

funds. Fourteen days later, on May 22, LB 761 passed with the emergency clause. So 14 days after the DEC said they had, could no longer change their mind and change the process, and 11 days after they admitted that they didn't have a properly filed application, the new formula passed, brand-new distribution formula, the old formula is repealed, no longer has any standing in our laws. June 20, the DEC sent out a letter to the county boards requesting again for a properly filed application, another "admittal" that they had no properly filed application for these funds on record. The new formula had now been in effect for one month so the DEC a month after new law takes place is continuing to request an application under an old repealed law. June 28, they finally received a properly filed application, their third attempt at changing the application which they said they couldn't change after May 8, they did it three times.

PRESIDENT MOUL: One minute.

SENATOR MORRISSEY: It was properly filed under the old law, the repealed law, it had no standing in law, three months after the introduction of the new formula and over a month after the new formula had passed. So the DEC's argument holds absolutely no water. It's a bucket completely full of holes. In the committee hearing they couldn't answer. I said, how did you follow the law on the distribution of this money and they could not answer that question? Their only defense was, we couldn't change our mind after May 8, and yet they changed it three times. Now, I'm asking for the funds out of Low-Level Cash Fund. It will be no state aid, no money out of General Funds. You must consider this. There will be other people that will be able to file and rightly so for this money because the Department of Environmental Control distributed the money wrongly, distributed the money...

PRESIDENT MOUL: Time.

SENATOR MORRISSEY: ...against state laws.

PRESIDENT MOUL: Thank you, Senator Morrissey. Senator Coordsen, followed again by Senator Morrissey.

SENATOR COORDSEN: Thank you, Madam President, members of the body, the sequence of events I think as outlined in Senator Morrissey's handout, without the editorial comments that were