

individuals it's clearly up to them, nothing is mandated by either this statute or by the Department of Health with the adoption of this portion of LB 406, is that not correct?

SENATOR WESELY: That's correct, Senator Hall.

SENATOR HALL: And also in that same section, and I'm in subsection (4) of Section 27, we talk about the role and what the project monitor-designer should do. And it says, shall oversee the activities of business entity conducting an asbestos project, ensure that the requirements of the Asbestos Control Act and the rules and regulations adopted and promulgated pursuant to the act are met. And my question there, and this is just for the record because I know we've talked about it, is this is merely to be an issue that is to, I guess, allow for the building owner to feel that everything, every regulation has been met. This is an individual that they hire, they work for the owner, and they basically assure the building owner or operator that all compliances with the act have been met.

SENATOR WESELY: That's correct.

SENATOR HALL: The...and my concern is that, and I want to get this in the record, there is not any ability on the part of the project designer or monitor to levy fines, penalize, revoke licenses or do anything of that nature that would be allowed currently by the department. It's a function that the department has under the act or the rules and regulations that are promulgated in relation to the act, is that not correct?

SENATOR WESELY: That's correct, the monitor is not acting on behalf of the department, and the department is the only one authorized to do any fines or actions.

SENATOR HALL: Okay, thank you very much, Senator Wesely, for that. I was pleased to get that in the record. I think that clarifies concerns of the individuals that contacted me on this issue, and with the adoption of the amendment, which is really a very technical, clarifying measure there is no question with that in the record that we've just established what the intent of this legislation is. With that, Madam President, I would move adoption of the amendment and respond to any questions. Thank you.

PRESIDENT ROBAK: Thank you, Senator Hall. Is there any