

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

May 19, 2005

LB 673

Louden, if he will answer a question or two. Senator Louden.

SENATOR BAKER: Senator Louden, would you answer a question, please?

SENATOR LOUDEN: Okay.

SENATOR CHAMBERS: Now that language...and I'm looking at the committee amendment now, I meant the E & R amendment, not yours...on page 2, in line 1, tell me when you're with me.

SENATOR LOUDEN: In the AM7086 on page 2?

SENATOR CHAMBERS: Yes, line 1.

SENATOR LOUDEN: Okay. Yeah.

SENATOR CHAMBERS: When I county adopts such a resolution, the county shall assume the duty...the authority and duties. Here's the question I want to ask you. Let's say that you have filed a complaint against me because the prairie dogs are coming from my land to yours. I've made it clear I'm not going to pay to have these animals taken care of, and you go to the county and they agree with you that I'm responsible, but they're not going to do anything about this because they say they don't have money. If this says the county shall assume these duties, and it's the county's duty to take action on my land to manage these dogs when I refused to, could you sue the county to make them take that action? Because they passed the resolution, when they do that, the statute imposes on them these duties. If they don't assume them, can you sue the county to compel them to carry out their duties under this act?

SENATOR LOUDEN: Well, I would presume, because if it wasn't that they said they didn't have any money because it...

SENATOR BAKER: One minute.

SENATOR LOUDEN: ...isn't their money they're using. They would assess the property to get the job done. So I'm not that of a school of a lawyer, but I would presume something could be done