

April 2, 1996

LB 1085

SPEAKER WITHEM: Senator Beutler.

SENATOR WARNER: Senator Beutler, the requirement that a board of supervisors of a drainage district make a report, I don't object to it, I am curious, we are having trouble find out where drainage districts are, as I understand it, and how many there are. How will these supervisors know they are supposed to do this? Are we assuming they will read this?

SENATOR BEUTLER: Senator, it is assumed that people who run public institutions of one type or another pay some attention to the laws governing their existence, and, hopefully, they would, by one means or another, take note of this and submit the report. However, that's the reason why, in part two of the amendment, we are requiring the NRDs to seek out the drainage districts and to supplement the report by reporting to us any additional districts that they identify within their areas.

SENATOR WARNER: I don't have any problem, does this become a duty of office in some way if they don't report that there's...

SENATOR BEUTLER: Pardon me.

SENATOR WARNER: Is this a duty of their office now, that they would have some malfeasance of office if they failed to know this, these drainage district supervisors? Not likely, I would assume, there is no penalty.

SENATOR BEUTLER: I, Senator, I think we would be grateful if we just got some information. I mean we don't even go out and prosecute on wells that aren't abandoned, and much more serious things. I can't imagine any county attorney taking the least bit of interest in this.

SENATOR WARNER: Well, I have no problem with the amendment, but I assume the bulk of it will probably come in under subsection (2), probably as a practical matter, out to the extent that supervisors of a drainage district do make reports, that certainly would be helpful, so I'd support the amendment.

SPEAKER WITHEM: Senator Robinson, followed by Senator Avery.

SENATOR ROBINSON: Mr. President, members of the body, Senator Beutler, a question. Basically, your amendment says that the