

March 13, 1989

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amendment is going to be withdrawn with the proviso that we will add this language, "or political subdivision" on Select File.

SPEAKER BARRETT: Thank you. The amendment is withdrawn. Mr. Clerk, have you another amendment?

CLERK: Mr. President, Senator Elmer would move to amend. Senator, I have the amendment marked number 3. (The third Elmer amendment appears on page 1075 of the Legislative Journal.)

SPEAKER BARRETT: Senator Elmer, please.

SENATOR ELMER: Thank you, Mr. President. I think that this particular amendment is a matter of clarification. During...when we're working with this bill, we refer to control in two very separate ways. We have control with respect to land, holding the land, operating the land, and we have control when it's used in respect to controlling the growth of weeds or noxious weeds. And what this amendment would do is to specify and make more clear exactly what we mean by control in both respects. The amendments says, "control with respect to land shall mean authority to operate, manage, supervise or exercise jurisdiction or any similar power. The state or federal government or a political subdivision shall not be deemed to control land on which it has an easement as long as it does not otherwise operate, manage or supervise or exercise jurisdiction over the land." Now that is, of course, for public power districts that have power lines that run across certain areas where the farmer is out actually farming the land. And the control with respect to weeds shall mean the eradication or prevention, suppression or limitation of the growth, spread, propagation or development of weeds. So that it's clear when we're referring to land or referring to weeds what control actually means in the bill. And I would ask for your support of this amendment.

SPEAKER BARRETT: Thank you. Senator Dierks, on the amendment.

SENATOR DIERKS: Mr. Speaker and member of the body, if Senator Elmer would strike the word "eradicate" from that.

SPEAKER BARRETT: Is that a question of Senator Elmer?

SENATOR DIERKS: Yes.