

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

May 18, 1999

LB 870

kind of an exchange with DEQ. I see it as an essential part of our democratic process, one that, and I can't help but commenting on Senator Bruning's comment about an attorney only having ten minutes before the Supreme Court. Well, Senator Bruning, I understand with an attorney why the Supreme Court would limit them to only ten minutes. However, I would say that that's an appeal and that that case has already been tried in a court and there has been virtually unlimited time given. So that's a whole different situation and it's certainly mixing branches of government and situations. So aside from, and I'm glad I got a laugh because my attempts at humor don't always go over so well, so despite my lawyer joke there, I am wanting to make the point that ten minutes before the Supreme Court in an appeal is very different because you've already had that opportunity to present your case. The public may have an opportunity before a county if they're even zoned. If there's no zoning, they have no opportunity. This would provide them that opportunity. I think instead of viewing people as emotional opponents as so frequently we do, we need to view the public as being resources. The public can provide input to the process. In the exchange of a public hearing, you can have things come out that just would not happen otherwise. And, as Senator Beutler and Senator Bohlke and others have said, there are some people who feel much more comfortable in presenting their information orally. There are folks who just are not comfortable in writing a response to a government agency that would just not do it if this were their only option in a written comment time. I think giving the public an opportunity to have a public hearing in their own locale...

SPEAKER KRISTENSEN: One minute.

SENATOR PREISTER: ...is essential to democratic processes that we espouse, that certainly I am completely in favor of. And it isn't just a matter of having folks elect us to make all those decisions. We, as elected representatives, can't be in all of those areas, can't know the specifics of the circumstances in each of these application processes. This is an instructive opportunity for DEQ to learn from the public, to view it as an open process, and I would ask your favorable vote in being able to do that. And if nothing else, I understand, and I would certainly not wager, but I understand there's a wager that I