

February 5, 1973

SENATOR MARVEL: Well let me put it this way, that when we create any type of fund by legislation, it is subject to administrative authority, and it's also subject to legislative scrutiny, so even if it's used for a semi-private organization, for instance, it still comes under the jurisdiction of the, of DAS and also the legislature. So for me to tell you that there is no jurisdiction would not be right, but by the same token, I can see really no way where DAS could withhold this money, if you want I can double check it for you.

SENATOR BARNETT: I'd appreciate it if you would, and then on the other hand I'd like to ask you another question on, as long as we are creating a fund for the Nebraska Arts Council, is there any possibility of putting the state money into that and including it along with the trust fund money so they can control their own money, instead of the department of education, or the University, or whoever is in charge of it?

SENATOR MARVEL: You mean general fund money?

SENATOR BARNETT: Right.

SENATOR MARVEL: It's my understanding that, but once again we can double check this, it is my understanding that general fund money is not the type of money that goes into a trust fund, that this is a special fund, handled differently, trust funds are a special category.

SENATOR BARNETT: I guess what I'm trying to do Senator Marvel, is to get the money that is available to the Nebraska Arts Council under the direction of the Nebraska Arts Council.

SENATOR MARVEL: I really don't think to answer your question directly that there is any better way to do it then what we are now doing now, if you know of examples of where money has been withheld, if you'll let us know we will try to double check it.

SENATOR BARNETT: Okay, I'm not in specific referring to the Arts Council, when I'm talking about money being withheld, but I was wondering if we could put this all under one fund, and I'm not opposing it, I'm just asking the question if we could amended it to do these things.

SENATOR MARVEL: I'll make it a point to check it for you if it is alright with you to let it go across -

SENATOR BARNETT: Yes.

SENATOR MARVEL: But I'll still double check it.

SENATOR BARNETT: Fine, thank you.

SPEAKER: The Chair recognizes Senator Waldron.

SENATOR WALDRON: Mr. President and members of the legislature, I'd like to call attention to the E&R committee chairman, that on page 3, line 3, that there is a technical error there in the sense that it mentions biennial rather than annual, and so I'd like to call it to attention of E&R so they can straighten that out.

SPEAKER: Thank you. Senator Syas.

SENATOR SYAS: Well I'd just like to make a short statement, after I ask Senator Marvel a question.

SPEAKER: Senator Marvel will you yield to a question?

SENATOR MARVEL: Yes sir.