

May 8, 1981

LB 252

CLERK: 25 ayes, 4 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Beutler, do you wish to close on advancement of the bill?

SENATOR BEUTLER: Yes, Mr. Speaker, members of the Legislature, I really think that the fears of those who are saying that this bill will prohibit transfers are in fact exaggerated. I stick by my original statement that it is slightly in favor of the basin of origin. I don't deny that but I strongly believe that it will not prohibit transfers either. First of all, keep in mind that all of the factors that we have identified in the bill are in a sense minimal factors, in the sense that the bill says, you shall consider these factors, but they are not exclusive. You can consider other factors, too. So if the proponents of an interbasin transfer want to bring in additional information, if the Director of Water Resources finds that relevant, he can accept it. There is nothing in the bill that prohibits that. Secondly, I think this is very important to remember. If you do not adopt the bill, once again what happens is that the Director of Water Resources acting with the oversight of the Supreme Court will decide what is in the public interest, and for somebody to stand up on the floor and suggest that this bill makes it more difficult to effectuate transfers than what would be the case if you did not have the bill is purely speculative and ridiculous because no one, no one, will be able to anticipate what the Director of Water Resources is going to say is in the public interest. So once again, if you do not have a bill, all you are doing is copping out on the Legislature's responsibility to declare the policy of the State of Nebraska and letting the head of an administrative agency and the judiciary make that decision for you. And what they will decide is a roll of the dice. Senator Vickers, Senator Kremer, you may well come out worse if we didn't have this bill than if we have this bill. There is no way of knowing but ultimately the responsibility is ours to declare the policy and I ask you to vote for the bill and to do exactly that. Thank you.

SPEAKER MARVEL: The motion is the advancement of the bill as explained by Senator Beutler. All those in favor of advancing the bill vote aye, opposed vote no. Record the vote.

CLERK: 25 ayes, 9 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Okay, Senator Kilgarin, are you ready? Okay, the first bill

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