

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 564

Introduced by Christensen, 44.

PURPOSE: The purpose of this study resolution is to examine the constitutionality of creating standing secondary surface water appropriation rights to unappropriated surface water for interbasin transfers to mitigate flood damage which are inferior in right to any future surface water appropriations that may be issued in the basin of origin as outlined in AM1844 to LB653 (2011). The study shall include, but not be limited to:

(1) The review of laws and court cases regarding surface water appropriations; and

(2) Research and development of findings on any appropriate changes necessary to provide such transfers of unappropriated surface water to mitigate flood damages.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.