

April 16, 1982

LB 816A

ensuing appropriation period and no appropriation shall be made in excess of the items and recommendations contained in the budget unless by two-thirds vote of the Legislature but any item or recommendation therein contained may be rejected or decreased in that amount. What you are saying is that does not apply in this case.

SENATOR WARNER: That specific section was, Senator Haberman, based upon the letter addressed to Senator DeCamp by the Attorney General. The Attorney General indicated that those provisions of that Section 87-137 were contrary to the Constitution as it was amended last in 1972 I believe, and that the statute would not supersede the Constitution.

SENATOR HABERMAN: Don't take all my time. What you are saying is it doesn't apply.

SENATOR WARNER: Does not.

SENATOR HABERMAN: Alright. Mr. President and members of the Legislature, I've been down here four years and I haven't played games but I have seen a switch in tactics now that is going to be awfully hard to explain to the people when I get home because for four or five years it's thirty votes and then all of a sudden it is twenty-five votes and then all of a sudden it decides who sits in the chair and who does this and who does that. And when you look at the sheet here, sixty counties in the State of Nebraska lose money, thirty-three gain money. The 1st District loses \$634,000 and the 3rd District loses \$3,835,000 and you add those two together and that is exactly what the 2nd District gets in addition, is \$4,470,000 so it looks as though when it comes to money in this body all you have to do is change the rules at the last minute and you pick up \$4,470,000. Now if it seems as though I'm a little irritated, I am because my district loses \$741,000. Now you tell me how we're going to pick that up. One county loses a hundred and eighty thousand bucks. People voted for this bill and they make money. Some people within twelve, fourteen miles of each other made \$82,000. Their neighbors lost \$295,000 they voted for this.

PRESIDENT: One minute.

SENATOR HABERMAN: Thank you, Mr. President. But I guess the thing that bothers me the most is I can go home and say, well we lost but we didn't lose in a fair fight because when you change the rules at the last minute overnight, that is not a fair fight. So I guess it is going to be interesting to see in the next four years whether it is going to take 30 votes or 25 votes on A bills because I think we've set a precedent here today that is going to come back to haunt everybody in