

March 28, 1984

LB 1106

which replaces the manifold form of consultation which exists in the endangered species.

SPEAKER NICHOL: Excuse me, Senator Landis, the Call is raised.

SENATOR LANDIS: Thank you. The second thing that the bill does, it is clear that the Director of Water Resources is precluded from ordering the opening of reservoirs to maintain instream flow. Before this amendment that prohibition was blanket and we didn't know who was being directed not to compel the opening of reservoirs for such flows. We wanted to make sure that this direction was given to a specific person, that it was not then taken to the federal level for some kind of negotiation purposes with the Federal Energy Regulation Commission. So these are two matters of clarification as to what 1106 is to do and they are agreed upon as I know it by all parties concerned with the exception of the dissidents who don't like the bill to begin with. I would move its adoption.

SPEAKER NICHOL: Senator Schmit, did you wish to speak on the amendment?

SENATOR SCHMIT: Only very briefly, Mr. President, the amendment is the result of a compromise between myself and Senator Landis and Senator Beutler, Senator Wesely and I agree with the amendment. I think it specifies the language that we needed to have clear. I think it is a good amendment. I think it does go a great deal of the distance to satisfy the legitimate concerns of Senator Rupp which he wanted to express in his amendment and hope that for the interim period that we can satisfy the rest of those concerns. I move for the adoption of the amendment also.

SPEAKER NICHOL: Question is the adoption of the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, on the adoption of the first amendment, Mr. President.

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