

ask for a refund at least for that part of his checkoff dollars, his or her checkoff dollars that have been used to influence legislation that they may not agree with. I have made the argument before that I think this is a form of forced unionism. I made the argument before that I think it is a shame that in a right to work state such as Nebraska we abandon that philosophy when it comes to the use of our checkoff funds. Now remember, for those of you that might argue that, yeah, but we do this with school boards, school board associations, we do it with many other entities of government, as faring as influencing legislation. There are some differences. Those differences are that those people on school boards are elected. The Board of Regents are elected. But, the checkoff boards, the corn and wheat, are both appointed, all of those are appointed positions and therefore the grower really doesn't have the control over how his dollars are expended or how they are used. So if we are going to give them this power, and quite frankly, I know and I realize what we are doing almost with LB 60 is making legal what is happening anyhow. But, if we are going to put it in the statutes that they can use those funds, then it seems to me very appropriate that we put in a mechanism for an individual to get that percentage back as a refund, so I would ask for the adoption of the amendment that Senator Warner and I are offering to LB 60.

PRESIDENT: Senator Warner, do you wish to make a statement?

SENATOR WARNER: Mr. President, again I would rise to support the amendment. The...it seems to me that it is just the wrong principle to use compulsory checkoffs for lobbying. As this amendment is drafted, it would permit the individual grower to at least have that proportionate funds returned that had been taken from him for lobbying purposes if they chose to do so. They have to have proof that the assessment was made against them. The refunds are only from the effective date forward, would not be in the past and it does in addition give those two governing boards the authority to make refunds one hundred percent if they wanted to in their own action, but I think this is the only basically fair way you can deal with this kind of a checkoff where the individual grower who feels strongly that those tax funds are being used for a lobbying purpose that is not in the growers interest, at least they can get a refund on that portion of those funds. So I approve...I urge that the amendment be adopted.