

contracts and what this amendment does simply is say that if the contracts that are currently in force or that have been entered into call for an increase in wages over and above the growth rate allowable to that particular district, that the amount that the salary increase exceeds that growth rate would not come under the lid. Basically, the rationale for this amendment arises out of the, basically, an impairment of contract theory whereby the state I don't believe would even have the legal authority to intervene or impair the obligations of the school board to pay to the teachers the agreed upon amount. I think it's fairly straightforward. Senator Withem asked me if...I'll just shortstop this, whether if this passes I'd vote for the bill and I guess I'd have to say that probably not, Senator Withem, just to be honest with you. But in any event, this does deal with a very specific problem that I think is, I believe Senator Withem mentioned earlier, was something that was acceptable to him so I would just urge the adoption of this amendment. Thank you.

PRESIDENT: Thank you. Senator Withem, please, followed by Senator Moore.

SENATOR WITHEM: Yes, Mr. President and members of the body, this is the amendment I referred to a couple of moments ago and, again, referencing Senator Landis's speech at the conclusion of his remarks about not being blind to the concerns that exist within Lincoln, Nebraska, Lincoln, Nebraska, does, in fact, have a...be going into a second year of a multi-year teacher contract. As I understand, they have a 6 percent increase in their salary due to the teachers. That's by contract. They have to do that. There is no way getting around that. The school district then is left with the possibilities of meeting that contract, renegotiating that contract lower or cutting into other programs. It was not our intent and it is never the intent of legislation that is passed to impair the performance of contracts and in many ways this will do it, I think. In reading the Ashford amendment, I see that it is very, very well drafted as all of Senator Ashford's amendments that somebody else drafts for him are done, and it's a good amendment, Brad. It is very well drafted. Indicating that contracts that have been negotiated prior to the effective date of this act, this is not an ongoing exemption from multi-year contracts, but the school district happens to be in the middle of one where they have negotiated a particular agreement and that agreement puts them above the lid percentage. Whatever percentage they go