

amendment and I would urge you to adopt the amendment to the committee amendments.

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the adoption of the Elmer amendment to the committee amendments to LB 49. Those in favor vote aye, opposed nay. Record.

CLERK: 21 ayes, 0 nays, Mr. President, on adoption of Senator Elmer's amendment to the committee amendments.

SPEAKER BARRETT: The amendment is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Elmer would move to amend. Senator, I have the amendment labeled number 2 in front of me. (The second Elmer amendment appears on page 1074 of the Legislative Journal.)

SPEAKER BARRETT: Senator Elmer, please.

SENATOR ELMER: Thank you, Mr. President, and members, this amendment is to address a problem that has arisen several times across the state. As I was working on this bill, originally, this came up between the City of Lincoln, Lancaster County and the Department of Roads. Some land was sprayed because noxious weeds existed thereon. It was within the jurisdiction of the City of Lincoln but the Department of Roads owned the land. The Department of Roads did not wish to pay the bill and it says nowhere in statute does it say we are responsible for paying for the spraying of noxious weeds on our property. Now this amendment adds a new subsection on page 20 of the committee amendments and says, "The responsibility for and the cost of controlling noxious weeds on all land, including highways, roadways, streets, alleys and right-of-way owned or controlled by a state department, agency, commission or board or a political subdivision of the state shall be on the department, agency, commission, board or political subdivision which owns or controls such land, and such costs shall be paid out of funds appropriated to its use. Such departments, agencies, commissions, boards and political subdivisions may control the weeds on their own or may contract with the state or any political subdivision or private enterprise for such services." All this spells out is exactly this, that if noxious weeds are being grown or appear on any land that's owned or controlled by a political subdivision in the state, then the responsibility