

January 19, 1982

LB 375

maintain their productivity of the ground water reservoir indefinitely consistent with beneficial use of the ground water best management practices.

SENATOR KREMER: Okay, thank you, Senator Vickers. I wish that were possible that we could maintain the use of this resource indefinitely or forever is another word. I wish that were possible but it is not and you correctly said that this does not interfere with the areas under control and your area is out there and mine is but there are several areas in the State of Nebraska that if you didn't drill another well it still would not last indefinitely. There is about two or three other areas and there is going to be more appear so can we afford to use that language knowing that they would have to say, you cannot drill another well and even then you are going to run out? I go back to a very debatable issue that came before the session last year when Senator Beutler introduced LB 252 and this is another issue that's going to be before this Legislature again. We know that there is some water running out of the state that ought to be impounded and if it is we could move in these areas that find themselves in serious trouble and we maybe could make it last effectively but we're going to have to move some water around. Now I like what you are trying to do but I'll go back to the very use of the word practical, your suggestion is not practical. It is not workable. I wish it could be that way. I don't think it can.

PRESIDENT: We're on the Vickers amendment to section one of LB 375 and, Senator Schmit and then Senator Beutler in that order.

SENATOR SCHMIT: Mr. President and members of the Legislature, I join with Senator Kremer in opposition to the Vickers amendment for the obvious reason that if you say indefinitely, then you must identify the meaning of the word indefinite and that is a long, long while. It is far greater than any of us here can foresee and theoretically, Senator Vickers, if you were to say it has to last indefinitely then it would follow to be a reasonable assumption that the withdrawal of a single gallon of water from the reservoir would deplete the ability of that reservoir to be sustained indefinitely. You know we have said many times in this body that we cannot control the action of a succeeding Legislature nor can we control the action of succeeding generations yet to come. We do those things which we deem to be practical and reasonable in line and consistent with good practices. There isn't any one who can point to the section as it was drafted and object to that concept.