

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

January 31, 2003 LB 30

penalties forward, whether it be the county attorney, private attorney or Attorney General's Office. I will work with either one or both of them, and the NRDs, to make sure we get that right on Select File. I think it's an important bill because we have a lot of producers out there that...not a lot, we have a few that are thumbing their nose at the regulations the NRDs have because the penalties are not high enough and it's probably not worthwhile for, in some cases, for the NRDs to bring action. So if you will allow me the opportunity to move the bill forward as is, without the amendment that was just withdrawn and the committee amendment, I would appreciate that at this time. I hope that's reasonable. If you have any questions, please ask.

SENATOR ENGEL: Thank you, Senator Schrock. The question before you is the adoption of the committee amendments. All in favor vote aye...all those in favor vote aye; those not in favor vote nay. Record, Mr. Clerk.

CLERK: 0 ayes, 24 nays on adoption of committee amendments, Mr. President.

SENATOR ENGEL: The committee amendments are not adopted.

CLERK: Mr. President, Senator Beutler would move to amend the bill. Senator, AM0164. (Legislative Journal page 391.)

SENATOR ENGEL: Senator Beutler, you're recognized to open.

SENATOR BEUTLER: Mr. President, members of the Legislature, before I go further, I do want to say with regard to this bill and the other bills that have been submitted by the Natural Resources Committee, they certainly appear to be moving forward in a positive sort of way to me. And I don't want anything that I'm saying to be mistaken as negative towards the general direction and progress that is being made here. With respect to this particular bill, I asked Senator Schrock and he has approved of an amendment that would do the following. In the bill, starting on line 9, it says that in assessing the amount of the civil penalty, there are certain things you can consider. You can consider the degree and extent of the violation, makes perfect sense; the size of the operation relates to ability to