

April 16, 1982

LB 412

PRESIDENT: Senator Haberman and then I will come back to you, John. Senator Haberman, did you have anything at this point?

SENATOR HABERMAN: Mr. President and members of the Legislature, what I have to say I hadn't better say so I will wait till I cool off a little bit. Thank you.

PRESIDENT: Very wise. Senator DeCamp. Senator DeCamp, you may now...

SENATOR DeCAMP: Mr. President and members of the Legislature, the \$10,000 isn't any big concern in my opinion. It is an indication that there is a nominal sum. What I want to keep in existence is the formula, complete the court test on the formula itself, the concept. As long as there is a direction for the future I feel satisfied that the court is going to look at it. I can't think that they would use that as a pretext or basis for ducking something of this importance. Now as for Senator Beutler's point that that changes things somehow, I don't think he is right. I take the view that it requires 30 votes for the A bill no matter what. It isn't \$10,000 you have got to worry about, it is an additional \$45 million you put into a specific program, \$45 million above the Governor's budget and everything else into the foundation program on state aid. You have taken that money that was in personal property tax fund with 816, you specifically put it back into the general fund where it can be used by me or you or 25 members, 30 members for any project. We could build an alcohol plant. We could build a Vet School. We could do anything with it. It is back in the general fund. It is then appropriated out and put into a specific program, \$45 million in excess of the Governor's budget. So I contend it takes 30 votes anyway and I am not boxing you in. I think you have boxed yourselves in. I think an honest court would have to say that. I am hopeful that a fair Speaker will have to say 30 votes are required. Well, anyway.

PRESIDENT: Senator Dworak, did you wish to discuss the... okay, I believe you are the only one, so we don't need to call the question, Senator. We are ready to close on Senator Newell's motion. Senator Newell, you may close.

SENATOR NEWELL: Mr. President and members of the Legislature, one thing Senator DeCamp and I have agreed on during this session and especially today is that LB 412 really ought to be put off, and that is what the motion is a request to bracket it behind LB 816. We will have an