

May 6, 1981

LB 146

of the first part of the Vickers amendment to 146. All those in favor vote aye, opposed nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? I am going to call the vote. Senator Vickers. Record the vote.

CLERK: 13 ayes, 15 nays, Mr. President.

SENATOR CLARK: The amendment failed. Second part of the amendment. Senator Vickers, the second part of the amendment.

SENATOR VICKERS: Well, I think the general idea has been discussed. I think that everybody understands the second part is very similar to the first except that it discusses as it affects subirrigation. I suppose what we are talking about now strictly is the wet meadows in the sandhills, those types of situations. It would strictly be ground water in this case so I guess nobody can raise the issue that we are looking at a correlation between ground water and surface water. If the aquifer comes clear to the top of the surface, then it is surface water once the water gets to the top. In this case, it is going to be under the ground in the root zone. It will still be ground water so I guess that the difference and division of the question is now we are not talking about any correlation between underground and surface water so, therefore, it should do away with some of the concerns that some of the people had and I think the other arguments are the same.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Well, Mr. President, members of the Legislature, we are back again with some of the same problems we talked about before. We talked about reduction or loss of subirrigation within the district. Now I defy any member of this body to determine the extent or for what reason so-called subirrigation, first of all that has never been identified, might be dependent upon irrigation, drouth, drainage and any other source of the problem and I think that when we talk about this issue it is one which engenders a lot of emotion throughout the certain areas of the state, and very frankly if you fly across that part of the state, you would see hundreds of thousands of acres of lakes. They are lakes one day, they are wet meadows another day and they are dry the next and then there are a lot of natural phenomenon to determine what occurs there. If you