

May 20, 1975

SENATOR KREMER: Senator Duis, I did talk to him about this. He did not give me a written opinion. He gave me an off the cuff opinion that he could see no problem in this area.

SENATOR DUIS: Thank you for that very much because, Senator Kremer, I was about to ask him for a written opinion but I don't like to cloud the issue in any way at all by getting a written opinion. I am very gravely concerned about it. One of the reasons might be because I do have a committee, a very fine gentleman from the Legislature who takes on rules and regulations. Consequently we wanted to know where we were going to go and what was to be done about the rules and regulations contained in this because the rules and regulations contained in LB 577 do not follow the usual procedure of rules and regulations of the administrative departments of state government. The public hearing is voluntary in regard to it. There is no necessity of the approval of the Attorney General or the Governor in these rules and regulations. They will be left up to the departments that are in the NRD, as I understand it, unless, and I ask you this question, do any of these rules and regulations concern the Water Resources Department? Will the Water Resources Department be making any of these rules and regulations?

SENATOR KREMER: Senator Duis, the bill sets forth the rules and regulations that may be applied at this time. Then it's up to the resource districts which, if any of them, they may adopt. That's all, as I understand it.

SENATOR DUIS: Yes, in other words the rules and regulations will not come under the regular form of rules and regulations and will not be distributed. They will not become public knowledge. They will be only contained within the districts themselves. Thank you very much.

PRESIDENT: Senator Schmit would you close debate please on the matter of bracketing.

SENATOR SCHMIT: Mr. President, members of the Legislature, it's been said that if we bracket this bill it will be a mistake and it may be true. It will not be the only mistake that's been made on the floor this session, I'll grant you that. Senator Kremer says he has great respect for me. I wish he had less respect and more support for my ideas. I would hope that we would do this. When we recognize the impact of the use of water on the State of Nebraska it transcends any impact that you can have by any other form of government, by any subdivision of government, by any form of taxation or any other restriction you can place upon the private lives of the citizens. We have heard every day in this floor, in this chamber, remonstrances about the unwise spending of tax dollars. I want to submit to you that the impact of taxation upon the citizens of the State of Nebraska is going to be like the fly on the back of a bull compared to the impact that this bill may have upon the economic resources of individuals if it is not right. I do not know if it's right or not. We are gazing into a