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LB 708

SENATOR KREMER: Well the proposal you're making in the way of an amendment to your amendment may take care of that in that when the by-product is taken more than maybe a mile away then it can't be used for anything except for heating purpose only.

SENATOR DeCAMP: Yes, I think a mile and a half is the maximum transportation that is effective for geothermal at this time.

SENATOR KREMER: Thank you, Senator.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I apologize I was not present when the bill was heard nor was I present when the committee voted to advance the bill to the floor. I want to caution you that it is not only Section 5 that is of interest to you but Section 4 contains some items of extreme interest. The implication is that the water used for geothermal purpose is a mineral right and as such can be bought and sold and it has implications which may or may not be agreeable to the members of this body but I believe you should recognize that. I do not know at this time just what Senator DeCamp has in mind on Select File but I believe that when we refer to high temperature water we can also recognize that temperature of a lower temperature, water of a lower temperature can also be used for various purposes and under such conditions has a marketable value. Whether or not the use of that product should determine how we handle it in this instance should be discussed by this body so I would caution you to take a good look at both Section 4 and 5.

PRESIDENT: The Chair recognizes Senator Carsten.

SENATOR CARSTEN: Mr. President, I'd like to ask Senator DeCamp a question. If I understand this correctly....

PRESIDENT: Senator DeCamp, will you respond.

SENATOR CARSTEN: Senator DeCamp, I'm sure you're aware that we've had some problems out in western Nebraska with mineral rights and the taxation thereof.

SENATOR DeCAMP: Right.

SENATOR CARSTEN: I'm wondering if this bill is putting geothermal product into that same category as oil and gas and so forth and if there is going to have to be a determination of value to that mineral or if it's in that same class. Would you answer that for me?