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LB 870

there was an operation, I don't know how big it was but it was small, but the bank of the lagoon was also the bank of Bone Creek, suggesting that the very location of that particular facility raised questions. So it may be that here and there in the state, from place to place, there are under-300 operators who are making some kind of egregious error with regard to their operation that could cause some problem, and this provision simply would allow them to be drawn back in and not require that they wait until there's an actual pollution of the stream before they came under regulation. But, by and large, it maintains almost intact, I would say, the 300 exemption. The third amendment is actually a very pro-producer amendment. It exempts these small operations and those that have been determined by DEQ not to require facilities. It exempts them from any reporting on the transfer of the operation. Some of the larger units must report on the transfer of ownership under the current bill. This would exempt the smaller operations.

SPEAKER KRISTENSEN: One minute.

SENATOR BEUTLER: There was some additional language added in the bad actor section. That's been stricken so that the old language in the bad actor session...sector became operative and that language is a little broader, from my perspective. The last part of the amendment is on page 18. It has to do with the section requiring engineer evaluations. There was a section in the bill with respect to existing facilities and some lack of clarity as to the broadness of its application. That language begins on line 23 on page 18. It...it repeats the department's power to require an engineering evaluation, but then it limits it to say only if the inspection of the department...by the department has reason to believe that...

SPEAKER KRISTENSEN: Time.

SENATOR BEUTLER: ...a livestock operation has violated or threatens to violate. I will finish in a moment.

SPEAKER KRISTENSEN: (Visitors introduced.) Senator Schrock.

SENATOR SCHROCK: Mr. Speaker, members of the Legislature, I rise to support Amendment LB 16...or AM1645, and I commend