

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

[LB207 LB342]

The Committee on Natural Resources met at 1:30 p.m. on Friday, January 28, 2011, in Room 1525 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB207 and LB342. Senators present: Chris Langemeier, Chairperson; Ken Schilz, Vice Chairperson; Tom Carlson; Mark Christensen; Annette Dubas; Ken Haar; and Jim Smith. Senators absent: Beau McCoy.

SENATOR LANGEMEIER: Good afternoon and welcome to the Natural Resources Committee. We'd like to welcome everyone here in the crowd that has come to participate, and those that are watching us on closed-captioned TV and also those that are watching us online, we'd like to welcome you to the Natural Resources Committee. My name is Chris Langemeier. I'm the Chairman of the Natural Resources Committee. I'd like to introduce, before we start, the members of our committee. Starting to my far left or your far right we have Senator Jim Smith from Papillion. We have Senator Ken Haar from Malcolm. We have Senator Beau...well, Christensen will be with us shortly from Imperial, Nebraska. We have Vice Chairman of the Committee, Ken Schilz from Ogallala, Nebraska. We have Laurie Lage who is our legal counsel. To my immediate right, or your immediate left, Senator Dubas will be with us shortly. But then we have Senator Tom Carlson from Holdrege, Nebraska. And Senator Beau McCoy will not be with us today. We have Barb Koehlmoos is the committee clerk for the committee at the end of the table and she's in charge of keeping this a very good record. If you're coming in today to testify, you'll notice in the corners of the room that there are testifier sheets. There's a green sheet for those of you that are going to come up and testify. We ask that you fill this out in its complete...fill out all the blanks and give that to Barb as you come up to testify. It helps us keep a clear and accurate record. You'll also find in the corners of the room, if you're here and you're not going to testify, there's another kind of Excel spreadsheet-type form that you can put your name on and you can tell us whether you support or oppose. You become part of the record that you're here, but did not testify, if that's what you'd like to do. We do have one page with us today. And if you have anything that you'd like to hand out, we ask that you have 12 copies. If you know right now you don't have 12 copies, raise your hand and Kate will come help you with that. Our page is Kate DeLashmutt, is a senior at UNL and she is from Burwell, Nebraska, and she will be with us throughout the year and we appreciate her help. At this time we would ask you to look at your cell phone and turn them off so we don't disrupt those that care to testify before us. It doesn't look like we have a problem today, but in the Natural Resources Committee we do use the lights. We give everyone five minutes to testify. You'll see a green light and then it will go yellow when you have one minute left, and then when it goes red we ask that you conclude and then allow yourself available for questions. But I don't think that's going to be an issue today looking at the crowd. So with that, Senator Sullivan is here. I always do that with you. Senator Sullivan is here and welcome to the Natural Resources Committee and you're recognized and welcome.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

SENATOR SULLIVAN: (Exhibit 1) Thank you very much, Senator Langemeier, and members of the committee. For the record my name is Kate Sullivan, K-a-t-e S-u-l-l-i-v-a-n, and I represent the 41st Legislative District in central Nebraska. I appear before you today to present LB207. The purpose of this legislation is to convey Bowman State Recreation Area from the Nebraska Game and Parks Commission to Sherman County. I want to thank, first of all, Senator Fischer for actually blazing a trail for this because she had similar legislation, LB743, for properties in her district, that legislation ultimately passed. The Bowman State Recreation Area is comprised of two tracts of land totaling just less than 48 acres. Sherman County Board chairman, Eldon Kieborz, first approached me in May of 2010 whether it would be possible for Sherman County to acquire Bowman. I acted as an intermediary, but only briefly to bring Game and Parks and the Sherman County Board together. They came to an agreement which resulted in this letter from Sherman County asking me to introduce the legislation. And, Kate, if we could have this passed out now. And of course, per their request, I was pleased to do so. Game and Parks provided the legal description of the Bowman property. They are able to provide only minimum maintenance and upkeep to this recreation area due to budget constraints, so it really makes sense to transfer the property to the county. The Sherman County Board of Commissioners has volunteered the county's time and financial support to care for Bowman. They will maintain the facility and keep the park open for public use as per the requirements set forth in Section 37-354. As you can see from the fiscal note, this transfer would save Game and Parks approximately \$500 annually. Granted that isn't much, but in this day and age and with our budget shortfall, I think they can probably find a use for those funds somewhere in their budget. The Sherman County Board has representatives here today in support of this bill. They will answer specific questions about their plans for the future. And I will tell you that they are very organized in assuming and making plans to assume the responsibility for this and I think you will see that in their testimony. So I'd be happy to answer any questions, but I'm sure they will also be prepared to do so and I thank you for your time and support of this legislation and I strongly encourage you to advance LB207 to General File. [LB207]

