

doing with his amendment, and I think we ought to resist Senator Kremer's amendment and keep the bill in its original form, and give the Natural Resource Districts and these people that are suffering acute problems the wherewithal to solve them, and I think that is being accomplished with 26 unamended.

SENATOR LEWIS: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, first of all I want to say that I support the Kremer amendments, and now before we all jump in bed with each other and tell us how wonderful everything is, I want to just say that I don't appreciate but I don't mind, I suppose, being singled as the bad guy on LB 26. Before we go any further, I think it's kind of interesting, and Senator Dworak speaks about how strongly he supports all of the provisions of LB 26. I think it's interesting to note that in Section 1, the director can declare an area a control area, but that also at the same time, that the district initiates the hearing for the control area. I think that on the top of Page 3, the director may, after finding...after finding that within the foreseeable future substantial economic hardships may exist, or anticipated groundwater development or utilization. What is a substantial economic hardship? You see, Senator Dworak, that may mean one thing to one director, or to one individual, and another thing to another individual. I'm not going to go into a section by section, line by line, discussion of the bill, but I think that we ought to take a look at some things. For example, if you read on line 11, page 1, reasonably foreseeable future...I think you find some...you find some room to wonder, what is the reasonable foreseeable future? On line 14 of the same page, when an inadequate groundwater supply exists, to meet the present or reasonable foreseeable needs for beneficial use. What is a beneficial use? We have not really defined the beneficial use. We've discussed it a lot, but we never defined it. We talk about the dewatering of an aquifer, on line 16, Subsection b. What is the dewatering of an aquifer? Whenever you remove water through irrigation, you dewater the aquifer. Now we don't know much about the recharge, but as I said once before, that the wells that I have under my control all have a higher water table as determined by the Lower Platte North Natural Resource District measurements than they have ever had by any previous measurement. So, we had a dewatering during the period of drought, and we were told by so-called experts during that period of