

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

March 31, 2004      LB 1090

corrections system. We can't do that. Senator Synowiecki had an amendment that would have saved significant amount of money the other day as it related to probation. We can't do that. We structurally haven't really done a whole heck of a lot I don't think, and I don't know if it's the will of the body or the lobby, I don't know what it is but it seems...it's kind of frustrating because no matter what idea is put forth, no matter how legitimate, there is significant opposition to it, seems whatever we do. And I...maybe that's just the nature of a democratic process, I am not sure. But I think what Senator Brashear is proposing makes some sense. The concept of bonding is not unusual. I think if you look at how other states have done this, I think 40-some states have actually let bonds. If you look at how businesses conduct their affairs, their businesses, they let bonds. They do a certain portion of equity in borrowings, and bond is a component there. I don't think this is unusual whatsoever. I don't think it's unusual at all. What I'm struggling with is the only reason that I would support Senator Brashear's amendment is if it is limited solely to satisfying any potential judgment. And with that, would Senator Brashear yield to a question or two?

SENATOR CUDABACK: Would you yield, Senator Brashear, to a question?

SENATOR BRASHEAR: Yes, Mr. President.

SENATOR BOURNE: Senator Brashear, I've looked through your amendment and it's 20-some pages. Do you have a specific provision in there that this money could only be used for satisfying a judgment, should that judgment come about?

SENATOR BRASHEAR: As to the monies which are diverted to the Judgment Fund, yes. As to the other monies which make up the totality of the \$275 million, no.

SENATOR BOURNE: Okay, so your bonding proposal, as it's written now, goes further than satisfying any potential judgment?

SENATOR BRASHEAR: Yes, Senator Bourne, I wanted to demonstrate with the amendment a solution that actually solves the whole