

would have advanced.

PRESIDENT MOUL: Thank you, Senator Conway. Senator Schmit.

SENATOR SCHMIT: Ladies and gentlemen, Madam President, I really have had my concerns with some of the court decisions and although I usually end...most of the time enthusiastically support the Supreme Court. I have done some research to decide whether or not maybe it might not be practical, even though I did not support LB 829, for this Legislature or myself or someone else to go into federal court and challenge the ruling of the Supreme Court relative to 829, because I believe that they have gone beyond what would reasonably be considered their rights relative to taxation. And I think I've heard this morning Senator Withem and others have suggested perhaps that might be true. In this instance, I concur with what Senator Conway has just said, that is that we have historically liked to talk about our rights and our responsibilities and we have usually been somewhat overly audible in expressing that belief. I have a hunch that if I sat upon the court, which will never happen, of course, that this body chose not to do anything, that there would not be another opportunity for that to occur, perhaps, say come back again. I would suggest they probably will not say come back again and do that which you refused to do the first time. And the court will then, of course, take over that responsibility which then is really, in my mind, an assumption of a legislative responsibility. I didn't like 614 and I am not really enamored with LB 7, but that's the way the system works. I didn't have 25 votes to change 614, didn't have 25 votes to change this bill and when you don't have the votes you don't prevail. But for those who look at the voting record on LB 7 and look at the amalgam of votes which have prevented its becoming law, you have to recognize there are factors other than ordinary redistricting factors which have prevailed. And I never question any one individual's reason for their vote. They vote the way they choose to vote and that's good enough for me. The difference is that there are some people who are absent, some who did not vote and some persons who might wish they had voted differently and I think that if and when we do not pass some version of L...this version of LB 7 that we have perhaps passed up any opportunity for legislative decision-making in the redistricting process, if, in fact, that happens, it will probably also be the last time the Legislature redistricts itself. There are those who have decided that we are not competent and capable of doing so and some outside commission