

March 1, 1991

LB 277, 278

wildlife. You will recall last summer there was an order delivered by FERC to lease water for fish and wildlife purposes from Lake McConaughy. At the time, there was some question, and there still is, as to whether or not even if the owner of that water wanted to release it that they had legal authority to do it. This bill is not...should not be construed nor should it be debated as to whether or not water should be released. We do not want...I do not want to debate the philosophical points of view as to whether or not water should be released for instream purposes for fish and wildlife at this time but only to clarify the statutes so that in the event that a decision is made that it would be beneficial or preferable or in the spirit of cooperation helpful to release water that the owner of the water had the right to do so. I will be glad to answer any questions. If not, Madam President, I would move for the advancement of the bill.

PRESIDENT MOUL: Thank you, Senator Schmit. Seeing no one wishing to debate the issue, we will proceed to vote on the motion to advance LB 277. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Madam President, on the advancement of LB 277.

PRESIDENT MOUL: LB 277 is advanced. LB 278.

CLERK: LB 278, offered by Senator Schmit. (Read title.) The bill was introduced on January 15, referred to Natural Resources, advanced to General File. I have no amendments to the bill, Madam President.

PRESIDENT MOUL: Senator Schmit.

SENATOR SCHMIT: Yes, Madam President, LB 278 is another bill I introduced at the request of the Department of Water Resources and I would just like to briefly explain the bill. The statutes, at the present time, mandate, under certain circumstances, the Department of Water Resources must public notices in the newspapers. At the present time, only the water transfer permit statute requires the publisher of notices, the publication of these notices to be at the initiator's expense instead of the department's. Since this cost is a part of the cost of doing business with the department, it was determined that it would be only reasonable and equitable that the cost of