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LB 404

if there is a need for the regulation, they ought to be paying a part of the price of the regulation through a fee system. And that philosophy is incorporated in LB 404, which we're all about to vote for. So I just wanted to point that out in terms of some of the, what I feel are some of the contradictions in our own ways of thinking and our own ways of doing things. And I surely am opening this up for someone to explain the distinction in this case. But it seems to me that the only distinction is a political one. There aren't very many of these people, and there are an awful lot of pork producers and cattlemen. The second thing I wanted to point out about this bill was a criminal violation provision. On page 14 of the bill it says, "Any person who violates the Domesticated Cervine Animal Act", that would include the permitting of the facility, the facility permit, "or any rules and regulations adopted and promulgated pursuant to the act is guilty of a Class IV misdemeanor for the first offense, and a Class II misdemeanor for each subsequent offense". If you look at the Livestock Control Act, the Livestock Waste Management Act, you won't find any criminal provisions anywhere in there to help with the enforcement of the act. And you don't find any of those criminal provisions notwithstanding that for a large number of years now a large portion of the industry has simply ignored the law, has simply ignored the law. And after all of the discussion on LB 1209, last year, and about...and all of the publicity about how the law exists that you have to register, and that law existed before LB 1209, still huge numbers of the producers have not come under the law, have not notified DEQ of the existence of their operations. And notwithstanding that continuing noncompliance with regard to those types of producers, as opposed to those who raise deer and elk, we have not instituted any fine system within the Livestock Waste Management Act or any criminal provisions for noncompliance. So, having said that, I would certainly be interested in other perspectives. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Beutler. For discussion on the motion to return LB 404 to Select File, Senator Dierks.

SENATOR DIERKS: Thank you, Mr. President and members of the Legislature. This must be my lucky day. (Laugh.) Why, Senator Beutler, a lot of this discussion we had on General File and on Select File. The...the advantages of classifying domesticated