

mudholes and it was referred to about mudholes and how there is a difference between those and aquifers. Well, the bill deals with aquifers. The bill deals with ground water and what we are talking about here would not affect in any way, shape or form that water that is trapped that is not part of the aquifer. Now if we assume that the Director of the Department of Water Resources of this state who has as part of his staff the State Hydrogologists who are the ones that overlook this section of the statutes before it is implemented on the local level can't tell the difference between a mudhole and an aquifer, then I think we had better take a look at that department. This is not an attempt on my part to load up a bill either, I would like people to know. I simply am trying to address a concern that I think is legitimate, and I understand the concern on the other side of the issue, and as I indicated earlier, I think there is a difference in philosophy as to how we address the situation. I think there is areas in the State of Nebraska where there is a tremendous amount of ground water but I am not sure that we should be in a position to tell those local people that that ground water is there for you to use up. If you don't want to use it up, if you want to keep it so you can have water on the surface or close to the surface, I think we should allow them to do so. I don't think we should tell them, "No, you can't do that. You have to continue to allow people to develop so that you can, in fact, use up a tremendous amount of it." Now I don't think that is my decision to make. I don't think it is anybody in this body's decision to make, to tell those local people what they can or cannot do with their water under their land or in their area. Once again I will point out it is my philosophy that the language we are putting into the statute is permissive only, permissive on the local level by locally elected officials. I happen to have trust in those local people. I happen to know that they are in most cases farmers, ranchers that do go down to the coffee shop and do visit with their peers, and if they put something or attempt to regulate in a manner that the local people by and large do not agree with, I don't think they are going to be there very long. So I do urge the body's adoption of this amendment realizing that I probably don't stand much of a chance but I think the issue needs to be raised at least. So, Mr. President, with that I will close.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The motion is the second part of the Vickers amendment to LB 146. All those in favor vote aye, opposed vote no. Have you all voted? I think while you are waiting to determine how you are going to vote I would like to make