

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 29, 1999 LB 530

will take care of itself. What this amendment does is attempts to raise some questions as to the structure of our law, and the structure that we have established over the years for political subdivisions, what is their authority, what is their responsibility. Are we going to or have we created, intentionally or unintentionally, a system where our own political children can expend millions of dollars suing the state as its parent. That disturbs me considerably. And I think we need to examine the legal framework of our public power districts and what their responsibilities are, and how their management and administration is addressed. This amendment and the language that I prepared has quite honestly some technical legal problems. It would not work well, I've been advised of that. It needs further legal analysis and draftsmanship. I think the concept of who's going to pay in the end, and whether that's going to be a general obligation of the entire state, or whether it's going to be separated out for a specific ratepayers or specific political subdivisions needs further study. I appreciate very much Senator Brashear trying to pinpoint for us what the problem is going to be. This is not just a question of \$5.7 million this year, although that's big enough to disturb me, it could be much larger than that in the future. We don't know where this litigation is going to go, and there are risks that the federal court may, in fact, take away from the state its right to make the ultimate decision in this matter. And we could end up in a very ironical position of having a...

PRESIDENT MAURSTAD: One minute.

SENATOR MATZKE: ...a waste facility in this state which we can't even use ourselves, while we're paying for it. So I think we need to look to the future very carefully. With this in mind, I would like to withdraw AM1424. I will consider introducing an interim study resolution on the matter, and probably approach it with the introduction of legislation next year. Thank you.

PRESIDENT MAURSTAD: The amendment is withdrawn. Brief announcement. The muffins being provided are by Senator Bruning. Actually they're provided by Senator Bruning's mom and wife, for his 30th birthday, that he celebrates tomorrow. Senator Bruning, happy birthday. Mr. Clerk, next item.