

SENATOR KRISTENSEN PRESIDING

SENATOR KRISTENSEN: Thank you, Mr. Clerk. Any announcements?

CLERK: No, sir, I have none at this time

SENATOR KRISTENSEN: Thank you, Mr. Clerk. We'll next move to the agenda item, LB 163, Mr. Clerk.

CLERK: Mr. President, 168, a bill originally introduced by Senator Jones. (Read title.) The bill was discussed, I believe, yesterday. At that time, Senator Wickersham and Jones had an amendment pending, AM1246. Senator Lindsay had offered an amendment to that that was adopted. I do have other amendments pending to the Jones-Wickersham amendment, Mr. President.

SENATOR KRISTENSEN: Thank you, Mr. Clerk. Senator Wickersham, could you just give us a real brief update of where you're at on the amendment and then we'll move to the amendment.

SENATOR WICKERSHAM: All right. Well, the amendment actually strikes most of the green copy with the exception of Section 1 and then we had an amendment from Senator Lindsay that struck that, so what you have, as the text of the bill at the moment, is the amendment. And what it does is it shifts the process that we were describing from one where we had direct review and decision-making by the Attorney General to one where we have an examination of the takings issue during the regulatory process, that is during the process in which a rule and regulation, an amendment to a rule or regulation or perhaps even the repeal of a rule or regulation is being considered, and at that level the agency would make an examination to determine whether there was a potential taking and also make an evaluation of the potential fiscal impact of a taking if one was to occur. And it is an analysis both of takings with or without compensation, so it is simply a review process, an analysis that would take place at the regulatory hearing level.

SENATOR KRISTENSEN: Okay, thank you, Senator Wickersham. Mr. Clerk, the amendment.

CLERK: Mr. President, Senator Withem would move to amend. Senator, I understand you have amendment AM1302 but I understand you wish to withdraw and substitute what will become AM1315.