

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 31, 2005

LB 373

Sections 1, 3, and 4. That's the most significant change and, with Senator Bourne and Senator Schimek, we agreed that adding the word "estimated" should help calm some of the fears that the agencies have when they are asked to quantify the fiscal impact. I also believe that by having to quantify that fiscal impact, even though we've put in that it's estimated, that is allowing some accountability, and local governments and local citizens will be able to see what it's going to cost when a rule and a regulation is required of them. So I feel that that is the most important and significant change. In Section 4, there's been language that has been added that no person can challenge the validity of a rule based on the description of the estimated quantification. That is available to the public in the Secretary of State's Office. Section 7, there has been a change there, too, and not all the rules and regulations are based on legislative directions. That's because sometimes an agency obtains its rule-making authority from somewhere other than the Legislature--for example, under federal law. I believe some of these changes have helped to alleviate some of the fears of the agencies on possibly legal action taken by political subdivisions or by individual citizens because of the quantification that is required under this. And so by adding the word "estimated," I think that will help. With that, I'll return my time to the Chair. Thank you.

SENATOR CUDABACK: Thank you, Senator Fischer. You've heard the opening on AM0984 to the Government, Military and Veterans Affairs Committee amendments to LB 373. Open for discussion. Senator Schrock, followed by Senator Fischer and others.

SENATOR SCHROCK: Mr. President, if Senator Bourne would answer some questions.

SENATOR CUDABACK: Senator Bourne, would you yield to a question of Senator Schrock?

SENATOR BOURNE: Certainly.

SENATOR SCHROCK: The bill, as amended, I think might be okay, but the green copy did have...I did have some concerns, so help me on this. We have the Environmental Quality Council, who