

February 6, 1981

LB 24

SENATOR BEUTLER: As I understand it, Senator Cullan, we are now voting on an amendment which says that the device will be required and that not having the device will be...is it Class V misdemeanor at this point, Pat? Class IV misdemeanor. Senator DeCamp's amendment was technical in nature.

SENATOR CULLAN: Okay, thank you.

SENATOR CLARK: Is there any further discussion? The motion is to adopt the committee amendments. All those in favor vote aye. All those opposed vote nay. Have you all voted? It takes 25 votes. Record.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the amended committee amendments.

SENATOR CLARK: The motion carried. The committee amendments as amended are adopted. Senator Haberman...

SENATOR HABERMAN: I move to advance LB...(interruption).

SENATOR CLARK: We have another motion.

CLERK: Mr. President, Senator Cullan moves to indefinitely postpone LB 24.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I simply believe that this bill is not necessary. The current state of the law is that we have a maximum of \$100 fine, up to \$100 fine, a Class V misdemeanor for an individual who runs water onto the road. What we are really doing with this particular bill is increasing the penalty and requiring that they put on a shutoff device. As Senator Schmit mentioned to you earlier, virtually every sprinkler system that is manufactured today has an end gun device on it now. I see no reason to pass this bill. I see no reason to increase the penalty. We have a problem now with enforcement. Increasing the penalty is not going to facilitate increased enforcement. If a county attorney won't file a charge on a \$100 fine, why is he going to file a charge on a higher fine for a higher penalty? The problem is not a serious one now, that at least I don't believe it is. Most people do not allow water to run on the road and when they do, if it is necessary to bring them into the judicial system, that can be accomplished now. There is nothing that we can do to