

SENATOR LAMB: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, as I understand Senator Koch's proposed amendment, there would be two effects of it that it would appear that we should consider. First, it would appear to have the effect of restoring the cuts or not even making the cuts, in effect, during the fiscal year budget that we are dealing with today, the '82-'83 budget, at least for those governmental subdivisions whose fiscal year coincides with the state's. And I assume the net effect of that is not to make those reductions. Secondly, of more concern as far as being effective, I would assume that based on the letter at least that Vard Johnson, Senator Johnson, received during the regular session in which this session of the Legislature cannot obligate the next session because it will be composed of different members that it would not be a binding obligation in any event that the Board of Equalization would take into account when setting rates. So that purpose is not solved. And the most I think we can do is an indication from this body which is included in the amendments that the Appropriations Committee is suggesting which is language that the continuation budgets for '83-'84 will be at the same level for governmental subdivisions as they were prior to this session. So at least the cut is not permanent but they would not ever receive the money either. I think Senator Koch's amendment also is only limited to governmental subdivisions so I assume that is the elementary-secondary schools, cities, counties, NRDs, and the community technical colleges. I assume it doesn't extend beyond that, but as much sympathy as I personally may have, I don't think we should adopt the amendment because of its basic effect of actually restoring within the fiscal year a portion of the reduction that we will be considering later.

SENATOR LAMB: Senator Dworak, did you care to speak? Senator Koch, would you close on your amendment please?

SENATOR KOCH: Thank you, Mr. President, and damn these early morning amendments. Are you listening, Donald? It is pretty difficult to argue with the Chancellor of the Exchequer but I have to. I know that Senator Warner says that we can't obligate the next Legislature but I read LB 1 and I see under Special Ed that he says the intent is that we are going to cut it one more time but we will make a deficit appropriation to Special Education. I think that is in there somewhere. I will find it in it. Every year we make deficit appropriations in Special Education. You know that as well as I do. We bind every Legislature with certain intent. That is a moral commitment and a financial commitment we make. Again we get back, I will use Special Ed as the best example, this Legislature mandates that education will provide programs for certain kinds of children who are exceptional and the schools meet that mandate and they provide those programs but they are always paid a year in arrears. And every year there is a deficit and every year this body makes a deficit appropriation. Now if that doesn't bind another Legislature, I am asking you what does. We do bind them and all I am saying this amendment is these people plan in good faith that they are going to receive certain kinds of