

amendment to LB 519. Record.

CLERK: 26 ayes, 2 nays, Mr. President, on the adoption of the amendment.

SPEAKER WITHEM: The Chambers amendment is adopted. Next item, Mr. Clerk.

CLERK: Senator Chambers would move to amend by reinstating subsections (1), (2), and (3) of Section 1 of AM2219.

SPEAKER WITHEM: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, Senator Brashear and I have talked about this and he chose a method of amending the bill that he used because it was simpler, by striking all of those sections entirely, then reinstating, as I am doing these three subsections, and I will read them to you. But first I will tell you why I think they should be there. We are making a distinction between contingent fee contracts and every other kind. So this gives a rationale. The first subsection would say, and I've read it earlier to you, Article IV, section 6, of the Constitution of Nebraska requires that the affairs of the state be economically and efficiently administered and thereby imposes a duty to expend no more for any service than it is worth; (2) The types and provisions of contracts executed on behalf of the state have a direct bearing on the economical and efficient administration of the affairs of the state; (3) Fee-for-service contracts are the usual, customary, and accepted manner of contracting on behalf of the state. But the way the bill has been amended, it is making it clear that a difference is coming into play now, and that difference is that contingent fee contracts, which have not been the usual way of contracting, even though some have been used before, is now formally being recognized by the Legislature, that under Senator Brashear's amendment, unless the Governor executes this contract, it is void. It puts the Governor in the position of responsibility, and that is what is being offered by this amendment.

SPEAKER WITHEM: Thank you, Senator Chambers. Senator Brashear.

SENATOR BRASHEAR: Mr. Speaker, members of the Legislature, I do rise in support of the amendment. There is an old expression, what is it, even a blind sow can find an acorn, or something