

May 5, 1975

SENATOR DeCAMP: Thank you.

PRESIDENT: Senator Shirley Marsh.

SENATOR MARSH: Mr. President and members of the Legislature, this is still wrong to insert this type of wording into an emergency fund. It is not an emergency if you can designate what it is going to be before it happens. That takes away from having an emergency fund. Senator Lewis can bring in a bill or add it someplace else but this is not the place to put his choice in wording in the budget document.

PRESIDENT: Senator Mahoney.

SENATOR MAHONEY: Mr. President, I rise to speak for the amendment. Some three weeks ago we discussed this and the Governor had one opinion and, of course, the Attorney General was asked for his opinion and I think this is, probably, Senator Marsh, the only place Senator Lewis could bring relief for a situation that in the June rains, which we always get in this part of the country, could create the same problem over again, and while we are in session, I think this \$92,000 would be the answer to this particular problem which is going to come into a community almost like a small town in outstate Nebraska and so I would hope that you would designate that the 92,000 which is a part of the greater three hundred and some thousand that we have would be designated for this project in which this Legislature here three weeks ago was faced with and I think it definitely would be the cure-all for the situation that we didn't have the answers to it and we were asking the Governor to do it and he claimed, at that time, that he was prohibited to do it because the Constitution done so. So here is the money earmarked and I think Senator Lewis has a very good amendment to this bill.

PRESIDENT: Senator Swigart.

SENATOR SWIGART: Mr. President and colleagues, I hope ten men don't stand up but I wanted to ask the best looking Senator on the floor a question, please. Look at this. Senator Marsh, please. I thought the President would speak right out. Senator Marsh, don't you feel that it is a matter of semantics that this river danger is an emergency, and although we can call it that, doesn't it still fit in the category of emergency that deserves this fund?

SENATOR MARSH: Senator Swigart, that is a decision that either has been made or could still yet be made. There is nothing which forbids dollars from the emergency fund being used for that purpose but writing in this expenditure of a specific dollar amount for a specific emergency before that is an emergency is not legal language, in my estimation.

SENATOR SWIGART: Thank you.

PRESIDENT: Senator Frank Lewis, are you ready to close debate by way of reply?