

of water on or across a road, and the statute basically provides that it is a Class V misdemeanor to do that. Senator Haberman, one of his constituents had a problem with a center pivot system that I guess we can say did divert water onto the road. In fact, the pictures he brought showed that the arm of the center pivot itself went all the way across the road. It looked like something out of a Science Fiction movie. At any rate, Senator Haberman suggested to the committee that we should increase the fine from a Class IV to a Class....I'm sorry, from a Class V to a Class IV misdemeanor, and that is from a maximum of a \$100 fine to a maximum of \$500 fine. The committee felt that raising a fine in that amount would be totally ineffectual. The committee then adopted an amendment after some consideration which I think I may as well read to you. It is a little bit long but it is important. "A sprinkler irrigation system, which due to location or design diverts water across or onto a public road so as to saturate, wash or impair the maintenance, construction or passability of such public road, or allows water to accumulate on the roadway or traveled surface of the public road, shall be equipped with a device that will automatically shut off that portion of the irrigation system causing such diversion or accumulation of water, and it is a Class IV misdemeanor if that device is not attached to the center pivot system." The amendment would apply only to systems that are used which by location or design can affect the road. The cost of putting in place that kind of a device, according to Senator Kremer who has a number of them himself, is around \$50. I think that with those remarks I will leave off and let others take up the discussion. Thank you.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Haberman, do you have an amendment to the committee amendments?

CLERK: Mr. President, Senator Haberman had an amendment on page 406. I understand he wishes to withdraw and offer in lieu thereof an amendment that would read as follows: (Read the Haberman amendment as found on page 459 of the Legislative Journal.)

SENATOR HABERMAN: Mr. President, members of the Unicameral, Senator Beutler is a little confused in his facts. It was not my constituent who had the end of the sprinkler over the road. Senator Beutler said that the fine will be only if the end gun is not attached