

what rightfully is our responsibility to do. So I see the passage of this particular bill as paramount. And I think a lot of my good friends on the floor, Senator Kremer included, Senator Sieck, know my traditional stance on transbasin diversion. I personally have probably opposed transbasin diversion more strenuously, or as strenuously as any member in this body currently and historically, obviously, because I represent a water rich basin, and for me now suddenly to be supporting a bill that would permit, that would set guidelines, that would set criteria, that would facilitate transbasin diversion may seem to be an antithesis of my traditional position...traditional stand on this issue. But the fact of the matter is that we have had a ruling from the courts. The fact is the courts have now said there is no constitutional block to transbasin diversion and we are now forced to recognize, to accept the inevitability, the possibility, the probability of transbasin diversion. So if, in fact, we are at that point, it is only proper and it is only prudent that we establish in statute some type of criteria by which the Director of Water Resources can be directed, by which somehow people can take a look as to the criteria, the possibilities of transbasin diversion. I think without this kind of statutory explanation, without any legislative guidance at all, and we are...we reflect the will of the public, then we are closing the door on any public input whatsoever to this very vital issue in the State of Nebraska. And I think it is proper, in fact, I think it is imperative that we do establish some type of guidelines. Now the second issue that I had heard raised was the beneficial use section, and I had heard several Senators comment negatively on that specific section. I think Senator Goodrich was one that indicated some concern about that specific section.

SPEAKER MARVEL: You have 30 seconds.

SENATOR DWORAK: And I think that the committee amendments made it absolutely clear that there is no way we are tampering with the constitutional prioritization, number one, and number two, there is no way that we are trying to prioritize this particular list of beneficial uses. But I think it is erroneous for us as legislators to recognize that hydroelectric power with the facility being contemplated now by Tri State, the facility now being used in Columbus by the Loup Public Power District, that that is not a legitimate social, beneficial use of water.

SPEAKER MARVEL: Your time is up.

SENATOR DWORAK: So I very strongly urge us at this time