

SPEAKER BAACK: LB 643 advances. We'll now go to LB 49.

CLERK: LB 49, Mr. President, was introduced by Senator Schmit. (Read title.) The bill was introduced on January 10 of last year, referred to Natural Resources, at that time advanced to General File. I have no committee amendments. I do have an amendment to the bill from Senator Schmit, Mr. President. Senator Schmit's amendment is found on page 192 of the Journal.

SPEAKER BAACK: Senator Schmit, I'll let you go to your amendment and the bill, if you want to just explain both at the same time.

SENATOR SCHMIT: Fine, I'll be glad to. Mr. Speaker and members of the body, I introduced LB 49 because there was a deep concern on the part of individuals that are responsible for input of water into various streams for certain purposes that they had no way to regulate or control or protect a type of water that had been identified as being designated for a certain instream purpose. For example, there was a time, if you will recall, when, under the federal regulations, water was released from Kingsley Dam at Lake McConaughy to provide benefits for wildlife down stream. Without LB 8...without LB 49 there is no way that anyone could protect or guarantee that the water that was released would in fact arrive where it was supposed to arrive, and it's pretty hard to do that anyway, but without someone tapping that water for some other use. Under the provisions of LB 49, if water is to be transferred from point A to point B for a specific purpose, then other entities along the river are prevented from tapping into that water. Now the Department of Water Resources has an amendment, and Mr. Speaker...Mr. Clerk, do you know what page that is in on...in the Journal? One-nine-two. And they were concerned that the...that there was no provision in the statute that would allow them to monitor, supervise the moving of the water, and also that there was no...they do not have the proper applications for the permits and therefore do not have the proper supervision. So the amendment proposed by the Department of Water Resources provides for monitoring, provides for the permit process, and the application process. And I would move for the adoption of that amendment and then for the moving of the bill. Again, we're going to see more and more of this type of activity on the various rivers and streams in the state. I believe it is an inevitable situation, and I believe the Department of Water Resources needs both the amendment and the bill to make it