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FLOOR DEBATE

April 28, 2005      LB 645

first...you can have Section 1, because those are definitions. Then we get rid of Sections 2, 3, 4, and 5. That then brings us to the task force. Why can't we just have the task force do the study and that would automatically leave everything where it is, because no reference would be made to anything that exists now. You'd mentioned the subjects that are going to be studied, but nothing is going to be done by the Legislature in the form of positive legislation. Why couldn't it be done that way, if we indeed want to maintain status quo?

SENATOR BRASHEAR: Because, Senator Chambers, respectfully, you are putting people in a position where they have to progress their ability to compete, in order that someone else not do it, or do it when they are not, and they simply lose, because they're unable at a future point in time.

SENATOR CHAMBERS: What concern is that of us, as a Legislature? And I'm asking the question to get a response from you.

SENATOR BRASHEAR: I thank you for that. I believe in this. The concern we should have is the position we're putting public entities in, as it relates to their financial well-being, short and long term, the position we're putting private sector, competitive forces in, as it relates to them being responsible, law-abiding citizens of the state of Nebraska, that are good for our economy and our people through job creation and the like, and the position it puts the state in, in terms of what we will have or not have, in terms of infrastructure and the capacity to utilize it in the future, for technology.

SENATOR CHAMBERS: If the study were undertaken in the way that I'm suggesting, the Legislature would be able to roll back anything that these entities had done, provided they're not of a contractual nature, which the Legislature could not interfere with; isn't that true?

SENATOR BRASHEAR: The Legislature can make law and can apply it, in this instance--we're not talking about criminal things--can apply it retrospectively, but we cannot undo any economic disadvantage that any public or private entity has put themselves in, as a...in terms of investing capital for the