

has a little history behind it, which I think I'll give briefly, and then tell you what the amendment does. As you are aware, a couple of years ago we passed a study bill, 146, to look at the subject of water transfers. At the time it was on the heels of what was known as the Sporhase case in Nebraska, and we were pretty much, I think, under the assumption that the state didn't have a whole lot of opportunity to control water transfers, there wasn't very much that we could, in fact, do about it. And we went ahead and completed the study, which is well done, I might add. And, if you haven't seen it's, you probably got a copy of it, you may want to take a look at that. But as I have talked to people around the state, first of all, and then more recently outside the state, the whole issue of water transfers and how far states might be able to, in fact, go is still very, very much up in the air. You have before you a letter that I'm circulating, and I think it does the best job of summarizing some of the questions that still need to be asked. So what I am proposing is that we build upon the study that we completed and take one step further in light of some of the opinions that are out there, saying that there may be more than we can do than we thought to retain maximum control over our water allocation for the benefit of instate users. It's a very complex area. And the one place that we did not ask the Water Management Board to do, when we did the original study, was to do a constitutional, particularly interstate commerce clause analysis of how this whole issue might in fact be further pursued in the best interests of the citizens of the State of Nebraska. You may be aware there were a number of bills introduced in the Committee on Natural Resources this year as a result of the first study. None of those are out of committee yet, which I think indicates the difficulty this whole area brings to us and the lack of public consensus that there is. So I feel a need to take the next step and really do a good, legal analysis of this, which goes well beyond just the water issues, but specifically a constitutional look at that. So the original bill simply proposed that we do this study, and the amendment that I am offering is a bit more realistic, I think, than my original proposal because it recognizes how legally complex this area is. So I'm suggesting that we ask the University of Nebraska College of Law to enter into this study. And I'm simply raising the amount from the original 10,000, that I had proposed, to 25,000. I talked to the Dean of the Law School, they have said that they would be willing to do that, and we would get the best minds that we have both in terms of constitutional law over there and in terms of water law. And I think that it's extremely