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FLOOR DEBATE

March 28, 2006      LB 1226

districts to request that the Department of Natural Resources would put a call of a stay on issuance of new surface water rights in an area, basin, subbasin, or reach of a groundwater management area that has controls authorized under subsections (1)(f) and (m) in Section 46-739. Part two--the bill would require that the data used in reports from the Department of Natural Resources, on determining whether a basin is fully appropriated status, ensures that the conclusions and the results contained in that report are accurate. No requirement exists in law today. Part three clarifies an evaluation is done, rather than a determination, by the department on existing uses, to determine the basin's fully appropriated status. The evaluation results would have to ensure that all results and conclusions can be verified and are accurate to a reasonable degree. Part four would require that the department notify districts by certified mail to whether their appropriated status is fully appropriated or not. Existing law just states that the districts will be notified, but it does not outline a procedure for notification. Part five--the bill clarifies that well permits issued prior to the determination of the Nebraska Department of Natural Resources could be completed within the existing time frame allowed under the permitting Section 46-738, but would be subject to conditions imposed by the natural resources district. And part six, unless required by a compact, if the local natural resources district chooses to include all water users within a district's boundaries in its integrated management plan, then the waters not hydrologically connected would be exempt from regulation. This section also clarifies that an area of water use would be subject to only one management plan. With that, that is the six sections that I am going to address in LB 1226, and at this time I would like to thank everybody's attention and their consideration to LB 1226, as we'll have a pretty good discussion on it forthcoming. And with that I'd yield my time, or return my time back to the Chair.

SENATOR CUDABACK: Thank you, Senator Langemeier. You've heard the opening on the bill itself. Senator Schrock, there are committee amendments, as stated by the Clerk. You're recognized to open on AM2578 to LB 1226.