

April 8, 1982

LB 726

There has been the accusation made that this will cause the majority to be at an economic hardship because of the wishes of the minority. You know, this is a democratic system and if we allow local control to work, the majority wins. And, again, I submit to you that that is probably what some people are afraid of is that maybe the majority might win. Actually all LB 726 does is complement the bill that we passed earlier this session. LB 375 indicated that no landowner could be deprived of the right to the beneficial use of groundwater under his or her property.

PRESIDENT: One minute, Senator Vickers.

SENATOR VICKERS: All we are doing is adding that also to the control area section of the statute, that criteria that recognizes that subirrigation is, in fact, a use of groundwater, not a preference. It is not a preference over any other use of groundwater but it just recognizes that it is a use. The bottom line and I think we all know it is that it gives the local people the ability to control their resources before there is a tremendous loss of the resource. That is the issue, and that is the only issue, and I think we should keep that in mind. Thank you, Mr. President.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, I rise to support the kill motion, and as I mentioned the other day, it would be very easy for me to vote for this bill because it has a lot of people excited up in the Sandhills and I would not be criticized for voting for the bill. However, the reason I don't vote for it is because I don't believe it is in the long term interest of the area, and I would just call to your attention the letters which I had placed on your desk a few minutes ago, one of them from Vince Dreeszen of the Conservation and Survey Division of the University who I consider a very knowledgeable person in regard to irrigation and water supplies in this state. He...I would direct your attention down toward near the bottom of the first page where he says, "In effect a literal interpretation would mean that water levels cannot be lowered by man's activity around any existing subirrigated lands". This, I think, means there would be no irrigation at all. Senator Vickers mentioned that there are letters here from a couple of NRDs which I circulated opposing the bill, a couple of managers of NRDs, I should say, one from Valentine and one from Thedford. And I would only....and he has some letters here which indicate they have some support up there. However, you will notice that the date on the