

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

March 31, 2004      LB 1090

that didn't fly, as we know. And then there's the other deal, other situation, with the \$1.10. And nobody wanted to do that, but that was a solution that perhaps, again, it was there in case necessary, but we could have time to rescind that in case things improved. Of course, everything is a gamble these days. We know that. Well, that was rejected. So we're going to have to raise money some way. And before we leave here, if we don't, (laugh) we're certainly going to be back. And I love all you folks, but I just don't want to come back, because I've got other things that I'd rather do. And I think most of us have that. We have our occupations, we have our other desires. And I'm going to hurry here, because someone wants some of my time. But I...and I promised him I would give it to him. But you know one thing...and I'll get to that right away; I think I said enough. But Senator Bourne, you have finally come of age. When the dean of our lawyers calls you a slick lawyer, I think you've come of age. But I'm certainly glad that they didn't call you "Slick Patrick," because we've heard of "Slick Willie," and then...and "Slick Patrick," they might get us mixed up, you know, not because we look so much alike, but they might just get us mixed up, and I wouldn't like that at all. With that, I'll yield the rest of my time to Senator Bourne.

SENATOR CUDABACK: Senator Bourne, about 1 minute, 20.

SENATOR BOURNE: Thank you, Senator Engel. I appreciate you yielding the time. Members, I stand by my comments that this bill is constitutional suspect...constitutionally suspect. I'm looking at a case...and I agree with Senator Beutler that he does have an Attorney General Opinion. And let me make my case here, Senator Louden. I'm looking at the Hershey School District case, which was a case that was handed down in 1980. And the Legislature had passed a bill which basically enacted a...

SENATOR CUDABACK: One minute.

SENATOR BOURNE: ...statute that the public utility would have to give some money back to localities. And the court struck that down and said, in part, they cited the constitution, saying that every public corporation and political subdivision