

Senator Landis. And I told Senator Landis that he just better hold onto his pants, because I thought he had a pretty nice pair on today. But I'll try not to remove them. Seriously, I thank Senator Dierks for bringing this amendment because I think it focuses on the most controversial part of the bill, and he has a legitimate suggestion that he's made, that if we want to remove DWR from the mix, as far as having any ability to override the local NRD, removing these sections would do that. That's a legitimate policy question and he's framed it, I think, very well. Most of the objections I get are based on the fact that people are under the impression that if we pass this bill the state is going to take over control of their water and override the NRD. Now in the Water Council we started off with the draft of a bill and provisions that would have allowed the DWR to have oversight over the NRDs, even if the conflict was within the NRD or if the conflict was between NRDs. As a compromise and with support of most all on the Water Council, with the possible exception of one, we decided that it was appropriate to remove that ability to override the NRD where it involves just local conflicts, or where it involves conflicts between NRDs. But because this section deals with other states, interstate compacts, possible memorandum agreement we might enter into in the Colorado, Wyoming, Nebraska dispute in the Upper Platte, it was the overwhelming consensus that we needed some ability to have the state involved when we're dealing with another state. And there are a couple of real good reasons for that. Number one, if you could imagine going to your local NRD board and asking them to make some very, very difficult decisions to comply with an agreement that we've made 40 or 50 years ago with Kansas, or an agreement that we make this year with Colorado and Wyoming, or if we ask them to comply with a court decree that's been entered by special water master or federal judge, can you imagine getting an affirmative vote to do that? I think you would have a recall of that local board so fast that it would make your head spin. And the NRDs that talked to me, as we were going through the process of formulating this bill, emphasized that there are situations where they need backing from the state. And this is limited to those situations. And again, I have people that call me that have... I think have read this bill and still misrepresent this part of the bill. This is only providing the oversight where we're dealing with other states on interstate compacts, decrees, or memorandums of agreement,...

SENATOR BERNARD-STEVENS PRESIDING