

the committee amendments, Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I suppose my comments are more in the nature of a question for Senator Schmit, but it appears to me that basically the purpose of the act, as I would understand it, is to preserve some of these areas, at least a vehicle that identifies them and I assume for the purpose of preserving.

SENATOR SCHMIT: That is correct, Senator.

SENATOR WARNER: It would seem to me that if that is the purpose, then one would want to provide some vehicles that would strengthen the ability to do that. When you change from simple notification to consulting, my assumption would be exactly what you said, that consultation is a stronger term. It almost indicates or implies concurrence. What protection of preserving that area would exist with the adoption of the committee amendment of simple notification which is essentially meaningless, but are there other areas in the act that give some protection to retention of the areas. There is some federal legislation perhaps that restricts the use of federal funds in the area, so designated. Is there...are you aware of any other area that would help protect that area once it is designated to be covered by the act?

SENATOR SCHMIT: Yes, Senator, I'd be glad to answer that. First of all, the act is entirely voluntary in nature. It simply provides a mechanism whereby if I, as a landowner, would like to record in the register a certain type of property, natural vegetation type property, I could do so. But it does not.. there is nothing at all which would compel me to do so and since it is a voluntary act to list it with the register, we felt that it is also compatible with the fact that it might be good business practices that it be withdrawn. Actually, there isn't anything that the act contains that is mandatory. There is nothing that would keep me from plowing up a native grass property that I had listed with the register even though that I provide with the original language, and as it was indicated at the hearing, there is only about a 141,000 acres of this kind of property across the entire United States that is listed in this manner and I believe that is in about 31 states. Of course, there were many, many times that much land in natural state in our Sandhills. But you will recall I think a few years ago there was a piece of prairie, I think they called it Seven-mile