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February 25, 2005 LB 298

Do you want your time back?

SENATOR LANDIS: Just for a little bit.

SENATOR BEUTLER: Okay.

SENATOR LANDIS: The environmental covenant and any amendment or termination of the covenant must be recorded in every county in which any portion of the real estate is subject to the land. Page 7, line 18. Now, back to you.

SENATOR BEUTLER: Okay.

SENATOR CUDABACK: Time. Senator Beutler, you are next. And it will be your third time, Senator.

SENATOR BEUTLER: Senator Landis, the agency that's required to consent to, for example, a termination of an important duty is the agency that was involved with the project. And I guess I'm assuming that there would only be one--the federal government, perhaps, an agency of the federal government; or an agency of the state of Nebraska, DEQ. And then, under the definition of "agency," it also says it can mean any other state. If, for example, the agency that could consent to the termination of an environmental covenant...well, let me ask you this. When would it be an agency of some other state? I'm trying to understand that particular detail.

SENATOR LANDIS: I'm not sure, Senator Beutler.

SENATOR BEUTLER: Well, let's...

SENATOR LANDIS: I'm not sure.

SENATOR BEUTLER: Okay. Let's hypothesize for a minute that it is some other state that would give this termination consent, or it is the federal government that would give this consent. Might it not be very possible that the people of the state of Nebraska would not feel the same about the termination of the environmental covenant as the DEQ of North Carolina, or even the federal government?