

a contractor which would be detrimental to the rate payers of the State of Nebraska, which is certainly not my intention. This was pointed out to me before the hearing on LB 34 and because of the short period of time we had to deal with it, we were not able to come up with any language that would, in fact, answer their concerns and at the same time answer the concerns of some of the people, myself included, that we're having with the way that some of the contracts have been let at the present time. At the present time, some of the contracts have been let in more or less of a cost plus fashion which is definitely not in a very good fashion to do things. In instances, I assume that is probably the only way to do it, however, but what this amendment would do that I am offering to LB 34 would set up a procedure whereby the board of directors with a two-thirds vote of the board, after being certified by an engineer that it would be impractical or not in the public interest for the district to advertise for responsible bidders under a firm contract, then they could, in fact, negotiate a contract. In the past this negotiation has not been done by any advertising. It has been done simply by the district or districts contacting a contractor that they had work done with in the past and ask them what they would charge per hour, per day, or whatever to do this repair work. What we are suggesting with this amendment is that they, in fact, advertise that they are going to negotiate contracts after approval by the board of directors, after being brought to the board by the engineers that it isn't practical to do it, then they would negotiate only after advertising for those negotiations which would, in fact, give the district the ability then to probably negotiate with a number of contractors as to the maintenance and repair work that was needed to be done. This is, as I say, an attempt to clarify Section 2 of the bill with the concern of maintenance and repair. The other sections that we are adding to the bill simply are sections necessary because of the inclusion of the language with the amendment to Section 2 of the bill where we are putting in the words "to negotiate a contract". The second section that we are adding, the first section is the one that we just got through amending, that would put offers to negotiate in their advertisement section of the statute. The second section that we are adding is the section that gives them the ability to operate in cases of emergency such as damage from storms and so forth, sudden or unexpected damage, and puts in the same language that we have got back on Section 2 of the bill, just so it will