SENATOR LANGEMEIER: Very good. Are there any questions for Senator Sullivan? I am going to ask one, and you talked about the fiscal note of \$500, if it was getting the care it probably needs, maybe that would be higher in the savings. [LB207]

SENATOR SULLIVAN: Exactly. And I think you will see that there's an expectation on the part of the Sherman County Board that they will be doing a lot more than has been done up to this point. [LB207]

SENATOR LANGEMEIER: Very good. Seeing no other questions, thank you very much. [LB207]

SENATOR SULLIVAN: Thank you. [LB207]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

SENATOR LANGEMEIER: You have heard the introduction for LB207. We'll now move to proponents, those that support LB207. Come on up. Welcome back. [LB207]

ROGER KUHN: Thank you, Chairman, members of the committee. My name is Roger Kuhn, it's R-o-g-e-r K-u-h-n and I'm the administrator with the Nebraska Game and Parks Commission overseeing the state parks system in Nebraska. Senator Langemeier, you make an excellent point, first of all on your comment about reduced spending on these areas. The \$500 is kind of a reflection of that with recent budget cuts and we have reduced services in many of these areas, and so that's kind of why these things have happened they way they've happened. We had two areas last year, Arnold and Atkinson state recreational areas that were transferred to local communities. And before you today is Bowman and there's a couple more coming up later in this session with a similar type of situation. So I think Senator Sullivan, I want to thank Senator Sullivan and thank the leadership of Sherman County for stepping forward and wanting to take this on. Oftentimes local control is certainly the best control and I think that is the case here. We have 85 park and recreation areas statewide. There's a fair number of those areas that are relatively small in acreages and so forth that maybe don't have the statewide or even national significance that some our state parks do like the Fort Robinsons of the world, or Lake McConaughys of the world, etcetera. And so in those cases I think there is certainly something to be said about grassroots or local involvement and we do involve a lot of communities, but I think this is a good thing. But this area has been around a long time. It came to us in 1930 from a family that deeded approximately 48 acres to Game and Parks to develop a public state recreation area and basically we've been serving in that capacity ever since. This legislation proposes transfer of the property to Sherman County. And I think you read the bill and so forth; it talks about it will remain for public use and this type of thing. One thing I might note is currently the area requires a park entrance permit; you heard this a couple days ago on that issue. With the county taking over, that disappears, of course unless the county wants to initiate a permit. They can, but the state park permit would not be required any longer for Bowman. So with that I will try to answer any questions you may have. [LB207]

SENATOR LANGEMEIER: Very good. Are there any questions? Senator Carlson. [LB207]

SENATOR CARLSON: Thank you, Senator Langemeier. Roger, I maybe didn't hear you right, but you said this land was given in 1930? [LB207]

ROGER KUHN: Yeah, it was deeded in...it says here, 1930. Um-hum. [LB207]

SENATOR CARLSON: And how many acres was it then? [LB207]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

ROGER KUHN: Well it was a total of 48 acres, and I believe it came in two parcels. There was 43 acres and then there was 5 acres, but the total is 48 acres. [LB207]

SENATOR CARLSON: So this pertains to the 5 acres, it says 4.83. [LB207]

ROGER KUHN: No, this pertains to all 48 acres. And in the legal description on the page 2 at the bottom, you'll see that that legal description is 43.06 acres and then the other part of it is 4.83 acres, so combined, the whole thing is being transferred. [LB207]

SENATOR CARLSON: Now when Game and Parks has land, I think I know, but tell me again what kind of taxes Game and Parks pays to the county. [LB207]

ROGER KUHN: In a state park situation, we don't pay any taxes. Wildlife management areas, we do pay taxes; we pay in lieu of taxes on properties that are designated wildlife management areas; state park areas, not the case. [LB207]

SENATOR CARLSON: So on this...these 48 acres there had not been taxes? [LB207]

ROGER KUHN: Correct, no property taxes paid. [LB207]

SENATOR CARLSON: What are in lieu of taxes? [LB207]

ROGER KUHN: The value that the property was when it was transferred to the Game and Parks Commission. I believe there has been also some adjustments made to that that the property taxes are paid with increasing values, but it's paid as they're designated wildlife management areas, property taxes are paid. [LB207]

