

May 9, 1975

SENATOR GOODRICH: Would Senator Cavanaugh yield to a question then?

SENATOR CAVANAUGH: Yes.

SENATOR GOODRICH: John, you know the situation I'm faced with and that I'm trying to solve. As long as we word it in such a way that we're not giving the Exec Board appropriations powers, do you have any objection to saying the Legislature or the Exec. Board of the Legislature, when the Legislature is not in session?

SENATOR CAVANAUGH: I don't have any personal objection, no. My interest in this arose out of the Pershing College transaction which has not yet concluded. The Board of Regents authorized the foundation to acquire Pershing College. It's my understanding of that procedure that there was some commitment that subsequent ... at some subsequent time the University might acquire it. I think that the Legislature certainly has an interest in a transaction of that magnitude. We shouldn't allow an executive branch to acquire a facility of that size without notifying the Legislature. Originally the President of the University had assured the Legislature that no such action would ever be taken, regarding Pershing College, without prior consultation with the Legislature. That did not happen in the case of the Board Regents authorizing or encouraging the foundation to acquire Pershing College. I think that we deserve the assurance that transactions of that magnitude not occur without the prior knowledge and informed understanding of the Legislature. That's what I'm directing at. I think with regard to Fort Omaha, if there's some question of whether they would even be a state agency depending on how we organize the tech colleges. The point is that the Legislature should have some opportunity prior to the consummation of a major land acquisition to express its opinion. We don't if we're not informed about the transaction. The Exec Board would serve that purpose, as far as I'm concerned, of at least informing us and putting us in a position to take a negative action if we thought that was appropriate. As it is now if we don't know about the transaction we don't have any opportunity to react. That's mainly my concern. Anything that will accomplish that, serves my purposes. I could certainly live with an example or an amendment to that.

SENATOR GOODRICH: OK, thank you John. Mr. President, members of the body, I'd like to offer an amendment to this particular motion. I think we ought to put the same amendment in this particular clause of each budget bill that contains this particular restrictive clause. I'd like to amend the clause to say that the Governor must approve these gifts of over \$10,000, or the Legislature, as it is now, but then all the words "or the Executive Board of the Legislature in the event the Legislature is not in session". I would move the adoption of that amendment just so we can clear up the question of who can act when we're not in session and for what purpose. Thank you.