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February 14, 2006 LB 776

SENATOR BEUTLER: Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. Senator Chambers.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, my understanding of this amendment at this point is as thick and dense as a London fog, but I'm going to try to penetrate it, with the help of Senator Schrock. Senator Schrock, I had been discussing with you this notion of public notice on page 3, line 23, and you assured me that other legislation already on the books related to the giving of public notice by this council would be governed. Is that true?

SENATOR SCHROCK: Yes, it is, Senator Chambers.

SENATOR CUDABACK: Senator Schrock.

SENATOR SCHROCK: That's in Title 115.

SENATOR CHAMBERS: Now, what does "opportunity for a hearing"

mean?

SENATOR SCHROCK: That means if one person makes the request for a public hearing, it shall be granted.

SENATOR CHAMBERS: Well, no, it doesn't say that. It says "opportunity."

SENATOR SCHROCK: The public...

SENATOR CHAMBERS: So there...

SENATOR SCHROCK: ...has the right to request a public hearing.

SENATOR CHAMBERS: ...there's nothing that mandates a hearing in this subsection (3), that I see. Here's the sentence, beginning in line 21 on page 3. "Financial assurance for investigative or corrective action may be required in an amount determined by the director following public notice and opportunity for a hearing." It doesn't say that there shall be a hearing. Now, what is this