

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

June 1, 2005

LB 548

should have an opportunity to appeal? Now, what the amendment says, it puts in a ten-day...it does two things. It reiterates, so that there's no doubt about the applicability of the general law, which says that rates are...should be fair and reasonable and nondiscriminatory. I wanted to be sure that that part of the law which applies to general rates of revenue would apply to these special revenues. And then it goes on to say there's a ten-day appeal period. Now, the practical effect of what that means is, it would almost never interfere with what they're attempting to do here, because rarely is there ever an appeal. Nonetheless, from time to time, there are appeals. It is a citizen outlet. It is a mechanism by which people can get a fair resolution, if they feel like they've been treated unfairly. And if there was an appeal, it would probably negate the possibility of this kind of a mandated project at that point in time. But since the appeals are so rare, and since it's a special...I think, one of the essential qualities of a good democratic process, I'm suggesting that you put back in a short appeal period, so that there is that characteristic outlet for citizens to contest the action of a board. There...it may be because they feel that the rates on their type of property is too high. This type of bonding may require large reserve funds. The rates may be larger overall because of a need to finance a reserve fund. That may be reasonable; that may not be reasonable. There should be an opportunity to talk about all that, and an opportunity to appeal it. So that's what the amendment is all about. And I'm interested to see what you think. Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. You've heard the opening on FA310. Are several lights on before, and if you wish to speak to it. Senator Jensen, followed by Senator Janssen.

SENATOR JENSEN: Thank you, Mr. President, members of the Legislature. First, I would like to tell you that LB 548 was my priority bill. It concerned...one of the issues that it concerned itself with was the increase to...or allowing an increase in the cap that we were taking out of our Health Care Cash Fund to increase by \$2 million for biomedical research. That was then picked up by the appropriations process. And so my bill really wasn't needed at that point. There were a couple