

May 9, 1989

LB 311

Scotfield amendment, have you all voted? Have you all voted? Record, please. Senator Landis.

(Legislative Journal on page 2206 shows vote as 25 ayes, 0 nays.)

SENATOR LANDIS: Information, Mr. Speaker, I know the Speaker intends to go to the budget issues in the early afternoon. Would the Chair entertain a request to return to the motion to advance when we come back at one-thirty? That way we could make a motion to recess until an appropriate time. The body seems to be not present for the discussion and I want to know if we can take 20 minutes to do that when we first come back?

SPEAKER BARRETT: How many are excused at this point and how many more amendments are there? Senator Landis, there are only 10 officially excused. There are no other amendments. Would you still like to renew your request or...

SENATOR LANDIS: I will move the bill.

SPEAKER BARRETT: Senator Scotfield.

SENATOR SCOTFIELD: Thank you, Mr. President. I appreciate Senator Landis's request and I think that was probably a good idea, because even with as gracious a fellow as he has been and as hard as his staff and my staff have worked to try to clean up this bill, I am still going to oppose this bill because there are a number of important constitutional and policy questions that I think we have to address on the bill. And so I simply offer that as a concern that I think we need to get into. I appreciate Senator Landis's desire to move the bill, but I want to make just a few comments about some of the things I think we have to look at with this bill. In fact, I have requested a separate Attorney General's Opinion now in light of anticipating the adoption of the amendments which we did, but I think LB 311 represents a significant departure from the way we have typically done business with NIFA. We have inserted under the current scheme the State of Nebraska in the place of local financial institutions, if I understand this process correctly. The effect is that the state is now a primary participant in the debt financing scheme and, in fact, the AG cited this in his opinion. This presents some close constitutional questions that I don't think we have taken care of, even as hard as we have worked to try to take care of them. The arrangement is similar