

SENATOR CONWAY: Thank you. Before we proceed, in the south balcony we have 35 adults from the Mercy Fontenelle Tours of Omaha. The leader is Sister Francetta Dual. Would they please stand and be recognized. Thank you for coming to your Legislature. The next speaker is Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, I rise to support the motion to put the bill on General File. Interestingly enough, I had a bill drafted, did not introduce it, as I've heard the discussion I sort of wish I would have introduced it. As a matter of fact, it brought into some of the same factors in that proposed legislation that I have heard discussed on the floor which had greater state involvement in the selection and the preservation but I opted not to do it because this bill, it seemed to me, addressed the same issue. I think it's probably true that the bill wouldn't be here if it wasn't for some federal activity. That's probably correct. I also look at that from a different conclusion, however, and that is that we're not introducing it just because there was some federal activity. I look on it as some federal activity that maybe provides an opportunity to put into statute some protection at the state level for scenic rivers that has nothing to do with the Niobrara. I suspect there wouldn't be a snowball's chance to put anything in through to protect a scenic river if it wasn't for the fact that the feds are messing around with the Niobrara and it may be...I'm not arguing whether that's good or bad. I think there's an opportunity to address an issue that I don't think would ever come up. Or at least it would be a very difficult one. I would have been more comfortable, I think, if the committee would have at least held the bill. I heard the discussion to provide some of these other options that are being talked about that ought to be done and that could still be studied. In fact, if the bill is raised, it could still be studied if it's not acted upon this year. If it's killed, I suspect we're all done. If the Niobrara gets approved by the federal...by Congress, you won't see a bill like this coming back, I don't suspect, because there won't be any urgency for the state to take action. How many times I have heard over the years that Congress is acting because the states failed to act? We hear it all the time. They load stuff on us all the time on that basis. This is an opportunity for the state to act in an area. It may not be the best. I have the same reservations that have been expressed by some of the opponents that zoning isn't the most reliable protection because zoning can change, I know that, and it certainly does happen. But it