

SPEAKER NICHOL: Senator DeCamp and then Senator Lundy.

SENATOR DECAMP: Mr. President, I have got no objection to the amendment. I guess I prefer to see it without it. However, I would support the amendment because my concern in putting the legislation in wasn't seven days or three days, it is a situation where three, four, six months, a year, two years, a business is literally destroyed as a result of not having any ability to get in it or having ability for people to get to it and that is my real concern. If seven days is a reasonable standard by Senator Warner's way of reckoning, and he has been close to the roads work, that is fine. Just something we get statutorily so that a business who really believes they are legitimately being abused has some negotiating power with the Department of Roads or municipality. They have something they can sit down at the table and say now this is the standard and you are not living up to it. So for that reason I will support the amendment and hope that then Senator Warner would support the legislation.

SPEAKER NICHOL: Senator Lundy.

SENATOR LUNDY: Mr. President and members of the body, it seems to me like that LB 179 is not needed at all. It has been previously stated that right now the Department of Roads have in their contracts the language that has been picked up and used by Senator DeCamp and by Senator Beutler and it is not needed to repeat this in statute I don't think. I think, too, that it would be quite difficult, as has been previously stated by two attorneys on this floor, to define the word "reasonable". What is reasonable to you and I is not reasonable maybe to that person who is operating his business out on a highway that is torn up, that is being widened and repaired or what have you. It is difficult to define the word "reasonable" unless, unless you go to court on every case and get the court to determine what is reasonable.

SPEAKER NICHOL: (Gavel.) Excuse me, Senator Lundy. Could I please have a little quiet so we can hear what Senator Lundy is saying. Thank you.

SENATOR LUNDY: I think that possibly it would be a real long period of time used by the courts, by the attorneys