

engineer that it is possible to come to a set dollar figure and in many many case that is true, then you can enter into a contract procedure whereby you can negotiate with those people that are going to do this type of work and it would be a contract probably by the hour or by the unit, not knowing what the total amount is going to be and the reason for this is so that you won't get into a situation where perhaps management and a contract will be scratching each other's back. It is just really that simple. Quite honestly it has been happening out there in the past. One of the entities that has been working very hard to kill this particular section and as you have on your desk as was pointed out by Senator DeCamp, a letter saying that NPPD can get along with this. NPPD I will remind you is the largest power district in the State of Nebraska, would have many more of these contracts let than anybody else. One of the entities that has been battling this is primarily an irrigation district. This irrigation district says, and it is in my area also, this irrigation district says that because of a twenty day period that we have to wait before we can enter into these maintenance contracts we just can't live with this. They are telling you that if a ditch breaks out and the water is running down across the farm ground that you can't wait for twenty days while you negotiate with some dirt movers to come in and fix the ditch. It is not part of the bill but Section 70-642 of the Nebraska statutes says this. I wish you would all listen. "In the event of sudden or unexpected damage, injury or impairment of such plant, work, system or other property belonging to the district the Board of Directors may in its discretion declare an emergency and proceed with the repairs, alterations, extensions, additions or other work without first complying with the provisions of Section 70-637 to 70-641." So they can get the job done if there is an emergency if they can't wait the twenty day period. What they can't do...

SPEAKER MARVEL: You have one minute left.

SENATOR VICKERS: Thank you, Mr. President. What they can't do is decide we're going to have some work done this winter while we are shut down. We know we are going to have to but we are going to go out here and we are going to pick a dirt mover. We're going to pick the dirt mover without advertising to all the other dirt movers in the area, so everybody has a chance to tell us what they are going to charge per hour. We want to do it ourselves. They can't do that under LB 34. They have been in the past. That is one reason they don't like it. Now I'm telling you Senator Lamb's amendment would put it so it would make it only applicable to the largest public power district in the state, NPPD. You had all the real small public power districts.