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for discussion. Senator Schimek, followed by Senator Mines.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members of the body. Senator Chambers, I think I've heard this discussion before, and I should have been alert enough to bring it up in committee, that you always try to address this knowingly, and have it being...or willfully, and having it be inserted as "knowing and intentional." So I don't have any problem with your amendment at this point. I did want to clarify something else for the body and for Senator Chambers. When he is talking about that court procedure, I want to make sure everybody understands what we're doing here. The language is on page 5 of the bill, and it's on line 19. After "Both parties may appear with counsel," it says: The court shall hear arguments as to the sufficiency of the allegations. The district court shall determine whether or not the allegations in the statement show, by a preponderance of the evidence, the existence of the grounds of...what the committee was attempting to do here was to say, does...do the allegations meet the test for malfeasance or misfeasance or nonfeasance, not whether the allegations are true or not. And we discussed this quite a while, and we realized, Senator Chambers, that of course, in a...in any setting, perhaps, that the courts saying that there were sufficient grounds to bring that...to make that doable, then that could be confusing, perhaps. Senator Chambers, I see your eyebrows going up, and I would like for you to have a chance to respond to that.

SENATOR CUDABACK: Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. Thank you, Senator Schimek. What I am looking at--and I was going to offer some changes in that language that you have on page 5.

SENATOR SCHIMEK: Okay.

SENATOR CHAMBERS: I would change some language in line 16. The purpose would be to challenge the sufficiency of the allegations in the petition, and then the standard is, when you get down to line 23, it talks about the preponderance of the evidence. I