

to expend additional funds of money for something you already know? I'm not too sure that the Supreme Court and others have probably stated, sure, we'll get you an opinion here after so many months have gone by but when the Attorney General said the foundation and equalization section is with no problems of constitutionality and he goes on to say that other kinds of formulas that we have involved are not suspect, why do we want to continue to subsidize a case which obviously will mean nothing? The cases I think stand on their merit. So, therefore, I oppose Senator DeCamp's amendment.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, I guess I'm surprised that Senator Newell and others would object to this proposal by Senator DeCamp. As I understand it one of the main reasons for the passage of 816 is because the Supreme Court may rule against the current formula and thus force us into a special session. So this proposal that Senator DeCamp has proposed would merely let the court rule on that without running the risk of holding up the money. So it seems to me it is a fair, it is an equitable way to go and the one that should be pursued. I would ask that the amendment be adopted.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, for those individuals who are a little newer at this business I would suggest you would note if those who oppose the DeCamp amendment and then review also the many words that have been spoken here about how we are going to have a review of the taxing situation by the Revenue Committee in the State of Nebraska and we're going to come back next year, Senator Koch, and write a bill that is fair and equitable and so forth. Well if you are going to do that you want to be able to exercise all of the prerogatives that are available to you and certainly evaluation is one of them and unless the issue is resolved through a test we are not going to know that, are we? So of course it is to someone's advantage to deny that opportunity. So I guess you just ought to stop and think a little bit about whether or not in all the essence of fairness and so forth, that we really want anything that is fair. I think not. I think it has been demonstrated that it is not fair. There is not need to be fair. There is not need to be fair to have the votes to pass it. I have been on the winning side and I have been on the losing side and I'd rather be on the winning side but I will tell you frankly that there isn't any reason in the world that when Senator Hoagland says we are going to throw \$10,000 down a rat hole, we're going to throw millions of dollars into the sewer up in Omaha, Senator Hoagland. We've done it in the