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FLOOR DEBATE

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LB 673

which has adopted the plan, not realizing that there would be so many complaints, and the complaints are coming because the county is not going on the land of these people who are not managing their prairie dogs. The county says we don't have the means to pay to have those dogs managed, so we can't do anything. And the ten people who have filed complaints and were found to be right that these other people should manage their dogs, and they said, we want you to go on that land and take steps to manage those dogs because the owner will not. And the county says, well, we don't have the money. Those ten people can sue the county and the county is going to have to find a way to pay. Are these counties that would choose to go into this program aware that they can be sued in this fashion, and compelled to carry out this management program? Do you think they're aware of that?

SENATOR LOUDEN: Oh, I think so, yes.

SENATOR CHAMBERS: Were you aware of it before we had this discussion?

SENATOR LOUDEN: Yes.

SENATOR CHAMBERS: Then why did it take you so long to answer the questions and why did I have to ask so many of them?

SENATOR LOUDEN: Okay. Okay. I guess because of the way you was asking the questions and which ones you were. I said whether or not I knew they had to have the duty to do it. I told you that, that it was...

SENATOR CHAMBERS: Right, but...

SENATOR LOUDEN: ...the county's duty to it.

SENATOR CHAMBERS: But I'm asking...

SENATOR LOUDEN: Now you asked me whether or not they could sue the county, and I said I didn't know whether they could sue the county or whether they would sue the county board for malfeasance of office.