

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

February 10, 2003 LB 282

reaches the goal that is envisioned, we will have to absorb and say yes to any decision that that governing board makes, under the rules of the agreement. Yes, in a strict legal sense, we can withdraw. But you're not going to want to withdraw. So then, under the agreement, if a member state is found to be out of compliance with the agreement, the governing board may consider sanctions against the state. The sanctions that the governing board may impose include expulsion from the agreement, which you'd never ever want; that's the biggest club. But then it has this other phrase: or other penalties as determined by the governing board. And, Senator Landis, I...the next question I would direct to you is, are we giving carte blanche to this governing board to decide penalties other than kicking us out?

SENATOR LANDIS: Only if we...

SENATOR CUDABACK: Senator Landis.

SENATOR BEUTLER: And by...and what would these penalties be, and how do we control that, or what's the limitation on those penalties? What does that mean, I guess?

SENATOR LANDIS: You've got exactly the same language I do. It's open-ended. And I think you might be willing to...you could criticize that. What can't happen is that the streamline project does something over our objection, meaning we get to leave. Understand, they can expel us, and we're out, no other penalties. Or we can leave. Or they can threaten us with one of those amorphous, ambiguous, unknown, unnamed penalties, if we wanted to stay in. But what doesn't get to happen here is that we leave and they discipline us in some way. That section only applies if we stay in the streamline project.

SENATOR BEUTLER: Okay.

SENATOR LANDIS: So I don't know. It is amorphous. I agree. It's a venture that's never been done before, and I can't give you better than that...or they have not defined for us better than that our particulars. One of the virtues, I think, would be to be one of the first ten states, to speed the approval of this process so that we would be one of the ten states who would