

here it is in quotation, "be exclusively used for the support and maintenance of the common schools in each school district in the state. As noted in your inquiry, some school districts do not receive funds pursuant to", and we asked about equalization aid, the same thing would be true of in lieu of taxes beings some school districts do not receive in lieu of taxes, it would be an unconstitutional...it would be an unconstitutional statute. We have an obligation as a state, as a Legislature, to correct problems as we discover them in our statutes. Senator Schmit and I are suggesting that LB 188 be used as that vehicle. True, it's not a priority bill if you advance it onto the floor of the Legislature today. It will sit and await our action at the beginning of the...

SPEAKER BARRETT: One minute.

SENATOR WITHEM: ...session next year, but I think that's a much wiser course of action to take than us as a Legislature to be told that we have a problem, be told by our Attorney General that we have an unconstitutional provision of our statutes and to do nothing. If you vote not to bring this bill to the floor today, you will be endorsing continuation of an uncon...enforcement of an unconstitutional statute. Senator Schmit has read...and we don't have an AG's Opinion on this, but I tend to suspect that he may be correct that if we choose to do nothing, particularly after it's pointed out to us, we may have a much, much larger problem in the future in terms of paying back this money that has been taken out of the funds improperly. So I think the proper course of action for the Legislature today is to suspend the rules, first of all, to bring this bill to the full Legislature.

SPEAKER BARRETT: Thank you, sir. Discussion on the motion to place LB 188 on General File notwithstanding the action of the committee. Senator Haberman, followed by Senators Lamb, Dierks and Chizek. Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the body, if my understanding is correct, this is an exercise in futility, a waste of time, as LB 807 is on the floor and the committee amendments to LB 807 strikes everything in the bill and it says the amendments clarify that the land would have to be sold. So 807, on the floor, does exactly what 188 is. It provides for the sale of the school land. So, therefore, we do not need to pull 188 as we already have or they already have the instrument