

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

April 6, 2005

LB 548

maximum annual amount that may be appropriated or transferred to the Nebraska Health Care Cash Fund from \$50 million to \$52 million, and I would ask for adoption of that amendment. Thank you, Mr. President.

SENATOR CUDABACK: You've heard the opening on the committee amendments to LB 548. Open for discussion. Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President. Members of the Legislature, some of you have asked me why I was in the minority in voting against the advancement of this bill, and I think Senator Stuthman has received similar questions. The proposal before us is a valuable one. The idea of increasing the amount of money that we spend from the Tobacco Settlement Fund to the trust fund that we have set up, these are laudable goals. These are reasons that was originally given to those entities that were around when LB 692 was passed and so, therefore, there is some desire to see those fulfilled. My concern with the underlying bill is that we're going above what we had projected. Now, the argument has been within the committee and been within the Legislature that we can afford to do more, and we may be able to. My concern is that we are going to say now it's \$52 million. Senator Jensen has pointed out that if we do this and we put this in statute, it will deter people from taking money out of this fund in the future. You know how you change that deterrent? You amend the statute. This is being in statute. This is our guidance. In the future, somebody could raid the entire amount of money. So my concern isn't with the policy as far as whether or not we should give the additional funding from \$50 million to \$52 million, but rather it's the diversion from what we intended to do with the passage of LB 692. So that was my opposition, that continues to be my opposition. It has nothing to do with the ability or the need for the money that's there, and I'm sure the Appropriations Committee members would tell you that in other areas of government there's a great need as well. I'm just not comfortable advancing this proposal with this additional revenue under some guise that we're going to be able to protect this fund from future Legislatures, because that's simply not the case. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Further