

March 1, 1991

LB 276, 277

SENATOR SCHMIT: Madam President, LB 276 is one of several bills that was brought to me by the Department of Water Resources. The bill corrects a problem in the statute. At the present time, the existing state statute requires that operators of interstate ditches at or near the Nebraska border must have measuring devices on those ditches to measure the flow of the water that moves through that ditch. There is currently only one interstate ditch which does not have a measuring device. The department declares that it should not have a measuring device because the ditch serves very little land in Wyoming and there is no need for the measuring device. The intent of 276 is to change the word "shall" to "may", to be consistent with present day usage. In the event, under this bill, as written, the department determines that some time in the future a change in conditions would merit the installation of a measuring device on that ditch, the department could then require it. But, as of this time, they see no need for it and they would like to have the permission not to have to require the maintenance of a measuring device on that ditch. If there are any questions, I would like to answer them. If not, I would move the advancement of the bill.

PRESIDENT MOHR: Thank you, Senator Schmit. Moving on the motion to advance the issue, we will proceed to vote on the advancement of LB 276. All those in favor please voteaye. Opposed nay. Have you all voted? Please report, Mr. Clerk.

CLERK: 28 yeas, 0 nays, Madam President, on the advancement of LB 276.

PRESIDENT MOHR: LB 276 is advanced. LB 277.

CLERK: LB 277 offered by Senator Schmit. (Read title.) The bill was introduced on January 10, referred to Natural Resources, advanced to Natural Resources. I have no amendments to the bill, Madam President.

PRESIDENT MOHR: Senator Schmit.

SENATOR SCHMIT: Madam President and members, LB 277 is a bill which is intended to allow for the holder of a storage permit to allow for an application for a permit to appropriate water from a storage reservoir or an intentional underground water storage facility for instream use of water for recreation or fish or