to spend a lot of its resources and a lot of its energy rendering what essentially would be an advisory opinion. I don't know why we want to put the litigants through that and put the courts through that. That is going to be very expensive to the state for everyone involved. In addition to that, as Senator Newell indicates, if the Supreme Court does find this existing formula unconstitutional it is going to tie the hands of legislators that might like to use all or portions of this formula in future years. You know Senator DeCamp has often talked about our making short range decisions here which will turn out to be wrong or foolish in the long run and I think this may very well be one of those kinds of decisions. Just to keep this suit alive we are risking the good elements of the existing formula of being found unconstitutional and our inability to use that then in pieces of legislation in the future. So I don't really see that it does very much but throw money down the rat hole. So I would ask you to vote against this amendment.

SENATOR CLARK: Senator Fenger.

SENATOR FENGER: Mr. President, fellow members, I can't comment on the merits of the DeCamp proposal of course until we see it come across the desk but I was interested and recall last Thursday evening when it was under question, would this bill be discussed yet Thursday or would it be delayed until Tuesday? And I just want to read you a statement that was made. From the transcript it says, "Mr. President and members of the Legislature, Senator Carsten and I agreed on this some time earlier already. Those amendments on Select File would be withdrawn. As long as we had a fair shot with as many people, in other words, everybody here, at the main amendment that I wish to propose." I merely call that to your attention because it was a statement made by Senator DeCamp just last Thursday evening and I will leave whether or not he is carrying out the intent of that statement at your discretion. Thank you.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman, members of the body, I rise to oppose Senator DeCamp's amendment. I think there are valid reasons for this is that the Attorney General on several positions has stated that the formulas that we are now putting money in meet the test of constitutionality. Why do you want