

CLERK: 15 ayes, 20 nays, Mr. President, on adoption of the amendment.

SPEAKER NICHOL: The amendment fails. Do you have another one?

CLERK: Mr. President, the next amendment I have is offered by Senator Remmers.

SENATOR REMMERS: Mr. Speaker, I think I'll withdraw that instead.

SPEAKER NICHOL: Pardon me?

SENATOR REMMERS: I think I'll withdraw that amendment.

SPEAKER NICHOL: Okay, it is withdrawn.

CLERK: Mr. President, the next amendment I have is by Senator Schmit. (Schmit amendment appears on pages 31-32 of the Legislative Journal.

SPEAKER NICHOL: Senator Schmit, please.

SENATOR SCHMIT: Mr. President and members, this bill removes \$158,500 of the money that was included in LB 835A. As you know, I introduced LB 5, which would have repealed 835A and 835. This bill simply takes away the funding for that project. We all know that the decision as to whether or not the bill is constitutional will be argued before the District Court of Lancaster County beginning as of right now. We know that it will be at least a year or longer, probably, before that works its way through the judicial process. There isn't any reason to have the 158,000 lying there with the Public Service Commission, unless we have some use for it because we know the Appropriations Committee has looked under every nook and cranny and rock trying to find a few dollars. This money comes under those funds which I consider to be surplus to that agency. I think we all know, we all know very well that regardless of the outcome of the court decision, that what we do through the appropriation process is a matter that will wait until that decision has been made. There isn't any reason to carry those funds over. There is going to be plenty of need in the budget for other, more meritorious projects. Mr. Adams, this morning testifying before the Public Works Committee, said the money has not been touched, it is intact, it has not been squirreled away, or scrounged away, or dribbled away, it is there, it is 158,000.