

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

February 5, 2003 LB 245

CLERK: LB 245. Senator Mossey, I have Enrollment and Review amendments, first of all. (AM7007, Legislative Journal page 334.)

PRESIDENT HEINEMAN: Senator Mossey, you're recognized for a motion to adopt the E & R amendments.

SENATOR MOSSEY: Mr. Lieutenant Governor, I move the adoption of E & R amendments to LB 245.

PRESIDENT HEINEMAN: Thank you, Senator Mossey. The question before the body is the adoption of the E & R amendments. All those in favor please say aye. Those opposed say nay. The amendments are adopted. Mr. Clerk.

CLERK: Senator Beutler would move to amend, Mr. President, with AM0227. (Legislative Journal pages 425-426.)

SENATOR BEUTLER: Mr. Speaker, members of the Legislature,...

PRESIDENT HEINEMAN: Senator Beutler.

SENATOR BEUTLER: ...I think Senator Jensen is aware of these amendments. This amendment has to do with several statutes that were repealed in their entirety, and those statutes had to do with the responsibility of a property owner to properly see that a well, an abandoned well, or a pitfall was properly protected and not a safety hazard. The bill repealed these provisions entirely, which was incorrect in two respects, I think. One, first of all, the bill had nothing to do with pitfalls and so that part of the law certainly should be left in place. Pitfall is kind of an old-fashioned word, I guess, but it signifies a big hole in the ground where people can get hurt, and I know from my own experience that there are such holes because on my uncle's farm there was a big silage pit that scared me to death, because it was about 60 feet deep and you didn't see it until you pushed the weeds aside and then you were right on the edge and down you went. In fact, there was the bones of an old coyote down there that used to intrigue me. In any event, the law shouldn't have been repealed with regard to pitfalls, and