

May 5, 1981

LB 257, 284

E & R say aye, opposed no. The motion is carried. The bill is advanced. We have three sets of visitors this morning I would like to introduce. First of all, from Senator Hoagland's district, 25 students from St. Margaret Mary's School, Omaha, Nebraska, and among those visiting in the Legislature are Mike Boyle, Jr. who is a nephew of Senator Higgins. Miss Ryan is the teacher. From Senator Kremer's district in the North balcony, six students and five adults from St. Stephen's, Lawrence, Nebraska, Father Edwin Stander is the administrator and you are in the North balcony. Would you hold up your hands so we can say hello. Also from Senator Kremer's district we welcome 30 students from Central City, Nebraska. Pat Johnson is the teacher and in the South balcony. Where are you located? Okay. We welcome each and everyone to a quiet session of the Bicameral this morning. The next legislation is LB 284.

CLERK: Mr. President, I have a motion on the desk.

SPEAKER MARVEL: Read the motion.

CLERK: Mr. President, Senator Newell moves to return LB 284 to Select File for a specific amendment. The amendment is found on page 1522 of the Journal.

SPEAKER MARVEL: Senator Newell.

SENATOR NEWELL: Mr. President and members of the body, I placed this amendment on the desk. The amendment basically deals with tax effort. It basically is a very simple proposal. The proposal is aimed at analyzing what percentage a local government, all the local governments in a county, what percentage of the total property tax take of the state they raise for support of their local government and whatever that percentage is of the state's total property tax take, you will get that percentage of the 70 million dollars. It is very simple. It is, in fact, I think probably the only constitutional proposal that has been offered. The way that LB 284 is presently, in my opinion and the Attorney General's opinion, is constitutionally suspect and I expect soon that after this bill is passed that the Attorney General will initiate some sort of action which may take a couple years. That is what the cosponsors are suggesting, that they will be able to distribute this money in this fashion for a while before this whole court thing is resolved. Now frankly, I think that is a mistake and I think this Legislature should recognize that we cannot continue to fly in the face of the state Constitution, the Attorney General's opinion, et cetera. This will be the third unconstitutional proposal that we have offered on the 70 million dollar distribution. 518 was a mistake.