

make any policy choice about moving anybody out of one system or out of another. I much prefer the process envisioned by 247 originally and that is let's take a deliberate look at our system of higher education and figure out how we best use our resources to serve people statewide. Senator Kristensen says this is a governance issue, it doesn't have anything to do with budgeting. Well, I would have to disagree, Senator Kristensen. As far as I'm concerned, governance pretty much has to do with what you have to budget and I don't care whether that's a corporation or a farm or this Legislature. And the bottom line is the problem we're going to have regardless of whether we move Kearney today or tomorrow or we don't move them at all, is it's still funding, and that's...those are the real issues that kept coming up at the hearing on 160. The problem is how are you going to spread very limited resources around the state to best serve the interests of the people of Nebraska? I think this puts a piece...one piece of a much larger issue out...too far out in front. I think we would be much wiser to deliberately think through this about where we want to go...

SPEAKER BARRETT: One minute.

SENATOR SCOFIELD: ...and I am going to oppose this at this point and say, let's stick to the original intent of the study and that is to look at higher education. I think there are ways we can get to...I know there are ways we can get to this constitutional issue. You're saying use this to force the issue and to force an Attorney General's Opinion. I think that is sets a very dangerous precedent, isn't wise policy and we, frankly, would not act as state senators if we did that.

SPEAKER BARRETT: Senator Moore, Senator Wesely next.

SENATOR MOORE: Mr. Speaker and members, this whole issue of LB 160 and now the Warner amendment to LB 247 is probably very frustrating for all of us because it's one of those things...as usual, there is no clear cut right or wrong. We don't know financially the ramifications down the road. We don't know what to do. But there is a lot of concerns I have and one concern I have is the argument that Senator Kristensen makes about the need to pass this bill to test the constitutionality of it. And I understand exactly what he is trying to say and in many ways I want to do that but I think the body better be very careful. If you pass the bill, you're passing a bill that makes Kearney part of the university's system and that's what the bill does and if