SENATOR CARLSON: And is there a pattern in the past of Game and Parks acquiring land and, probably, there wouldn't be very many instances where you're getting irrigated farmland? Would that be true? [LB207]

ROGER KUHN: No, that's pretty rare. [LB207]

SENATOR CARLSON: Pretty rare. [LB207]

ROGER KUHN: Yes. [LB207]

SENATOR CARLSON: So you take irrigated farmland which is the highest yielding in terms of taxes, you don't have much property...wouldn't have had much property in that regard? [LB207]

ROGER KUHN: No, generally we don't target those type of properties so that's very rare. [LB207]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

SENATOR CARLSON: Okay. Thank you. [LB207]

ROGER KUHN: Yes. [LB207]

SENATOR LANGEMEIER: Seeing no other questions, thank you very much. [LB207]

ROGER KUHN: Thank you. [LB207]

SENATOR LANGEMEIER: Further testimony in support of LB207. Welcome to the Natural Resources Committee. [LB207]

ELDON KIEBORZ: Hello. This closer? Hello, My name is Eldon, I'm the chairman of the Sherman County Board. [LB207]

SENATOR LANGEMEIER: I neglected to do this in my opening. I need you to say and spell your name before you start. I forgot to say it. [LB207]

ELDON KIEBORZ: Okay. Eldon Kieborz, E-l-d-o-n K-i-e-b-o-r-z. I was getting to it, sir. (Laughter) We're getting the opinion of the public around there that we'd like to keep it open and we feel it has been deteriorating in the last years and we feel we can improve the park with our board and with the volunteer services that we have. There's a lot of picnic area and there's a...we would want...to improve it would be to make a hiking trail clear around the lake where probably because we would have to do some cleaning up. And then there's fishing, etcetera, out there; there's a lot of activity can go on. We talked to the police department which is Sherman County police force is the only ones we have; it's a sheriff and four deputies, and they're willing to check on it every so often like at least twice or three times a day when it's open. One of our board members is Gary Anderson, he's very influential on the community. He likes kids and he gets along with them so he would be good on there. And two of them are the past commissioners that have...were initially instigated in acquiring this a year, you know, in the last six months. And the third one would be Ed Elsner who is with us today, he has volunteered to go on. He's a very outdoors and conservation type person in the community. Our weed superintendent is very aggressive on checking for new weeds in the county; does a good job, he's more than willing to work. And we have a chance that Pamida coming into the area so we need to have somebody on the board like that. We have a local science teacher who likes to take field trips and he's an outdoors type. He does a lot of work and takes the kids on a lot of tours. And we have the seventh member of the board is a lady by the name of Kris Davis who is our county diversion coordinator and she feels we can use some of the hours of community service to help clean up and maintain it. We feel we can improve it in three years time. I guess that's all unless you have some questions. We're looking into a foundation for money if we have to go that way, but right now we're on a basically volunteer basis to do it. [LB207]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

SENATOR LANGEMEIER: Very good. Are there any questions for the commissioner?  
Senator Dubas. [LB207]

SENATOR DUBAS: Thank you, Senator Langemeier. Thank you, Mr. Kieborz, for coming today. I know a lot of my friends and neighbors from my area go to the Sherman Lake area for recreation so I guess I'm wondering how much has this area deteriorated just...I mean, because they haven't been able to give all the attention it needs to it and the amount of work that it's going to take for you to get it... [LB207]

ELDON KIEBORZ: Well it's more of the roads and trees that need to be trimmed and taken care of and taken out. And then there's what they call the Mill Race, it's a small canal that goes down through there that needs dredged out; it's filled it in and filled in. And we plan on using county machinery to do that with; we got a pretty fair operator on our excavator and we think he can just walk along there and clean it out for us. [LB207]

SENATOR DUBAS: Well it sounds like you have great community support and obviously Sherman Lake is a huge financial asset to your area so I can certainly understand why you want to do this. And I think this is a great example of what local government can do to help support themselves with their economy locally. [LB207]

ELDON KIEBORZ: Yeah. [LB207]

SENATOR LANGEMEIER: Very good. Are there any questions? Senator Carlson.  
[LB207]

SENATOR CARLSON: Thank you, Senator Langemeier. Does the water level in the lake stay pretty steady? [LB207]

ELDON KIEBORZ: Yes, it's very steady, even in the drier years it held water pretty fair.  
[LB207]

SENATOR CARLSON: So... [LB207]

