

SENATOR VICKERS: Mr. President and members, as I indicated earlier, the Attorney General's Opinion, regarding this section that Senator Lamb referred to, raised the question of exactly who the qualified electors were going to be and where the boundaries were going to be. And it said that it wasn't clear enough in the language as to whether or not those qualified electors were going to be those people who were there at the time of the merger or were there at the time of the election if it might be five or ten years later. The amendment that I am offering to you, that you have distributed to you, is an attempt to try to clarify those two provisions where it says that on the date of the election those people who reside within the boundaries of such district as it existed. That, I believe, will take care of the questions raised by the Attorney General in regard to this question of the electors and the question as to whether or not those attendance centers remained open. I would ask for the adoption of this amendment to the committee amendment number...or in Section 15.

SPEAKER NICHOL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I support the amendment. It again underscores the intention of LB 662 which is to create a single taxation principle for education and that is that all land will support education K through 12. It is not the intention of 662 to close schools. When this amendment was drafted we used the term "qualified voter" and we talked about such district, meaning the old Class I's, and the Attorney General has in essence said, your grammar isn't very good, you have got to make clear who you are talking about, because otherwise you can't go back and find six, seven years later the people that used to live in the district if they moved out. Frankly, I understand the notion that this has to be worded better to make sure that it is clear. But with respect as to the question as to whether this can be done, whether it is constitutional, whether it, in fact, is permissible, I would offer as very persuasive evidence this statute that is now being passed out onto your desks from South Dakota. Take a look at it as it comes around. What does it say? It says exactly what we are trying to do here in this provision. The school board of a school district shall continue to operate an attendance center or elementary school operated by a former common school district during the '68-69 school