

April 16, 1981

LB 252

a little bit vague as to the rationale. So I think it is important procedurally to get that in writing. So those two procedural things are probably the most important things in the committee amendments, and again I have no objection to the committee amendments.

SPEAKER MARVEL: Senator Kremer, do you wish to close?

SENATOR KREMER: I believe I will have no closing, Mr. Chairman.

SPEAKER MARVEL: Okay.

SENATOR KREMER: I will be speaking later on the bill.

SPEAKER MARVEL: Senator Kahle, do you wish to...okay. Senator Beutler, your light is still on. Okay, the motion is the advancement of 252. I'm sorry.

SENATOR KREMER: Mr. Chairman, I move the adoption of the amendments.

SPEAKER MARVEL: Okay, the motion first of all is the adoption of the committee amendments as explained by Senator Kremer. All in favor of that motion vote aye, opposed vote no. Record the vote.

ASSISTANT CLERK: 30 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: Okay, the committee amendments are adopted. Senator Beutler, do you want to explain the bill?

SENATOR BEUTLER: Okay, Mr. Speaker, members of the Legislature, LB 252 basically seeks to regulate transbasin diversion of water in the State of Nebraska. And, of course, I think we are all familiar that the term...with the term "transbasin diversion". It means basically taking water out of one river basin and transferring it for use on land located in a separate and different basin. Just to give you a little bit of historic perspective, you may be aware... you may have been aware that we have not had to deal with this problem basically since 1936 when the courts decided, construing various statutes, that transbasin diversion was prohibited in the State of Nebraska. From that time on, the Legislature decided that it was too difficult a problem to address. The feelings ran high on this issue as you are well aware, and nothing happened until last year when the Supreme Court reversed itself and decided not only that transbasin diversion is not prohibited, but, in fact, that it cannot be denied except when it is in the public interest.