ELDON KIEBORZ: At one time there was a canal that come clear from the river about a quarter of a mile north. If we had to, that could be dredged out and probably run water in there if we could get permission from the Game and...not the Game and Parks, that would be the...probably this committee here, Resources Committee...water. [LB207]

SENATOR CARLSON: Well it sounds like if it stays at a pretty good level, then that's even more reason why people enjoy it and it would be good to keep in very good shape.  
[LB207]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

ELDON KIEBORZ: Yeah. This isn't a boating lake, this isn't Sherman Lake, this is a little lake on the west side of Loup City about a mile. And it holds water real well. At one time there was even a gravel pit where they pumped it out of there so it was actually fairly deep and I think they're down to where we're getting a little spring water in there. [LB207]

SENATOR CARLSON: So how many acres is the lake? [LB207]

ELDON KIEBORZ: I'm guessing it...well when they cleaned it out, they made walkways across it so they could get their crane in. And then there is actually several different ponds that are all connected in there. But it probably covers 8 to 10 acres. [LB207]

SENATOR CARLSON: And it's...the fishing is strictly bank fishing then, you don't allow even... [LB207]

ELDON KIEBORZ: No, there's little boats that go out in there. [LB207]

SENATOR CARLSON: ...little boats in there. [LB207]

ELDON KIEBORZ: Yeah, they can go out in there and fish. [LB207]

SENATOR CARLSON: Okay. Okay. Good. Thank you. [LB207]

SENATOR LANGEMEIER: Very good. Are there any other questions? Seeing none, thank you very much for your testimony. Great job. [LB207]

ELDON KIEBORZ: Thank you. [LB207]

SENATOR LANGEMEIER: Further testimony in support of LB207. Good afternoon and welcome. [LB207]

ERV DZINGLE: Good afternoon. My name is Erv Dzingle, E-r-v D-z-i-n-g-l-e. I am the present weed superintendent of Sherman County and also a member of the Bowman Lake Advisory Committee. I think the lake...I don't think, I know the lake was...has a lot of historical memories for everybody because when it was dredged out originally, the WPA did a lot of work there. My dad worked on that WPA so he did some work on that lake. So it is kind of a soft spot for me, but there's a lot of other people too in the county or the city that would like to see it stay open. And so we feel that as a county organization with an advisory board and through the county board, we could all get together and do a lot of volunteer work and get things cleaned up. I know Eldon mentioned the Mill Race that runs through there. All the trees that have been deteriorated or died and fallen in, they've blocked the drainage in there and if we get that cleaned out it would be a lot better area. And also make a hiking trail around it. It's

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

fairly sandy ground so it would make a nice place for people to hike it or just walk around the lake if they wanted to. And I guess I don't have any other things. Eldon has got everything pretty well covered. But I do believe with our volunteer help we could do a lot more to keep this lake going for everybody in the community. And being located where it is west of town, it's probably about seven or eight miles from the Sherman Lake so there's a lot of kids that go out fishing there and a lot of older individuals also go fishing out there too because they don't have to drive so far. And our community is kind of full of older people because I'm one of the young ones. (Laughter) So if there is any other questions, I don't have anything else to add. [LB207]

SENATOR LANGEMEIER: Very good. Are there any questions? Seeing none, thank you. Very good. [LB207]

ERV DZINGLE: I must have done a really good job. (Laughter) [LB207]

SENATOR LANGEMEIER: It always pays to go second. Further testimony in support of LB207. Good afternoon. [LB207]

LARRY DIX: Good afternoon, Senator Langemeier and members of the committee. For the record, my name is Larry Dix, it's spelled L-a-r-r-y D-i-x and I'm here in support of LB207. I think Senator Dubas probably stated it about as well as anyone. This is a great relationship. It shows the great partnership that we need to have between state and local government. And I think when you have two willing parties, like we do here, it makes all the sense in the world for us to participate. I also think it points out that state government needs county government as much as county government needs state government. And so with that I would ask that you advance this bill out to the floor and I appreciate it. I would be happy to answer any questions you would have. [LB207]

SENATOR LANGEMEIER: Very good. Are there any questions for Mr. Dix? Seeing none, thank you very much. [LB207]

LARRY DIX: Thank you. [LB207]

SENATOR LANGEMEIER: Further testimony in support of LB207. Seeing none. Is there anyone that wishes to testify in opposition? Seeing none. Is there anyone that would like to testify in a neutral capacity? Seeing none. Senator Sullivan, you are recognized to close. [LB207]

