

I would like to support the Vickers amendment. Before speaking directly about the amendment let's step back a second and get a picture of what LB 375 is all about and I will try to state it, Senator Schmit, as honestly as I can. LB 375 basically sets up a new concept, puts into the law a new concept, the concept of a management area. Alright, what did we have before we had a management area? Before we had a management area we had an NRD and if the NRD thought there should be a control area, the NRD could go to the Director of Water Resources and initiate a hearing, if all the right were done, a control area was put into place. We have three control areas in place in the State of Nebraska, all of which, very important point, all of which were put into place too late, too late to have any kind of sustained yield in the aquifers that underlie those control areas. All of them are under policies of managed decline which means that a period of time, from ten to twenty years, all of them are anticipated to have no more water at an economically feasible level. When you declare a control area there are certain numbers of different types of specific controls that the statute says you can enact. Those are presently the prerogatives of the NRDs. They can establish control areas and when they do there are certain sets of controls they can pick and choose what they want. Along comes LB 375 and it says we're going to have this thing called a management area and a management area is going to be easier to establish theoretically than a control area and probably is, in fact, easier to establish. Establishment processes aside, the only difference between a management area and a control area are the number of controls that are available in the management area versus the number of controls that are available in the control area. So what is going to happen as a practical matter if 375 is adopted as a practical, political matter? Because management areas limit the kinds of controls, every NRD director, every natural resource district that is contemplating any kind of management or control will be forced as a practical, political matter to adopt a management area before it adopts a control area. The proponents of 375 say, "Well this will encourage water conservation and water management because the people in the district will be more likely to go into a management area knowing that the controls are limited and will offer less resistance." They say this will encourage conservation.

SENATOR CLARK PRESIDING

SENATOR CLARK: You have thirty seconds, Senator Beutler.

SENATOR BEUTLER: The opponents of 375 are those who are very concerned about 375, is perhaps a better way to say it,