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LB 962

Interrelated Water Review Board, that instead of having five members including the Governor, there should be at least six members with the Governor being a nonvoting member, the Governor or the Governor's designee. There are too many things that have happened with reference to this bill already that tilt it; it is skewed. If there is a Governor who is not strong enough to be interested in how this bill, and if it becomes law, how such a law would affect all of the state, he or she might be pulled in an inappropriate direction. And if there is such a Governor, that Governor would stack this board that is the one that has the real power. The alternative dispute resolution operation that Senator Beutler was discussing is surplusage. Maybe they can do something, maybe they cannot. But the way I look at the realities in this world, when there can very well be conflicts, is to focus on the point at which a decision can be taken and there is the force to require that it be followed. When you make the resolution of a dispute voluntary and they come up with something that is nonbinding, they could meet today for the purpose of determining that they will meet tomorrow. Then they can meet tomorrow to discuss what they're going to discuss next week. They meet next week and decide to throw up their hands and say, we can't do anything, or they can meet, discuss very seriously, all of these issues and have all of these knowledgeable people presenting their input. They come up with what they consider to be a fair resolution but it's not binding on anybody. It doesn't mean a thing, and as that song says, don't mean a thing if it ain't got that swing, this nonbinding alternative dispute resolution group ain't got that swing. And you can either mean a movement of the body or the motion of a club passing through the air just before it makes contact with a recalcitrant skull. The real power for arriving at a solution or a resolution where votes are taken and you wind up with something binding is this water review board. That is the one which the Governor can stack. That is the one on which the Governor sits as Chair and...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...we've been told may vote. There is nothing in the bill that says one way or the other, so it is silent. The Chief Justice of the Nebraska Supreme Court is also