

SENATOR WHITNEY: Mr. President, would Senator R. Lewis yield to a question please? I want to know two things. What is the effective date and then what if you have a contract as of the effective date to put down a well but for some reason the well driller has not been able to get the job done, for one person but he has been able to get the job done for somebody else. Now the question is, are you going to honor a contract in this, is that in the bill and what is the effective date?

SENATOR R. LEWIS: There is no provision in the bill to make this provision retroactive, if that is what you are asking.

SENATOR WHITNEY: Well this wouldn't be retroactive, as I understood when I heard the explanation of this particular bill, that any wells that had been dug would be left there, they would still have the power to get water out of those holes. But what if you had a contract to drill a hole and it had been maybe several months and the well driller had not had time yet to drill, now because of the fact that the contractor could not drill, then this land owner is held up, is that the point? Because he would have to have the hole dug before the Grandfather clause became effective?

SENATOR R. LEWIS: I don't think so, but we don't have this specifically spelled out because it would have to be deemed a critical area before it would have any effect on it anyway you see.

SENATOR WHITNEY: Thank you.

PRESIDENT: Next to speak is Senator Nore.

SENATOR NORE: Mr. President, members, it was a question mark as to whether we need this legislation now or not on the part of Senator Kremer, he sort of asked the question have we reached the place? I don't think that we have. Now we are all wondering when we are going to develop our water resources before some other state takes it away from us and as far as I am concerned and I am pretty much involved in irrigation I don't think that we have even started to develop our underground water in Nebraska. One other thing, I realize that in Senator Kremer's district that he has a problem, and I know that in Senator Lewis problem I think that they have a problem. I think that in the Imperial District that is somewhere out in there, but I don't think that we should harass the development of irrigation and in other parts of the state where we haven't begun to develop our underground water. At present this kind of legislation gives natural resources districts a lot of power and harassment and I am scared to death of them, and it is hard enough to develop irrigation without having to go through all of this red tape to dig a well. We are up to the...if this thing would be left up to a committee, whether I can have a well on my farm or not, and I think that my constituents are fearful of this kind of legislation. Now, in order to solve a crisis you have to create a crisis so why don't we we run short of water and create this crisis and then develop it. We will get more water development in a crisis than if we do this things before we have a crisis. So I don't think that it...I think that it is premature.

PRESIDENT: The Chair recognizes Senator DeCamp next. I think that the Chair just ought to remind the body that generally we are not really debating the bill although it is difficult to comment, but this is really a motion to just introduce the