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FLOOR DEBATE

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LB 962

SENATOR CHAMBERS: Senator Schrock, as I had mentioned the other day, the Chief Justice of the Nebraska Supreme Court is the Chairperson of the Judicial Qualifications Commission. They hold hearings, and the Chief Justice chairs those hearings. But when time comes to take action, the Chief Justice does not participate. One of the reasons I believe may be that if the matter wound up in court it would be before the Nebraska Supreme Court, and the Chief Justice may be in a position to make or pass judgment. Let's look at this. If the Governor wants this board to reach a certain decision, the Governor, if allowed to vote, or the Governor's designee, has two votes to start with--the Governor or his or her designee, plus the other one individual that the Governor can appoint. That's two. If the list of six comes from these resources districts, contains people who the Governor might be able to unduly influence, the Governor can stack that board and have his or her way...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...and control how decisions relative to water will be made. Why don't we just give the Governor the authority by fiat to make decisions in this area? Why would that be bad?

SENATOR SCHROCK: I suppose that could be bad. And I'll take your issues under advisement. I don't like to draw a line in the sand and say we won't do this. I think the plan laid out here is reasonable and is doable. And I don't think the Governor is going to want to get politically involved, because on a decision like this it could be very political. It could mean he would lose support or gain support from certain areas of the state, based on a decision that this Water Review Board would make.

SENATOR CHAMBERS: And keeping my mind open, Senator Schrock, maybe I could be persuaded when we get to this part...

SENATOR CUDABACK: Time.

SENATOR CHAMBERS: ...of the amendment to accept it the way it is. But I just want you to think about it, and I will keep