

And I'll forgive whatever their motivation was, that it be the purest, or the basest, the fact is that they agreed to pay that tuition. Now the Legislature is coming along with special legislation, creating a closed class with specific individuals in mind and only those individuals to grant them something which they did not have under the law, which existed before what is being done now. Every other family similarly situated to them could not get what this family is being given under this bill. Other families would not be allowed to send their children to District 66 under these circumstances without paying tuition. So you're going to create a closed class. You're going to take these people who are similarly situated to others and put them off, and say their circumstances are different, when in fact they are not. The other families who might want to do the same thing can say they're being denied equal protection of the law, because this amendment that Senator Horgan put on does not create an opportunity open for all children of all families situated as these families would be. And the situation of these families, when you boil it down, is that they don't want their children to go to school in the Omaha School District. They can still go, if they pay tuition. What Senator Horgan wants to do is say, let them go and not pay tuition, let them get out of the bargain that they made. And it can only be done by special legislation geared to that one, closed class. All others, based on what has been said on this floor, will be denied the opportunity to take advantage of Senator Horgan's amendment. So, if you're creating by law a closed class, you know the identity of the specific ones in that class. The law is deliberately crafted by the Legislature in advance to deal only with that class, to give them a benefit that similarly situated people will not have. How can that be anything other than special legislation, which in the taxing field the court has already struck down as being unconstitutional. If LB 207 is unimportant, let this stay in, let the bill be challenged by a family which feels that they were denied equal protection of the law, and let it be struck down. Senator Robinson, Omaha is the only school district in the state under a court ordered desegregation plan. The courts had to intervene because the Omaha school officials determined that the schools should be segregated on the basis of race, and children should be assigned on the basis of race, even when, in addition to the segregation, it could be demonstrated that the schools were inferior to which these nonwhite children were assigned and compelled to go. We are talking about segregation. We are talking about special privilege, and we're talking about a particular privileged group