

January 8, 1982

LB 94

of the original bill and Senator Beutler, of course, does present the side of it that I am pretty much in favor because a certain area, a certain NRD can go under control but an adjacent area can refuse to do so but yet they are causing the problem just like the one that is going under control. So there is an argument on both sides. Some say it is none of their business, and perhaps it is. At least for now, Senator Beutler, I am going to support you.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, you know, the trouble with Senator Beutler is he comes up with a good idea once in awhile and I support him, and then he gets the idea that maybe I am going to go all the way with him. There comes a time, Senator Beutler, when we have to part with our friends if we think they are making a mistake. I support the concept that was finalized in LB 577 for the reasons that were given by Senator Kremer. Not that it isn't any part of anyone's business what we do in adjacent Natural Resource Districts but your description, Senator Beutler, of using a straw to suck the water out of a basin is not quite exactly right. There is a vast amount of difference between the underground water reservoirs of the various NRDs and a pool of water as you might refer to it. I think what is more important is this. What you are doing if you move this bill in the present form is that you are in effect saying that any one Natural Resource District, if we want to go to the extreme, and I just as well start with that and then we will back up if necessary, when we go to the extreme we say that a single one or two NRDs decide to become a control area, that they can then by the implementation of LB 94 extend that control area clear across the state. Every area is contiguous to something else, and if you assume that the Upper Republican is going to extend into the Middle Republican, eventually into the Twin Platte, Tri-Basin, Lower Republican, now I know somebody is going to say, well, that isn't going to happen because of the variation of the underground reservoir and the aquifer, but the facts are these, that the Natural Resource District is not required by statute to determine that there is any connecting factor between the various aquifers. You are referring in this bill to contiguous surface acres, and when you do that, you have for all practical purposes taken away from the adjoining Natural Resource District its autonomy, its reason for existence. You could if you wanted to start with a small area in one part of Nebraska and go clear across the entire state and have the entire State of Nebraska in a control area. I recognize Senator Beutler's concern and Senator Kremer's concern about the possibility of what

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