

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

May 18, 1999

LB 870

unwieldy, because it...because in the interest of time and allowing things to run smoothly, it can't be done that way. We have to have a representative democracy. We have to have trust in our elected leaders. And the Department of Environmental Quality, while they've made mistakes, and certainly the committee had concerns about the way they've behaved and the actions they've not taken, their department is an executive department. And if citizens have a problem with the way they are transacting business, there's an easy way to change that and that's to not reelect the Governor or to let the Governor know. So if there's a problem with this department, the Governor should be the first to know about it. And this Governor, knowing him like most of us do, he wants to respond to the citizenry. And if he knows there are people unhappy with the department, I think he's going to ask for changes there. And I think that's the first place to start. I also thought a little bit about the legal world that I'm involved in as a lawyer. We don't oftentimes get a chance for an oral hearing, for a chance to say what we're thinking. Most of what we do is done in writing. In fact, if you have a case that goes all the way to the Supreme Court of Nebraska or even the Supreme Court of the United States, you know how much time you get to state your point? Ten minutes, ten minutes, not much time. Ninety-nine percent of what you do is in writing. Under LB 870 as drafted, citizens will have a chance to say what they want to say in writing, and I believe DEQ will read it. And I believe if DEQ doesn't read it, the Governor ought to make changes at DEQ. Fire the director and fire everybody else if they're not doing their job, but I think they will do their jobs. It seems to me that what we're going to get if we allow hearings here is more a discussion of agricultural America and how it's changing from small family farms to larger farms. And whether that's a good thing or a bad thing, I'm not sure that's the point. The point is whether these particular operations are safe or not. We didn't have hearings when the five and dimes went out of business that were here in the fifties and the sixties and Wal-Mart came in. But that's how America is changing, not necessarily for the better all the time but that's how America is changing. We don't have five and dimes on every street corner anymore. It's tougher to compete with Wal-Mart that's moving in, and it's the same thing in raising livestock. My grandpa when he farmed, and he still leases out his land near