

fined \$2 million. Now we have been checking where that \$2 million has gone to, and the most current information we have, which we believe is accurate, is that it goes into the Clerk of the United States District Court's fund and from there it is transferred to the general U.S. Treasury. In other words, that \$2 million fund which was no doubt properly levied by Judge Urbom because it was levied in federal court will go into the United States Treasury even though it was for a transgression against the taxpayers of the State of Nebraska. Now as Senator Fowler indicated, it is very important for us to introduce legislation to address this problem this session. This is a fast-breaking situation. There are a number of contractors that are right now contacting the state for immunity grants for guilty pleas. If we wait 12 months to address this issue in the Nebraska Legislature, it will be very likely be too late for us to get the kind of restitution that Senator Fowler and I think that the State of Nebraska is entitled to in these bid rigging schemes, which again involved millions of dollars that have been taken away from the taxpayers of the State of Nebraska. Now if you review the existing statute that deals with the rule-making authority of the Director of the Department of Roads, there is nothing in there about requalifying bidders once they have been disqualified, and there is nothing in there about making restitution. All Section 39-699 addresses is the issue of qualifying people for bidding. It says nothing about setting up a complicated procedure to permit people to buy their way back into the bidding process by making restitution. We have no procedures in state law right now. I don't believe state statutes give the Director the authority to set up such procedures.

SENATOR NICHOL: Twenty seconds.

SENATOR HOAGLAND: And if we are to have restitution, I think it is an issue we need to deal with now. I think we need legislative guidance and we should introduce this bill so the Public Works Committee can have a hearing on it and decide what if any action would be appropriate this year. Thank you, Mr. President.

SENATOR NICHOL: That will conclude the five minutes on the pro, and Senator Haberman, do you wish to speak against the request?

SENATOR HABERMAN: I have a question of Senator Hoagland and then, yes.