

April 30, 1991

LB 277, 308, 772
LR 27

resolution, if amended as I suggest, would more accurately state for the Federal Energy Regulatory Commission to consider, when they're reviewing our state water law, what the Legislature intends than did the original text. And I would ask for your help to adopt this amendment to LR 27.

SENATOR WARNER PRESIDING

SENATOR WARNER: Amendment on the desk, Mr. Clerk.

CLERK: Mr. President, Senators Hartnett and Horgan would move to amend Senator Elmer's amendment. (Hartnett-Horgan amendment appears on pages 1873-74 of the Legislative Journal.)

SENATOR WARNER: Senator Hartnett.

SENATOR HARTNETT: Mr. President and members of the body, I simply offer this amendment to the resolution...the resolution as found on Journal page...and I passed it out this morning to you. And I think that I led an unsuccessful fight, the last time we heard this bill, on this thing. And I guess I see the point of it is that we do have, with the legislation, I condemn (sic) Senator Elmer for his...when he brought this resolution back again, is that it did strike the comprehensive plan, because I had problems with that. And I see that this...because this year, and it's the first year on the Natural Resource Committee, I see this water issue as an ongoing process. And I think that the first statement, first paragraph says that, that the Legislature will continue to review this process and revise the statutory provisions, and I see that the basis of this amendment to the amendment. I also see that we, in the resolution, as presented by Senator Elmer, that some of these laws will change as of September, whenever, September 5th, whenever the 90 days after the legislative session, especially the LB 772, which eliminated the Water Management Board, and also they adopted and signed LB 722 (sic) (LB 277), which allows an application made for the permit to appropriate water for storage reservoirs and intentional underground water storage for the instream use of water for recreation or fish and wildlife. So these bills have been advanced by the body. Then the Governor has signed them and they will go into effect in September. We also have a number of bills that have been advanced from General File by the Natural Resources Committee, LB 308, which recognizes the hydrogeological relationship that exists between surface water and groundwater, and maybe this