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April 13, 2004 LB 625

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...at any time is a substantial departure from the existing law, and it would apply only when you have one of these outfits caught dead to rights as a result of testing. The copies are not available under an ordinary set of circumstances where you have an aggrieved person. You get these copies when there is no aggrieved person, or the only one aggrieved in the language of this new proposed language here would be a tester or a testing agent's organization. So what they are concerned about is pulling the teeth of these entities and individuals that test these real estate operations to see whether or not they're discriminating. It is so difficult when all you have is one person's word against another.

SENATOR CUDABACK: Time. Thank you, Senator Chambers. Senator Brown, followed by Senator Chambers.

SENATOR BROWN: Mr. President, Senator Chambers talks about what HUD says in the letter. Let me read you from HUD's own letter: As a general rule, under this exemption, the department may not release information collected during a fair housing investigation while the investigation is open. Then, in smaller letters: There are two exemptions to this general rule. First, a party is entitled to receive a copy of any document that is submitted to the FHEO during the investigation of the complaint. That is HUD's own language, in a letter that was written to ask them to clarify. You also have in your packet, from the NEOC: This letter is to advise you that the NEOC commissioners and executive director have met to discuss and review the amendments to LB 625, and support the bill with the amendments. Then we have, from Mr. Whitaker: This letter serves to elaborate and clarify a few things regarding my last e-mail on LB 625. Whenever there is a change in state housing law, the assistant secretary conducts a review of the changes in language and/or interpretation, and determines whether the law remains substantially equivalent on its face and in operation to the Fair Housing Act. The secretary may suspend certification pending the review. We have been advised that there will not be such a suspension in this case. The gist of the review will be