

SENATOR HABERMAN: Is that the only thing it changes in the statute? Or is the whole thing a new statute?

SENATOR RUMERY: Yes, but it is. . .it is recopied from the original law. The main thing that it does is it hampers the district from getting money from the bank. They issue warrants and the only interest they could charge is 5%. So what. . . .

SENATOR HABERMAN: My question is, the only thing your amendment does is change the amount of interest from 7% to 10%?

SENATOR RUMERY: Yes, it actually. . . .

SENATOR HABERMAN: This election. . . election and submit it to the qualified electors that is already in the law then?

SENATOR RUMERY: Yes.

SENATOR HABERMAN: Thank you, Mr. President, that is all.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, perhaps a question of Senator Beutler or whoever might answer it. I noticed and I heard you mention that surface water was taken out of the bill and I wondered why and also how you separate the two? Especially in my own particular area where the surface water and the groundwater are almost the same.

SENATOR BEUTLER: Senator Kahle, I think that there were several different problems that the committee had. First of all groundwater and surface water do mix them together as you and I well know. The committee has for some time been trying to deal with the problem of how you relate surface water to groundwater and as of yet we have come up with no good answer to that. As you are well aware surface water is regulated by an appropriations system and to tie surface water into a groundwater control area would be to shift authority, one of the problems it would cause would be shifting authority over to the NRD over some surface water and the questions arose as to what effect that would have on the rights of other surface water users who are not in the NRD and a whole host of legal problems rose up before us and we don't have the solutions yet. In addition if I may make one more comment Senator Kahle I'm sorry that I'm taking so much of your time.

SENATOR KAHLE: Go ahead.

SENATOR BEUTLER: But the state water planning process has