SENATOR SULLIVAN: Thank you very much. I'm sure you would agree that it's nice to see a bill where there's no opposition. And I would personally like to commend the Sherman County Board for being proactive in wanting to continue to provide a nice recreational service for the community. And as you've been able to see in their testimony that they are very well organized and how they plan to do that and I expect



Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

even great things from it. I remember, I hate to say this, almost 30 years ago when my family and I lived in Mason City which is about 30 miles to the west of this area, we would go over there very frequently and enjoy that area. So it's going to be nice to see it improved and continued for many years to come. So thank you for your consideration. [LB207]

SENATOR LANGEMEIER: Very good. You have heard the closing on LB207. That concludes the hearing for LB207. And thank you all for coming and being a part of the process. Now we'll open the hearing, seeing Senator here, we'll open the hearing on LB342. Senator Brasch, welcome to the Natural Resources Committee. Welcome. (See also Exhibit 4 for LB207) [LB207]

SENATOR BRASCH: Thank you very much. I have an amendment to LB342 that I'd like to hand out. [LB342]

SENATOR LANGEMEIER: Welcome. [LB342]

SENATOR BRASCH: (Exhibit 2) Thank you very much. My first time in this chair here so I'm very honored and would like to say good afternoon, Senator Langemeier and members of the Natural Resources Committee. My name is Lydia Brasch, L-y-d-i-a B-r-a-s-c-h and I'm the senator elected to represent District 16. I'm before you today as the introducer of LB342. LB342 requires that ballots for drainage district directors be returned during normal office hours or via e-mail. Currently, annual elections for the board of directors for drainage districts are held from 8:00 a.m. until 6:00 p.m. on the second Tuesday in April at the county courthouse or another designated site. Elections may also be conducted by mail if the directors of the drainage district choose to do so by February 15 per Section 31-409.03. Because a small number of voters are affected by these elections and voter turnout is generally low, LB342 will require that the closing time of the polls for the drainage district directors be consistent with normal office hours of the county clerk's office. Thus LB342, voting for directors will occur between the hours of 8:00 a.m. and 5:00 p.m. at the respective voting precincts or during normal hours of the courthouse unless it has been previously determined that the elections will be conducted via mail. County clerks and election commissioners brought this to the attention of the Nebraska Association of County Officials Board who appropriately responded by recommending this legislation. I have also confirmed support for this legislation from county clerks in my legislative district, specifically Burt and Washington Counties. To the best of my knowledge, there are rarely, if any, voters who cast their votes between 5:00 and 6:00 p.m. LB342 calls for a very simple and straightforward change that applies only to the election of drainage district directors. I have offered a prospective amendment to LB342 that you may or may not wish to adopt specifying that the hours and location must be included in the public notice for the election of drainage district directors. These details are generally included in the public notices already, but hopefully this will serve to clarify varied time and locations for voting for drainage district

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

directors. I would be happy to address any questions you may have. I may also need to ask that some of these questions be answered by Larry Dix. Thank you. [LB342]

SENATOR LANGEMEIER: Very good. Are there any questions for Senator Brasch? They're going to wait for Mr. Dix. Thank you very much. [LB342]

SENATOR BRASCH: Thank you. [LB342]

SENATOR LANGEMEIER: You look like you're the only testifier left today and we've got time so we might have questions. (Laughter) [LB342]

LARRY DIX: (Exhibit 3) Well, let me take my coat off here, we'll have a good discussion. Good afternoon, Senator Langemeier and members of the Natural Resources Committee. For the record, my name is Larry Dix, spelled L-a-r-r-y D-i-x. I'm here today in support of LB342 and certainly want to thank Senator Brasch for bringing this forward on our behalf. I do have, before I forget, a letter from Richardson County that we'd like to enter in in support of this amendment. This is a...when we talk about drainage districts and those elections, they do occur every year. They do not occur in every county in the state. There's only certain counties that deal with drainage districts and so I...you know, we thought this would be something that in previous years I think we've tried to align a number of different closing times with the courthouse hours. We are in complete agreement with the amendment as far as the location and the time. We certainly want to make sure that we notify folks who are voting of that time. I did go ahead and contact a county that had drainage districts and just said, in the last one, you know, giving an example of about how many voters we're talking about and I'm just curious how many people come to the courthouse to vote. And there was an example of a drainage district that had 300 voters and they had 5 voters that showed up at the courthouse to vote. So I think a majority of these votes are certainly being handled via mail. And many times, unfortunately, she said there isn't a lot of interest in these. Probably the largest...the larger drainage districts may impact maybe 1,500 voters and even in that, I think the turnout is so significantly low that we just thought it just makes sense to do something like this. So with that I would be happy to try to answer any questions that anybody has. [LB342]

