

April 3, 1984

LB 852

we are only if it is tile drain. We are only saying if you are going to run the water out of a tile and drown somebody down below you have got to publish it in the newspaper and let them know. I mean you go out and dig a ditch and flood them out and we are not going to have anything in the statutes at all about it. I think 852 is a ridiculous bill as it is right now. I think even with this amendment, it is maybe not the clearest bill in the word, and perhaps those people who are opposing it on that basis are right, but it is a whole lot better with this amendment than it is as it is drafted right now. What you are saying and I know the situation up there in Senator Hefner's district. I know where this came from, I think a lot of you do. A large corporate owner of land up there drained some water over onto his neighbor. His neighbor has not got the resources to battle them in court. It is that simple. He has not got the resources and there is nothing whatsoever in the statutes to protect that lower landowner and what you have got in 852 right now is simply going to tell that large corporate landowner all you have got to do is take out a two dollar ad out in the newspaper telling those other little folks that you are going to drown them out...

SPEAKER NICHOL: One minute.

SENATOR VICKERS: ..and you are free and clear. I think that is ridiculous. I urge the adoption of this amendment.

SPEAKER NICHOL: The question is the adoption of the Vickers amendment. All those in favor vote aye, opposed vote nay. Three are excused. Please vote if you care to. Record, Mr. Clerk. Senator Vickers.

SENATOR VICKERS: I'm going to have to ask for a Call of the House and a roll call vote.

SPEAKER NICHOL: The question is, shall the House go under Call? All those in favor vote aye, opposed vote nay. Record, Mr. Clerk.

CLERK: 15 ayes, 0 nays to go under Call.

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