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species here, for the record are you of the opinion that the enactment of this legislation will not, in fact, provide the mechanism whereby the Platte River, for example, could be shut off for irrigation purposes? Now we know that that seems like an almost ridiculous question because the constitution is supposed to guarantee us the use of water. Nonetheless we have enacted a number of legislative bills in this body which restrict the use of water, and if, for example, we throw a pair of those river otter in the Platte River, are the provisions of the endangered species act going to prevent the utilization of that water for the protection of that species?

SENATOR REUTZEL: Absolutely not, Senator Schmit, in that particular instance. And I might just take...if I could just take a few seconds of your time...

SENATOR SCHMIT: Certainly.

SENATOR REUTZEL: ...the river otter has been used as an example of shutting off streams and for irrigation and whatnot, and stopping projects. The river otter as introduced in Colorado has been put into streams with as little as ten feet per cubic second flow, and there's no reason why it couldn't be less than that. It hasn't stopped anything in Colorado at all.

SENATOR SCHMIT: Of course, you know, the Platte River frequently goes dry, and I remember former Senator Matzke one time when he was asked if he didn't feel badly about the Platte River being dry in the summertime, and he said, no, I don't because it means that water is being used in Nebraska rather than being allowed to trickle on down into the Missouri and into the Gulf of Mexico. That's an opposing point of view, one which is not very popular today, but I would like to point out also, you know, for example there is a proposed power plant that is going to be constructed at Comstock, and a few years ago there was a lot of concern about the, I believe the black-footed ferret, and there were some people who were traipsing all over the state trying to find a black-footed ferret and pointing out how important it was to maintain that specie alive. I guess I'm concerned as to whether or not this legislation will do anything to enhance that kind of activity....

PRESIDENT: One minute, Senator Schmit.