

March 12, 1980

LB 918

CLERK: It says insert "of at least one third, strike one third. Let me plug it in, Senator, then we'd check.

SENATOR FOWLER: Okay, the intent is that Section 3 of the bill would read, "The Department of Agriculture is authorized to collect money paid by participating ranchers, their estimated share of at least one third of the cost." The way the bill is now there is a flat formula. It says, "one third". What that does is that mandates to the Legislature that we must fund the other one third no matter what that amount is. What my amendment does is to put the final control back in the Legislature rather than have it in the Department of Agriculture. The available funds as appropriated by this Legislature will determine the final share. It could be one third, it could be more than one third but that decision would rest with us based on the cost. As the bill is now it is a mandated program that we must pay one third for. There is no control within the Legislature on the cost. If we do not fully fund our share the department could come in, demand a deficit and get that deficit. There is no provision for prorating the money if this Legislature decides it can't afford it. Now I think that is delegating far too much appropriations authority over to the Department of Agriculture. My amendment provides the farmers will provide at least one third. We will then provide what we think is available in state dollars to make up the difference. It is an amendment really just to provide control back with the Legislature. I would think that that would be something that everybody in this body would like. I heard a number of speeches about delegating too much control over to agencies and my amendment is to try and keep appropriations, final appropriations control with the Legislature. So I would move adoption of that amendment.

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I would like to ask Senator Nichol a question.

SENATOR NICHOL: Yes, sir.

SENATOR CULLAN: Senator Nichol, what do you think of this amendment?

SENATOR NICHOL: Well, if it says what I think it says and what I think it says is this, that the rancher shall pay at least one third, I have no objection to it. If it says something further than that, I would object. I would suggest, Senator Cullan, that you ask Senator Fowler if this