

some path in Texas and then say it was all a hoax when in fact not everything you said about Texas objecting to the merger was. But I just had to stick that in.

SENATOR CHAMBERS: But, Senator, yes, and you did, and it's very deep. But, Senator Brashear, at that point, whether the money is commingled or kept in a discreet account, must the company begin spending it for the purposes laid out in this bill?

SENATOR BRASHEAR: With certainty I can tell you they must spend it for the purposes laid out in the bill. That's what the agreement requires. If you're asking on a cash flow basis is there some pro-rata methodology by which they must expend it on a regular basis, that's an answer I need to get for you.

SENATOR CHAMBERS: So it is possible, though, for them to accumulate some money through this process which is kept on hand or may be invested, and money can be made on that money. That is a possibility however we discuss this or parse it, isn't that correct?

SENATOR BRASHEAR: Yes, sir, any positive cash balance has investment and earnings potential, whether it's significant or not I don't know.

SENATOR CHAMBERS: Now, must they at some point expend all of that money that is withheld on these purposes?

SENATOR BRASHEAR: Yes, sir, and that would be subject to an audit by the state of Nebraska.

SENATOR CHAMBERS: But there is nothing in the bill as it's drafted now or the final form it will take which indicates how much has to spend on any one of these items. That's up to the company to determine, correct?

SENATOR BRASHEAR: I suspect that's also a matter of contract and agreement that is authorized by this statute.

SENATOR CHAMBERS: Okay. Now, at some point all of the money that is withheld will have been expended for these purposes. Is that correct?

SENATOR BRASHEAR: That's correct.