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April 2, 2004 LB 962

SENATOR CUDABACK: It is withdrawn.

CLERK: Senator Schrock, AM3366, Senator. (Legislative Journal page 1248.)

SENATOR CUDABACK: Senator Schrock, to open on your amendment to LB 962

SENATOR SCHROCK: Mr. President and members of the Legislature, I would characterize this amendment as mainly technical but it contains some changes you may want to be aware of. On page 3 and 5 of the E & R amendment we strike "budgeted expenditures" and insert "restricted funds budgeted." This change was recommended by the counsel for the Revenue Committee. On page 29, for surface water transfers, we would require that the individual requesting the transfer include the name and address of each holder of a mortgage or a deed of trust for the land which has the surface water appropriation to be listed on a request. And on page 36, we require that the department to notify by certified mail the holder of the mortgage or deed of trust that a request for transfer has been made. This was to accommodate the concerns of the banking industry. On page 109 and 110, the language regarding mediation has been stricken from the bill at the request of Senator Chambers. Mediation is still available to the parties and we would encourage them to use this method of alternative dispute resolution even though it is no longer mandatory. On page 117, additional clarification is added for municipal water wells for which a permit has been obtained under the Municipal and Rural Domestic Ground Water Transfers Permit Act. This would exempt these wells from temporary suspension. I would ask for your support on this amendment.

SENATOR CUDABACK: Thank you, Senator Schrock. You've heard the opening on the Schrock AM3366 to LB 962. Open for discussion on that amendment. Senator Chambers, followed by Senator Beutler. Senator Chambers.

SENATOR CHAMBERS: Mr. President, I may have missed something on the previous amendment. I'm going to support this one. I'd