

aquifers and the sentence as amended would read, "the Legislature determines that the goal shall be to extend ground water reservoirs indefinitely, in the case of recharging aquifers or in the case of nonrecharging aquifers indefinitely consistent with beneficial use of the ground water and best management practices." You have essentially heard all the arguments before and I am essentially presenting to you now the alternative to choose and to make a stronger statement about the legislative need or about Nebraska's need to preserve those aquifers as long as possible. Thank you.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I'm not an attorney and Senator Beutler has a distinct advantage on me in that area but as I read the amendment it reads, "indefinitely in the area of recharging aquifers or in the case of nonrecharging aquifers indefinitely." It sounds to me like an exact rerun of the Vickers amendment. I have not found anyone who disagrees that it is a rerun of the Vickers amendment and it is not intended that way. Both Senator Vickers and Senator Beutler had a concern that way. I think the issue had been resolved with the vote on the Vickers amendment and I would ask that it be opposed.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, I would oppose this one as completely separate from the other one for a completely separate reason. I think it is totally contradictory and I will try to explain. If you've got a nonrecharging aquifer and you say you're going to preserve it indefinitely, basically aren't you saying you will never take a drop out of it because that is altering it whether it is X number of years to do it and adding language such as "consistent with beneficial use" or whatever. It is just a contradiction of the other part as I read it. I guess I can't understand it, how you can say you're going to have something that is absolutely finite such as this cup and keep it unchanged indefinitely which as I interpret kind of means forever, doesn't it? And then you say you're going to keep that cup full forever, there's nothing coming back into the cup. Then how can you ever get any use whatsoever out of it? So I would oppose this amendment because it is so contradictory as I read it.

SENATOR CLARK: Senator Hoagland.