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LB 870

question that may be more suitable than the very broad latitude that I see in the bill right now in terms of allowing them to continue to exist in perhaps whatever form they're in. The amendment, Mr. Clerk, is that the crossed out amendment, AM1835? Okay. Let me orient you to the section of the bill that deals with the existing institutions, the existing livestock waste control facilities. In the E & R amendment, AM7143, that's the one we're working from, and that is being amended by the Schrock amendment. And with the Schrock amendment it says something like this, an existing livestock control facility will be deemed to be in compliance with the construction requirements of the act if the livestock waste control facility has been inspected by the department, has been properly maintained, and shows no visible signs of structural damage below the permanent pool, has adequate capacity, and has adequate area for disposal of waste. And what this amendment would do, to be sure I've at least told you what the amendment is...

SENATOR SCHIMEK: One minute.

SENATOR BEUTLER: ...in my opening remarks here, is add a subsection (f), an additional criteria which says, with respect to the livestock facility, it adds this criteria, was constructed in a manner and with materials reasonably likely to prevent a discharge into the waters of the state. What I'm trying to prevent is a situation where perhaps somebody was not particularly careful, perhaps very lacking in care, and perhaps constructed a lagoon or other parts of the facility in a way that might last for three, or four, or five years, if you're lucky, but not in a manner...

SENATOR SCHIMEK: Time.

SENATOR BEUTLER: ...to sustain the facility in a safe manner for an extended period of time.

SENATOR SCHIMEK: Thank you, Senator Beutler. Yours is the next light on.

SENATOR BEUTLER: Thank you. So, that's why I was adding a kind of minimal language that could be interpreted by the department to say that at least it should have been constructed in a manner