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rather than the county attorney.

SENATOR ENGEL: Any further discussion? Senator Beutler, you're recognized.

SENATOR BEUTLER: Senator Schrock, now I'm confused. I thought you had it right the way you had the committee amendment. You are striking the words "county attorney or private attorney," right?

SENATOR SCHROCK: Yes.

SENATOR BEUTLER: So that it would read, when the Attorney General brings an action on behalf of the natural resources district, dah, dah, dah, dah, dah, the district shall recover the cost of the action, including reasonable attorney's fees if a civil penalty is awarded.

SENATOR SCHROCK: Yes.

SENATOR BEUTLER: Okay, all of that makes sense. But does this mean that if the district...if the county attorney brings an action or a private attorney brings an action on behalf of an NRD, that they do not have the right to recover civil...to recover court costs and attorney's fees?

SENATOR SCHROCK: That is correct, Senator Beutler.

SENATOR BEUTLER: Well, why would that be, Senator?

SENATOR SCHROCK: Let me confer with counsel here. They believe that the infraction is of such a nature that it's appropriate for the Attorney General's Office to bring the action rather than the county attorney. That's...

SENATOR BEUTLER: Well, I guess my confusion is this. Right now under the law, NRDs can use private...can employ private attorneys to do certain kinds of actions.

SENATOR SCHROCK: Right.