

the judge needed to have and the judge would make a decision based on that information, which would be more than adequate in this particular case. It is a mechanism that is put into place that, hopefully, will meet the body's approval, I think that it will meet the approval as a successful mechanism for disputes which may arise and, hopefully, after we get through passage of LB 340, and, again, I hope the body would see fit to do so, that both sides will understand this is the law and we'll have a little bit better cooperation on both sides. And that concludes at least my explanation in the beginning of the particular amendment. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Discussion on the amendment, Senator Wesely, followed by Senators Goodrich, Warner and Kristensen.

SENATOR WESELY: Thank you, Mr. Speaker, members. As I mentioned earlier, this is a refinement of an earlier amendment that I placed up there and which has been worked on by the different senators involved. I will rise in support of the amendment. It is an improvement over the other dispute resolution that we had adopted earlier and that one I supported as well. You need something in this to have two parties that are not able to work together at all, to at least try to come together and cooperate with the third impartial party to resolve these disputes. Originally, we talked about the Ombudsman, concern was raised, and as I said, I had an earlier concept of the two parties selecting a third party. Again, the problem there would be the Historical Society would always win in that and resolution would not occur. I'm a little concerned about this particular plan to some degree because if the Ombudsman is ultimately...who was desired by the proponents of the bill, this will have that individual, the Ombudsman, be the third party resolution individual if they can't otherwise resolve their dispute and so this may swing back the pendulum back toward the other side versus what my proposal had said, but I do respect the Ombudsman and I do respect the proponents of the bill and my understanding is there will be sincere attempts to cooperate in this process and it is a process that tries to bring two sides together, have them work together, to force them to at least try to work out these problems; failing that, bringing in the Ombudsman as the last recourse. I think that's a better procedure than we have now in the bill and I would support this amendment.