

May 6, 1981

LB 146

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President, and members of the Legislature, this is an amendment similar to one which Senator Vickers attempted once before and was unsuccessful with. This is a very important amendment and it is a drastic change. It represents a total change from the concept of surface water versus underground water. I am not very enthusiastic about LB 146 to begin with. We just raised the tax for the control areas and I gave you a vote on that and I think in some cases, as Senator Haberman has pointed out, money may be needed and the NRD is not going to waste the money if they don't have to use it. I am willing to go along with that but this is an amendment which if it were added to the bill I believe would mandate a rather vigorous approach to trying to kill the bill. I don't think that we can buy this. I don't think that we are ready for it. I certainly am not ready for it. When you have...if you accept the Vickers amendment, you have said in effect ground water and the surface water are one and the same. The surface water has been dedicated to the state and, therefore, the underground water follows along. It is a new approach. It is one which we have not accepted in the past. It is one which some of you have very vigorously supported and you are within your rights to do so as is Senator Vickers but it represents a radical departure from accepted procedure and from accepted philosophy. I think that you should be well aware of what you are doing here. We rejected this amendment once. We should reject it again today for reasons I have given you. If the amendment is added, I would do everything I can to slow down the bill and to kill the bill. There will be no other course open to me. I ask you to reject the Vickers amendment.

SENATOR CLARK: Senator Beutler and then Senator Lamb.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I just wanted to encourage the body briefly to adopt the Vickers amendment. It is a reasonable amendment. I guess I was surprised this morning at the strength of the feeling on the floor for doing something about the water problem and stepping ahead on the water problem. The support was overwhelming for doing that and the criticism of LB 146 was that it was doing nothing. I underestimated the strength of the support for water legislation, but if you want to do something, if you want to move ahead, then Senator Vickers' amendment is a good step forward. It is a reasonable step forward. We all know now that there is a very definite relationship between ground water and surface water. The amendment doesn't require anything. It simply says that the Natural Resource Districts can consider that and they should because they are, in fact,