

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, there's two or three points I would like to make and I would appreciate it maybe if Senator Warner or Senator Hannibal or somebody else that has their light on to speak...excuse me, Senator Hannibal, you don't and that's fine, just leave your light off, that would be fine too. If anybody else is going to be speaking on this though with some degree of knowledge, I would appreciate it if they would address a couple of points when they get up. I've got other points to make so I'm not going to share my time with these. But it is my understanding...I will make the assertion and somebody else can challenge it if they care to, that the language in an appropriations bill must have a statutory change to accompany it. You cannot make a substantive change in the way a state program...and I'm using the term "program", not as an accounting term but as an activity of state government that has been authorized by the Legislature, and that you cannot make this change into this new program that it's an accounting function unless the Legislature passes substantive legislation. In other words, if LB 468 or legislation like it does not pass that gives the statutory authorization to create this new program, what we say in our appropriations bill about transferring money is relatively meaningless and I think that...I hope that's the way the system operates and I think it does challenge that assertion if it is different. The second thing that I just don't understand how we can do this and this is a major reason why I'm proposing this amendment, we have already spent this money. This money has now been translated into books, into tuition, into room and board and, hopefully, into positive sorts of things by young people, by young people who are in the universities and colleges of our state. They have already spent it. We are not appropriating new dollars. What we're doing is going back in an attempt to fool the federal government, and I use that term recognizing it's a harsh term, to fool the federal government that we didn't really mean what we did, we're redefining how we spent the money. And I think that's bad policy. I think it's bad procedure and I would be interested in knowing, number one, when we've done this in the past, and, secondly, maybe more importantly when it's worked, when the federal government has believed us when we said, hey, we didn't really mean to spend that \$750,000, we were just kidding about that last year when we spent it. What we really meant to do was put it into this new program even though this new program doesn't exist. I don't think we can do that. I don't think you can fool the federal government by