

February 7, 1979

LB 27

amendment, Mr. President.

PRESIDENT: The Maresh amendment to the Kremer amendment is adopted. A Motion on the desk. Read the Motion.

CLERK: Mr. President, Senator Beutler moves to amend the Kremer amendment in Lines 14 and 15 strike "deepened or otherwise".

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: The intent of this amendment is to make Subsection 3 read a little more consistently in my opinion. On Line 14 you have the word "deepened", but on Line 19 you have the word substantially the same "depth". There should not be a contradiction here, and so I think the way it should read is if an irrigation well is modified, or with the Maresh amendment irrigation or domestic well is modified. I don't believe that if an irrigation well is deepened at a later point in time that a domestic user should have to anticipate that deepening. I don't think the amendment was so intended in the first place.

PRESIDENT: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members, I discussed it with Senator Beutler previous to taking up this section this morning. I still doubt if there is a problem there, however, I think his amendment will take care of the suggested contradiction, so I'm going to support his amendment. I think it, perhaps, at least takes away the fear that he has.

PRESIDENT: Is there any further discussion on the Beutler amendment? Senator Kahle, did you wish to speak to the Beutler amendment to the Kremer amendment?

SENATOR KAHLE: Mr. President, I'd like to ask Senator Beutler a question or two about this. Does this mean then that if you put a well back in where one has collapsed, perhaps, or something has happened to it, that you can't drill it any deeper than the one that it replaces? Is this the language you're trying to put in?

SENATOR BEUTLER: Well, you could drill it deeper, but you wouldn't be protected I wouldn't think.

SENATOR KAHLE: Okay, Senator Kremer, would you concur? Well, what I'm worried about is that if you...you may stymie both the irrigator and the domestic with this language, if