

couple of years, and before those are done there will be others, and there will be others, and there will be others. And if you follow the suggestion that we don't act while there is something in litigation, we will never act before this century ends. That is a completely false argument. It is false to say that passing this into law will cause more litigation because as I tried to explain to you in my opening remarks, the system that will generate the most litigation is the one where there are no guidelines and where the Supreme Court reviews on a case by case decision everything that the Director does for the next 15 or 20 years. That is the system that will generate the most litigation. I am not saying for a minute that this bill if we pass it won't be tested. Of course it will. Where so much is at stake, the livelihoods of so many people depending on one or two projects, a small amount...a relatively small amount of money spent on litigation will be spent if there is a question. This doesn't avoid...passing the bill doesn't avoid litigation but that is not to say that there will be more litigation with the bill. What I find interesting and ironic about those who want to leave the decision in the hands of the Director of Water Resources is that apparently they feel that the Director of Water Resources is going to give them something more pro transfer than this bill gives them. But what is their basis for that? They have absolutely...I suggest to you they have absolutely no basis and fact for thinking that, because the next thing that is going to happen is that the Little Blue decision is going to be before the Supreme Court and the question of what is in the public interest will be before the Supreme Court for the first time, and it could well be...it could well be that the Supreme Court would say, the public interest is something less amenable to the interest of those who are in favor of transfer than what this bill says. They are groping in the dark. They are betting on the future.

SPEAKER MARVEL: You have one minute.

SENATOR BEUTLER: And I personally cannot see why they think they are going to get a better deal out of the Director and the Supreme Court than they are going to get out of LB 252. It is a mystery to me. Thank you.

SPEAKER MARVEL: Senator Vickers, do you wish to speak?

SENATOR VICKERS: Mr. Chairman and members, I rise reluctantly to oppose the kill motion, and I say reluctantly very reluctantly. I am from an area of the State of Nebraska that, as Senator Beutler points out, is very water