

April 6, 1995

LB 646

CLERK: Senator Beutler would move to amend the committee amendments. (AM1360 appears on page 1529 of the Legislative Journal.)

SENATOR CROSBY: Senator Beutler.

SENATOR BEUTLER: Senator Crosby, members of the Legislature, now we've come full circle, a small, little circle, and I would like to offer you the amendment that I had originally intended a few moments ago and that amendment now has been redrafted slightly to encompass the amendment we just made and has been passed out to you as AM1360 with a little bit of additional language interlined at the bottom. Okay, the bill, as it stands, has no opt-out provision. If you adopt this amendment, there will be an opt-out provision and it will read as you see here on AM1360, although you don't see the entire amendment because it builds on the committee amendment. But, basically, it would allow any county to opt out by adopting a resolution to that effect after notice and a public hearing prior to January 1, 1996. It also allows for opting back in. It also states that once you opt out, you shall not be eligible to receive funds or other assistance under the act except as provided in this amendment. So it reestablishes the opt-out provision as it was in the original committee amendment and then it says this, and then it says this. If you choose to opt out, you're going to get some money and that money is going to be a percentage of whatever money was appropriated by the state for use by this commission. It's going to be a percentage of that money before it goes to the commission for use. Okay, and how much do you get? You look at the county that opted out, if you have a county in your district that opted out and you look at its population, you compare that population to the population of the state as a whole, and if it is 3 percent of the total population of the state, then you would get, instead of being part of the commission, you would get 3 percent of the funds that were appropriated for the commission's use. If 500,000 were appropriated, you would get 3 percent of 500,000 and that would be used by you to continue on your merry way with the system that you have and like. If that...if that doesn't...if you want to be a part of the other system, if you want to be a part of the commission, you can choose to do that, but this gives, I think, a meaningful provision...a meaningful way to opt out. Otherwise, if you leave the bill the way it is and you opt out, you essentially lose your money because even though it's