

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

March 16, 2004      LB 826, 916

Resources. Bill was advanced to General File. I do have Natural Resources Committee amendments pending, Mr. President. (AM2826, Legislative Journal page 818.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Schrock, you're recognized to open on LB 916.

SENATOR SCHROCK: Mr. President, members of the Legislature, this bill and the committee amendments are the result of work being done over the past year with the Department of Environmental Quality, the agriculture community, the Game and Parks Commission, the natural resources districts, and some of the environmental community, as well as those who wish to continue to protect our cold water class A trout streams, and members of the Natural Resources Committee. This bill needs to be enacted so that our livestock program conforms with new requirements imposed upon the states by the federal Environmental Protection Agency, referred to as the confined area feeding operations, or CAFO. Some of our livestock feeding operations will be required to obtain a National Pollution (sic) Discharge Elimination Systems (sic) permit, and to avoid duplication of our program and the federal program, LB 916 was proposed. We feel very fortunate that this Legislature and the department were forward thinking when we adopted the original Livestock Waste Management Act and amended it as needed. We have relatively little to do to bring our act into compliance with the federal act. Perhaps one of the most contentious aspects of this legislation is the imposition of annual fees on livestock operations in the state. It is estimated that these fees will raise enough money to pay up to 20 percent of the cost of the program. This is consistent with the original plan when the act first came into existence in 1998. The stakeholders had agreed to step up to the plate, somewhat reluctantly, and, through the annual fees, pay the 20 percent. Part of the committee amendment contains the amended provisions of LB 827 (sic--LB 826) dealing with the Garden County refuge, as well as other refuges around the state. This bill is important because of a recent court decision that determined that a provision of our law dealing with boundaries of a refuge was so vague and unenforceable. Senator Erdman brought this bill to us so that we could be addressed during this legislative session.