SENATOR LANGEMEIER: Very good. Are there questions? Senator Haar. [LB342]

SENATOR HAAR: Yes. For my education, what do drainage district directors do? [LB342]

LARRY DIX: Oh, really what they...the folks that sit on the drainage district board, in essence, establish a rate that everybody that is in the drainage district...the rate that they pay for the benefit of those in that district to help move water, in essence, away from locations that they want to move it away from. Almost...I don't want to compare it

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

as it...is similar...it's sort of like a homeowners association, it's only the people that are impacted in that area. So it's a very...but by law, they still have to elect those board members each and every year. And I know some counties have said, there are sometimes they don't have any names on the ballot. Then they have to go back and almost conduct a town hall meeting and try to get somebody to raise their hand and say, yeah, I'll serve on the board. [LB342]

SENATOR LANGEMEIER: Senator Carlson. [LB342]

SENATOR CARLSON: Thank you, Senator Langemeier. Larry, it looks like, and I'm okay with this, it simply...it's a matter and a way of saving an hour of staff time. [LB342]

LARRY DIX: Absolutely. This isn't something...I don't think that any county is going to balance their budget on by any means. That certainly isn't the case, but it is...when I did ask that county I said, and the person who runs these elections said, well, I've been here for ten years and the years I've never seen anybody come into the courthouse after 5:00 to vote on this issue. And so it's more of a common sense. [LB342]

SENATOR CARLSON: Okay. Thank you. [LB342]

SENATOR LANGEMEIER: Larry, I do have a couple of questions. It's my understanding that there's only 12 of these that are official drainage districts in the whole state that we're dealing with here. [LB342]

LARRY DIX: As far as we can tell, I think that's pretty close to the number that we've come up with. [LB342]

SENATOR LANGEMEIER: The only concern and I don't...I join Senator Carlson, I don't have a lot of concern here other than the fact that we put in here, in the language, we have set hours for polling places other than the courthouse and in the courthouse you just adopt their hours. And every courthouse in the state has different hours. I'm a little fearful that we should have some uniformity to this and say, I don't care if you make it 8:00 to noon. I have some ground in one of these districts that I manage, so I have to participate in one vote a year like this on behalf of my clients. Yeah, nobody goes and votes, I mean, is there some logic to saying...because our courthouse is different than Dodge County, Dodge County is different than Cuming County. [LB342]

LARRY DIX: Sure. [LB342]

SENATOR LANGEMEIER: Those are the courthouses I deal with a lot. [LB342]

LARRY DIX: Well I think the amendment that Senator Brasch is bringing forward that...in the notification, it notifies the hours of the courthouse hours, you know, I think

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Natural Resources Committee  
January 28, 2011

---

that is...but you are right, I mean you go across the state and every county will have differing hours. [LB342]

SENATOR LANGEMEIER: So with that, should we get...well, I guess I didn't get to my point. Maybe, I'm thinking maybe we get rid of total hours, even at the polling place, and just let the courthouse, when they decide to send the 800 of them out for the vote, let them pick the hours they want... [LB342]

LARRY DIX: I would be fine with that. [LB342]

SENATOR LANGEMEIER: ...and don't require any set hours anywhere. [LB342]

LARRY DIX: I think that's an excellent suggestion. Yeah, yeah. I certainly would be fine with that. [LB342]

SENATOR LANGEMEIER: I mean if they're going to raise their rates significantly, then people come to vote and they're going to vote no matter what. It's when they do a little thing like, okay, we've got \$50,000 we need to clean out the drainage district. Nobody shows up because they know it's just going to handle. [LB342]

LARRY DIX: Yeah, yeah. Nope, I would be fine with that. [LB342]

SENATOR LANGEMEIER: Are there any other questions? Seeing none, thank you very much. [LB342]

LARRY DIX: Thank you. [LB342]

SENATOR LANGEMEIER: Any other testimony in support of LB342? Seeing none. Is there anyone to testify in opposition? Seeing none. Is there anyone that wants to testify in a neutral capacity? Seeing none. And we did have the letter already for the record from Richardson County. Seeing no other testifiers, Senator Brasch, would you like to close? Senator Brasch waives closing. Then that concludes the hearing on LB342. We'd like thank everybody that came and participated and being part of the process. With that we're not going to do an exec; go home and enjoy your weekend. It's been a long week. Thank you. [LB342]