

litigated. We need to find out what the rule is. One other thing I would point out to you that if this, the main amendment represents some sort of a settlement, there is no time limit on it. It might be good for one year, might be good for two years, might be good for three years, might be good for four years. When will the question come back to us as to whether or not the settlement is still appropriate and the railroads will bring an action in the federal district court or in the state court and undo the deal. Maybe somebody we don't even know about now, for or five years from now, will bring that action and the whole deal will come tumbling down anyway. Whatever kind of a proposal is written in the main amendment is not written in stone. It could still be challenged. I am unwilling to make any kind of a settlement, if you will, on that basis. I want to see the question litigated. I think we need to know what the real parameters are for the development of tax policy in the State of Nebraska by the Legislature.

SPEAKER BAACK: Thank you, Senator Wickersham. Senator Schmit.

SENATOR SCHMIT: Mr. President, members, I will not speak long. I will surrender the rest of my time to either Senator Wickersham or Senator Warner. I believe this issue should be discussed in much greater detail. I have no doubt also that the issue is going to be taken to court. I'm sure there are many aspects of what we are doing on this legislation that is debatable. I certainly do not understand the impact of what Senator Wickersham is discussing at this time as thoroughly as I would like to. I would like to surrender my time I guess perhaps at this time to Senator Warner, let him respond to Senator Wickersham's later remarks if he would like to do so, please. I believe it is imperative that we understand very thoroughly what Senator Wickersham considers to be a serious problem.

SPEAKER BAACK: Senator Warner, would you like this time?

SENATOR WARNER: Mr. President, members of the Legislature, I believe, Senator Wickersham, you indicated that obviously we are not going to preclude the possibility of future litigation and with that, obviously we'd all agree. Somebody can file a lawsuit on anything. But as of now, as of now based on what I have understood to be the various decisions that have come up it would seem unlikely that by adding this that these provisions that you are suggesting that the state would be successful and