

April 13, 1982

LB 816

CLERK: 27 ayes, 0 nays to cease debate, Mr. President.

SENATOR CLARK: Debate is ceased. Senator DeCamp, do you wish to close?

SENATOR DeCAMP: Mr. President, if anybody was telling even a slight truth when they said they wanted, first of all to get the court test and second of all, they said the reason we have to change the whole law is because we're afraid that the money might be held up, then this addresses them all. Doesn't it? It says you win 100% Davy Newell. You're the new leader on the personal property tax, we accept that. You're it. Your formula wins. You're the king there. You get the money. We don't change that one iota. What do we do? We just say okay we take \$10,000 and in this other formula that used to have seventy or eighty million, we put \$10,000. Why? So that that court case that is going along can finish and be completed and find out what we are allowed to do and why is this important? Why is it important? Because right now you have a district court judge essentially saying when you do anything in here it is something on the basis of need and he interprets need to mean population. Well now if we're going to be hamstrung on that standard, we'd better know it from the Supreme Court because you are making one of the biggest decisions we've ever made right now with that understanding from just a district judge, a district judge who by the way just happened to be the assistant to Paul Douglas the Attorney General who opposed this bill for about two hundred years. Anyway, therefore, if anybody was telling the truth when they said they want a court test and they don't want to have any money held up and they want the other formula, I'm giving it to you all. I don't see how anybody can legitimately oppose this unless they are afraid. They are afraid the Supreme Court just might say that, yes, this is a legitimate means and then we might come back in the future and say, well look, we ought to at least consider this too. You are just afraid that what you are saying isn't quite right and you don't want to find it out. I urge you to adopt the amendment and I repeat to Omaha and Lincoln, you've won the bucket of money, take it and go. Give us a chance to complete the court test and find out what the limitations on us for the future years are. Now that certainly isn't that unreasonable. To my good friend, Senator Fenger, I did withdraw every single amendment I had up there. Many amendments were offered, Cal Carsten, Jerry Warner, some others. You wrote the bill, I'm simply offering an amendment to get the court test now. That seems to me to be legitimate and I repeat, this year this bill has taken less time to do more damage, at least to a number of us, than this issue in any previous year. We haven't filibustered. Maybe we should have.

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