

CLERK: Mr. President, LB 923 was being discussed by the Legislature when we recessed at lunch. Pending was an amendment offered by Senator Beck to the bill. That's where we're at, Mr. President.

SPEAKER BARRETT: Senator Beck, I believe your amendment is pending. You had opened. We are to the point where we are discussing the Beck amendment, and I believe, Senator Nelson, yours was the first light, followed by Senators Hannibal and Wesely. Senator Nelson.

SENATOR NELSON: Mr. Speaker, again, I would have to oppose this amendment. I did get information from the Health Department and I had great reservations of myself and of which they confirmed that. I know that Senator Beck means good and is trying very hard for the people of her area and that we don't hurt anyone. But, again, by adding when it's dry, it isn't always a simple answer just by sprinkling and spraying, for example, a roof or so on, that just by providing moisture that it no longer becomes a concern. I would have to very much oppose this amendment on that basis. The NESHAP definition is any material containing...the definition of friable material, any material containing more than 1 percent asbestos by weight that hand pressure can, and that would mean to break it up, the area definition of friable means that the friable material, when dry, may be pulverized or reduced to powder by hand pressure include previously nonfriable material, after such previously nonfriable material becomes damaged and so on. Again, I think that we're playing with some change of rules, simply may or may not open it up too far. And, again, I know that the federal say...they tell me that they may remove also in their definition "when dry". And that does not apply in all cases. So I would have to ask you to oppose this amendment.

SPEAKER BARRETT: Thank you. Senator Wesely. Senator Wesely, on the Beck amendment. Senator Hannibal on deck.

SENATOR WESELY: Thank you, Mr. Speaker, members. I rise in opposition to the amendment. This issue did come up before the committee. The committee did not choose to adopt this change in language. The current definition is what we've had in place now for the two years that we passed the bill, the one year since it's been implemented. The federal government is looking at changing some of their definitions, and the Health Department