

the purpose of the amendment.

SENATOR CARSTEN: Senator Abboud, please, on the Hartnett amendment.

SENATOR ABOUD: Mr. President and colleagues, I rise to support the amendment as well. On the back sheet of the handout of Senator Hartnett's handout, under, I think it's marked Exhibit J, it gives examples of DOE's approved programs that this money can be used for and it is quite a list there of money that the Legislature can be deciding on how it should be spent. It deals with energy programs as well as dealing with highway and bridge maintenance and repair in public transportation. In the residential area it also deals with weatherization as well as in the commercial area dealing with energy loans, energy audits and energy efficiency. I think these are commendable programs. As you will recall, this money was...the State of Nebraska received this money as a result of an action involving the Exxon Oil Corporation and the amount of money that they had to refund to the state that had to be used in an energy manner. Now, I think that this gets down to a basic question of who should be deciding how the money should be spent and I think that this approach is that the Legislature should be the sole body that makes the decision on how the money should be spent. I think that Senator Hartnett's amendment to this budget bill helps to clarify it as well as giving a message to this Governor as well as the Governor that will be brought into office in January that the Legislature is the sole body that should be deciding how the money should be spent. I urge the body to support the amendment. Thank you.

SENATOR CARSTEN: Thank you. Senator Warner, then Senator Wesely.

SENATOR WARNER: Mr. President and members of the Legislature, I have mixed emotions about this amendment because I do have reservations in my mind as to how those funds are being used. I had written...not how they are being used but how they are being processed. But I had written the Attorney General some weeks ago now, relative to the process, not the ultimate use of the funds, which have not yet been received and I guess I would just say I, while I have sympathy for what Senator Hartnett is proposing, probably would like to vote for it, I'm not going to. The authorization is in the current law for the expenditure of the trust fund and I would be hesitant to draw that back at this point.