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

May 5, 2005 LB 425

and reoffer it on Select File, but that would certainly be my preference. So I urge your support of the reconsideration motion. Thank you.

SENATOR CUDABACK: Thank you, Senator Raikes. Senator Chambers, followed by Senator Howard and others.

SENATOR CHAMBERS: Mr. President, members of the Legislature, the arguments that were given are very compelling, not just because I agree with them, but the Appropriations Committee does come in for a lot of grief. They do a tremendous amount of They have, however, access to information, individually and collectively, that we as nonmembers of that committee do not have readily at our disposal. On matters of this nature, where they're not just looking at one isolated item which a particular special interest group may want, they're looking at the totality of the budget. They're looking at the federal funds that come They have considered what these TANF funds ought to be used for. Senator Thompson pointed out that if the Governor decides that this is an appropriate use of the money, he can assume the responsibility and do this. When the Legislature something, I have been emphasizing that we should legislate in a responsible manner. There is nothing at all in terms of guidelines that must be met by anybody trying to get this money. Politics can and will enter into it. The Legislature, in a sense, is abdicating its responsibility by not putting any guidelines. It is not unheard of for the Legislature to allow an agency to carry out legislative will, but courts have said repeatedly that the Legislature must give adequate guidance so that the agency is not, in fact, legislating but is, rather, carrying out the expressed will of the Legislature. And there are bills that the Legislature enacted into law which were stricken down because they constituted an inappropriate transfer of legislative authority to some other agency. When I listened to the discussion yesterday, there were organizations and agencies mentioned which are already in existence, providing these services, the names of which I didn't even know at the time. So there has been no showing whatsoever that the need, and I put that in quotes, that Senator Foley is talking about is not being met. I will not say I'm the only one concerned about the welfare of women, poor women, poor pregnant women, and I