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LB 962

SENATOR BEUTLER: ...is that accurate?

SENATOR SCHROCK: That's correct.

SENATOR BEUTLER: Okay. So the big changes will come if and when they make a decision that it's either fully appropriated or over-appropriated. Now, looking at the language on page 86, subsection (4), line 13, is it accurate to say with regard to that decision of whether something is over-appropriated or fully appropriated that the decision has statutorily been taken away from them entirely with regard to the Platte River Basin, with regard to the Platte River? Is that accurate to say?

SENATOR SCHROCK: I'm not sure...

SENATOR BEUTLER: That we are statutorily declaring that over-appropriated? Is that correct?

SENATOR SCHROCK: And it's my understanding they've already indicated that the Platte River west of Elm Creek is over-appropriated.

SPEAKER BROMM: One minute.

SENATOR BEUTLER: Okay. Then let me ask you...I'm not going to go further than that, but let me ask you a little bit more about that specific. That language on page 86 says: A river basin, subbasin, or reach shall be deemed over-appropriated if, on the effective date of this act, the river, subbasin, or reach is subject to an interstate cooperative agreement. What does "subject to" mean? I mean, aren't all of our river basins subject to an interstate cooperative agreement? That would be my first question.

SENATOR SCHROCK: I don't think so, Senator Beutler.

SENATOR BEUTLER: What does "subject to" mean?

SENATOR SCHROCK: Well, we have a memorandum agreement with the states of Colorado and Wyoming on the Platte River, and we have...