

February 6, 1981

LB 24

we have finally gotten to the water legislation. It will probably take the rest of the session now. I would just like to point out, you know, Senator DeCamp talks about automatic shutoffs on those systems. If he got out to our farms a little oftener he would know that most all of them have them now. He lets that farming business up to me and so he doesn't get out there very often. He also would know that accidents do occur. Equipment fails once in a while. We even had two systems that ran together last year and that is kind of unusual. I don't know how that could happen, but it did happen. The bill with the amendment of Senator Haberman's I think is, you know, really wouldn't make any difference if we adopt it or not because as Senator Cullan says, if the sheriff and the county attorney does not want to enforce it and are not going to do it, we have enough selective law enforcement today I believe where the county attorneys decide what they are going to enforce and what they are not going to enforce, and a county attorney who runs for reelection is not going to go out and enforce a \$300 fine against a farmer who happened to soak down the road because the wind happened to be blowing the wrong direction. The amendment of the committee which says, any center pivot which by location or design causes water to go upon a road. I don't know of any landowner who locates a center pivot deliberately so as to water the road. It is not very economical to do that. I think that as far as the Haberman amendment is concerned, you have to defeat the amendment. It isn't going to work. It is going to be....it will have a negative effect. Insofar as the committee amendment is concerned, it is an attempt to do something. There may be a few of the older pivots that do not have shutoffs on them, but actually I believe this amendment is mostly for public consumption. It will be an attempt to show the public that we are doing something on those pivot manufacturers and that is really probably all it is good for. But if it does that much, why perhaps it is worth adding. I think that is exactly what my friend, Senator DeCamp, had in mind when he engineered the amendment in committee, but so far as having any deterrent values whatsoever, I think it will have none, because no landowner is going to deliberately allow expensive water to be sprayed upon a road. I think that either from the standpoint of conservation or cost he would not do that. I guess I would have to oppose the Haberman amendment and I am going to wait on the committee amendment until Senator Cullan comes along with his motion.

SENATOR CLARK: Senator Kahle.