

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

February 10, 2006 LB 853

and so forth, a registration certificate under the International Registration Plan Act. I'd like to ask Senator...oh, this question then would go to Senator What's-His-Name, from Norfolk.

SENATOR CUDABACK: Senator Flood, would you respond?

SENATOR FLOOD: Be Senator Flood. I...

SENATOR CHAMBERS: (Laugh) The Chair said so. But what he asked you is would you respond.

SENATOR FLOOD: Oh, yes.

SENATOR CHAMBERS: Or was that your response?

SENATOR FLOOD: Yes.

SENATOR CHAMBERS: Oh, thank you. Senator Flood, could you turn to page 5 of the committee amendment?

SENATOR FLOOD: Okay. I'm there.

SENATOR CHAMBERS: Okay. In line 12, I had put in parentheses some material which I'm going to ask you about, just to alert you to it. And that language would be "has issued to the department a check or draft which has been returned because of insufficient funds, no funds, or a stop-payment order." That's what I'm going to ask you about later. But this is a single word. If you come down to line 20, you'll find the word "may" in this sentence: "If the director takes an action pursuant to this subsection, the director may reinstate" and so forth. Let me read it all: "may reinstate the registration certificate or license without delay upon the payment by the applicant, licensee, or certificate holder of any fees due and reasonable administrative costs incurred in taking such action." Under what circumstances, if the licensee had paid these fees and everything else that this subdivision requires, why would the director still have discretion not to reinstate this certificate? So the question I'm really asking is, why is that "may" rather than "shall," if conditions are set and the conditions are met but there still is nothing that the director