

Lamb had sat down with the likes of Jerry Chizek and others and decided maybe we're going to work out a property tax deal and then here we all are in here today screaming at each other with a rural...what would appear to me to be a rural/urban battle and I really think that's unfortunate. I think this is an issue that very few people in here understand. I seriously question whether you can really say that what we're doing now is unconstitutional. The decision that's been laid out in front of you is one that you could...that you...I suppose sometimes we tend to all do this, we select information that supports our point of view, but there was another decision which Senator Withem alluded to on 188 and the way I read that, the conclusion says, consequently legislation which would divert income earned from the lease of school lands to the counties at the expense of the common schools would violate Section 7 of our enabling act and Section 9 of Article VII of the Constitution of the State of Nebraska. I'm going to get into a little lawyering here too, even though I'm not one but I might as well join in. I don't think it says anything about in lieu of tax payments are unconstitutional. I suppose you could discuss the formula or whatever but it certainly...I don't think what we're doing is unconstitutional and this may, in fact, be some kind of tactic to stampede us into making a decision about a fairly complex issue that, frankly, wouldn't serve the best interests of rural or urban communities, rural or urban schools. It's...it really cannot be...even though we are talking, as Senator Withem once again clarified about repealing the in lieu of tax law, you can't really talk about that, I don't think, without eventually getting into the discussion of the sale of school lands...

SPEAKER BARRETT: Excuse me, Senator Scofield. (Gavel.)

SENATOR SCOFIELD: Thank you, Mr. Speaker. And the point that Senator Dierks is raising about...and that also Senator Elmer was raising about the wisdom of selling those lands certainly is bound to come close on the heels of any discussion like this if we decide to get into it. And I think if you examine some of the material that the Board of Educational Lands and Funds put out, I would have to seriously question whether that's even a wise thing to do in terms of managing the assets of the State of Nebraska. Again, in these decisions, it's clear that we act as trustees in a fiduciary capacity with these funds and which seems to me we have an obligation to invest in the best way possible. So I think you cannot necessarily divorce those two issues. And what we've really done this morning is done a great