

May 9, 1973

SENATOR CARPENTER: (mike off)--thing about the bills, but I've been very patient, which is unusual for me and passing over these bills which are coming up here. I am supposed to go to a water meeting before our country gets inundated with the North Platte River. Is it understood that I can leave and when I come back then to take up those bills which are following 365? Which are in that position on general-- in other words, you have 365, 111, 366. I have an interest in both of them and 275. If I can leave now and come back why, take them up when I come back if in that position.

SPEAKER: Senator Carpenter, the election bills are coming up--

SENATOR CARPENTER: That's alright, that's alright.

SPEAKER: We'll probably want to take them up first, Senator Carpenter.

SENATOR CARPENTER: Okay, then I'll leave and come back then.

SPEAKER: If I'm in the Chair, I'll try to recognize you at that time. We shall then, since there are no objections, immediately take up LB 538. The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President and Members of the Legislature. The bill is a bill which provides that the director of environmental control can establish penalties that are in agreement with those required by the Environmental Protection Agency. The committee added an amendment which provides also that there--there be cause for civil action if there is a necessity deemed by the Director of Environmental Control and the reason for this, reason the committee provided this remedy is that in most cases if there's a cause for civil action, it was felt that the aggrieved parties would get together and solve the problem before any further action was necessary and it has worked successfully in other areas and we did this upon the advice of our council, Mr. Gilmore and the committee felt it was a good amendment and I move the adoption of the amendment.

SPEAKER: Chair--Senator Schmit, we'll have reading of the title first and then make your motion.

CLERK: Legislative Bill 538. Signed by Senator Schmit LB 538 (read). There are committee amendments.

SPEAKER: Senator Schmit.

SENATOR SCHMIT: Mr. President, I move the adoption of the committee amendments. The committee amendments provide that the Director of Environmental Control if he feels there is cause for action, can require the County Attorney to institute proceedings against the violator. The committee felt that this would bring the aggrieved parties together and result in a settlement without necessity of having to go to court and criminal action being filed and we felt it would be an expeditious way to handle the complaint and I move the adoption of the committee amendment.

SPEAKER: Any further discussion on the amendment? If not, those in favor, we'll just take a voice vote. Those in favor of the committee amendments say aye. Those opposed say no. Committee amendments have been adopted. Senator Schmit.

SENATOR SCHMIT: I move the bill be advanced to E&R.

SPEAKER: Any discussion? Do you wish to close, Senator