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LB 44

appropriate amendment, and that's what I'll be looking for. What I will acknowledge is that history teaches me that any time a bureaucracy can make money and keep money by the administration of its own provisions, there's an opportunity for that bureaucracy to do exactly that for no other reason than to make itself more money.

PRESIDENT MAURSTAD: Thank you, Senator Landis. Senator Bromm, on the Chambers amendment to LB 44.

SENATOR BROMM: Thank you, Mr. Lieutenant Governor. I feel a little bit, based on the speeches so far, a little bit like the Lone Ranger here. But I'm going to...I'm going to take a position contrary to the previous speakers, for several reasons. First of all, apparently this procedure of seizures going to the federal government and money coming back from the federal government to local law enforcement has been going on for some time. Apparently we weren't aware of it, not everyone was aware of it until just recently. I think it's a legitimate topic for Senator Chambers to bring up and to air and to evaluate. I don't think, based on the information we'll be able to get this afternoon, that it would be appropriate for us to adopt the policy suggested in Senator Chambers' amendment, for a number of reasons. And I'm going to run out of time, but I'm going to do the best I can to articulate those reasons in the time that I have. First of all, there is something called federal law, there is something called federal law. That's not in Senator Chambers' packet that he handed out. He gives us a Nebraska statute, the Nebraska Constitution. There is 18 U.S. Code 981, which I will be glad to make copies of, that contain the following points--the federal forfeitures must be given to a state or local law enforcement agency. There is no provision in federal forfeiture law for the money to go to schools. The federal government cannot release money to a nonlaw enforcement agency. The U.S. Attorney General, the U.S. Secretary Treasurer, and the Postal Service are the parties who have the power to determine under which...what terms and conditions forfeited assets may be retained or given to the state or local law enforcement agencies. The Nebraska Legislature has no power to decide under what terms and conditions the money may be given to the state. This would be an improper usurping of the federal law by the state to tell the federal government what they can do