

faculty because we are a highly qualified research institution. I'm talking about the system. We are a research institution nationally, internationally known. Medical Center does tremendous things, liver transplants, we could enumerate them from here till tomorrow. So I just urge you at this time to reject this amendment again and then I nope Senator Avery deep-sixes it.

PRESIDENT ROBAK: Thank you, Senator Crosby. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Madam President, members of the body. Again, I want to try to emphasize that some people have argued that, well, the Governor is going to veto this back anyway, we might as well go ahead and do it. That's not the position the Legislature should take and traditionally we have not taken it and I'm confident that the Legislature will not take that position today. We have to make our priority decisions on what we want to spend and we have to meet a 3 percent reserve requirement. We have to follow the constitutional requirements of budgeting and we will meet that requirement and the Governor will do his thing. And I suspect that no matter what amount we would not cut or what amount we would cut, the Governor has so put himself in a position of saying he's going to cut, that there will be vetoes anyway no matter what we do. So we have to set in our minds what is it that we want to do as a Legislature. And keep this in mind, if we pass again the budget as it is now without the Avery amendment and we pass every bill on Final Reading and Select File with the exception of 425, everything fits within the 3 percent reserve. And if anything is vetoed out, we know that the money is there because we met the 3 percent reserve requirement and we can override that if we want to on January 8 and that's how the process should be. We tell the Governor what we believe spending should be and at what levels, he comes back with his counterproposal and we then make the final decision. The buck stops here in the Legislature. We have the purse strings. Senator Avery's amendment, if you look very carefully, strikes much of the intent language that is crucial in any higher education budget. As all of you know the Exon case, the Exon v. State of Nebraska, basically it said that we cannot tell the university how to spend the money, we do it in a lump sum and that's true, but there is a tremendous working relationship between the University of Nebraska over the last couple of years, particularly with President Smith coming in, and the