

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

April 6, 2004

LB 599

is an effort to solve the problems. Three of the exemptions involved in this particular case involved dollar amounts. For example, one of them said all design or construction by a district of structural works costing more than \$80,000 shall be under the supervision of a licensed engineer. So instead of the engineering and architects board being given authority to simply change that as they so choose or do not choose, basically what this amendment does is to insert an inflation index. It says, "The Board of Engineers and Architects shall adjust the dollar amount in this section every fifth year commencing July 1, 2009," so that they adjust according to inflation every five years. And then it goes ahead and changes currently the \$80,000 to \$86,000 basically simply adjusting for inflation since the last time it was changed. So because this exemption is related to a size of a project, unless this Legislature wants to enter into the process on a regular basis, it seemed to make sense to say, yes, this is the size of project that we're talking about today and we want this to be the size of the project that we're talking about five years from now. And that's what it will be if we allow for inflation, and then at some point in time the Legislature wants to come back in and make some radically different adjustment, they're certainly free to do so. But this will provide for a regular basis of making the adjustment and it will provide it in such a way as to most likely meet any criticism with regard to an improper delegation of authority. And this particular kind of adjustment then is made in three different places in the bill for those exemptions that are related to dollar amounts. And then Senator Tyson will come along and make a different kind of adjustment to those other exemptions that don't relate to dollar amounts. And hopefully between the two the problems of this bill are very much mitigated. Thank you.

SPEAKER BROMM: Thank you, Senator Beutler. Senator Tyson.

SENATOR TYSON: Thank you, Mr. Speaker. Senator Beutler has covered the matter very, very well as usual. And I will mention that he had already put in for the Attorney General's Opinion. It looked like we were going to deal with this matter before they advanced it. And I, at that time, said that I would certainly support his amendment. I'll mention during mine the