

getting a fair shake? I guess that would be a concern of mine. And you know it's interesting that when we talk about performance based, you know, everyone's worried about teachers. I agree with you, but you know I've never heard anything said in this body about performance based for state employees. Are they performance based? I haven't heard about it. How about the State Patrol? Is it how many people they arrest? Senator Hefner, I have a question for you. Did he hide? Where's he at?

PRESIDENT MOUL: Senator Hefner.

SENATOR ROBINSON: That's all right. I'll catch him later on on his amendment. But those are some concerns I have. I have no problem with performance based with...in education, but we...how about our state agencies, our hundred state agencies? Are they performance based? I know they come before the Appropriations Committee and, boy, I sure wonder about how performance based they are. Ask some of the members of the Appropriations Committee. I think sometimes if we're going to...we're talking performance based, let's talk it to more than just one area. Thank you.

PRESIDENT MOUL: Thank you, Senator Robinson. Senator Withem.

SENATOR WITHEM: Yes, Madam Chair, if we were in the process Senator Robinson talked about, what groups are performance based and which are not, if we were being rewarded on performance based, of the speakers that have spoken so far, I would give Senator Horgan high marks for performance based because, congratulations, Senator Horgan, Senator Horgan understands the amendment. I don't know if anybody else that spoke does because what we have done, we've had a lot of discussion about whether we ought to have a performance-based program or whether we shouldn't. We've already made that decision. We made that policy decision on General File. The bill, LB 91, as it comes to you on Select File contains a performance-based component, but it's not very well defined. It's not defined at all. So all of the discussion about whether we should have performance based or should not, that most of the discussion has dealt with, is really moot and it is moot until somebody puts up an amendment and says let's get that performance-based language out of there, we're not comfortable with it. Then that would be an appropriate time to talk about whether we ought to have performance based or not. What, as Senator Horgan correctly pointed out, the intent of this amendment is to better spell out