

March 26, 1979

LB 74, 321, 544

SPEAKER MARVEL: The motion is carried and the bill is advanced. The Call is raised. We are now at LB 321, E & R amendments?

CLERK: Yes, sir, there are E & R amendments.

SPEAKER MARVEL: Okay, Senator Wesely.

SENATOR WESELY: Mr. Speaker, I move the E & R amendments to LB 321.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. Motion carried.

SENATOR WESELY: I move to advance LB 321 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion carried. The bill is advanced. We pass over LB 183 awaiting amendments. We go to LB 544. Do we have E & R amendments?

CLERK: Mr. President, there are no E & R amendments. I do have an amendment by Senator Burrows. Read Burrows amendment found on page 1085, Legislative Journal.

SPEAKER MARVEL: The Chair recognizes Senator Burrows.

SENATOR BURROWS: This amendment, I wish everyone would draw their attention. It is simple. On page 2, lines 6 and 7 the bill strikes an exemption for a ten acre feet of water pond for the very small ponds and does not give them regulation and require the farmer to keep up these structures. I don't think this was discussed before. If it was, I missed it on the floor but it wasn't a prime part of the bill. I think it is a little unreasonable to set the NRDs in a position to force the farmer to go through a complicated procedure on these very small ponds. Now this would be a pond as small as two acres in size and five feet deep. I think the Natural Resource Districts if they get to bothering around with small ponds like that will be far overreaching their authority and I think it is a matter of the family farmer having some abilities to go ahead and do earthwork, build livestock ponds on his own without having any meddle coming in from the Natural Resource Districts and I would so move to strike lines 6 and 7 on page 2 or to reinstate the stricken material and let the law read as it read before this bill was introduced regarding this exemption of the very small ponds that are concerned and