

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

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LB 870

the desk.

ASSISTANT CLERK: Senator Schrock would move to amend with AM1816, Madam President. (Legislative Journal page 2178.)

SENATOR SCHIMEK: Senator Schrock, would you like to open on your amendment?

SENATOR SCHROCK: Madam President, members of the Legislature, this amendment resulted as a discussion that Senator Beutler had with representatives of the industry about some concerns, and we think the amendment that we have crafted here strengthens the bill. The first part of the amendment strikes the definition of "compliant". This would be a new term under the act, and Senator Beutler and the department and industry all agreed that this terminology was unnecessary and perhaps confusing, and therefore we have to move...Sections 2, 3, and 4 of the amendment are simply renumbering. Another part of the amendment clarifies "water well" as discussed with Senator Beutler, the department and the industry. It specifies that this applies to private wells on existing facilities used for human consumption. At the present time there's some question, wells that are located within...existing wells that are located within 100 feet of the livestock waste facility. And this would clarify that section so that we maybe wouldn't have to shut this well down, as long as it wasn't being used for human consumption. The final amendment of the...the final section of the amendment clarifies which facilities can continue to operate and which facilities need to notify the department of change of ownership. Current law imposes a criminal penalty of a Class IV felony for violation of the act, which is \$10,000 per day of the violation. So, if you have any questions on that, I'd be glad to answer it. This has been worked out with members out in the Rotunda and the industry and Senator Beutler. And I understand Senator Beutler had kind of a weekend that a lot of us wouldn't want to have, so he hasn't been able to spend as much time on this as he would like. I do have a copy of the amendment here, if anybody would like to see it. If you have any questions, why, I'd be glad to answer it. This amendment does not express some of the concerns Senator Beutler has regarding imposition of late fees and penalties. Thank you, Madam President. If you have any questions, I'd be glad to try and answer them.