

here is to do a slight shift. Every community still gets money out of this, but it does institute a formula based on revenue raising capacity and a standard set of need factors basically that would allow us to target those communities who are least able to help themselves and it, frankly, in my opinion, doesn't significantly cause harm to the major cities. There is a shift there, as I pointed out. If you're from Lincoln and Omaha, this is probably not something that you're going to like if you want to look purely at under which formula do I get more dollars? But I think this is better public policy and, frankly, Syracuse study suggested that we should go straight needs base and we should only help those communities that are the poorest. I'm saying let's do a compromise, let's help everybody a little bit but shift that formula slightly to help those communities where the income levels of city residents are lower so that more funds would, in fact, go to poor communities. As far as Senator Schellpeper's concerns about constitutionality, neither he nor I, obviously, are constitutional lawyers so I don't think a debate between the two of us on constitutionality will be particularly enlightening for anybody but, nevertheless, I have, out of concern for this bill and concern for that, when Senator Schellpeper mentioned this concern to me I have consulted people who are attorneys, people who are familiar with the case that he cites and, frankly, it is their conclusion that if this particular formula is unconstitutional, we're doing a whole lot of unconstitutional aid distribution on this state and, in fact, even the actual bill of 683 could potentially be unconstitutional so I don't think that's a valid concern. The real question here, there's a policy choice that I give you here of do you want to slightly skew this particular worthwhile measure to inject a needs driven formula so you help the poor communities a bit more, because they're clearly the ones that are going to have the most trouble meeting infrastructure needs. Particularly in rural Nebraska where we have a rapidly aging population, it's a problem. In fact, I've been kind of surprised when I've looked down the list of some of the places that I thought were perhaps richer communities that wouldn't favor this, they have benefited. So I, obviously, don't know where the rich ones and poor ones are either. But I think it's good public policy that we move in a direction of a more needs based formula. So I would ask you to return the bill and then adopt the amendment. Thank you.

SPEAKER BARRETT: Thank you. The question is the return of LB 683 to Select File for purposes of amending. All in favor