

February 22, 1979

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for beneficial use. Now I refer you to subsection (b) where we are talking about dewatering and so forth and in this instance it is for the present use and I would like to have some explanation why beneficial use in one, why for the present use in the second one? It would appear to me that that language should duplicate to be sure and not raise "legislative intent". They meant this here and they meant that there and what do you mean?

SENATOR KREMER: I would suppose that we would just have to assume that we are meaning the same thing in both issues because when you dewater an aquifer, under Nebraska law, what the courts have said, you can use that water as long as you use it reasonably. Now...

PRESIDENT LUEDTKE PRESIDING

PRESIDENT LUEDTKE: Thirty seconds.

SENATOR KELLY: Senator Kremer, you would have no objection whatsoever to amend both of those (a) and (b) to read for the present use?

SENATOR KREMER: For the present use? No, I think I would. I think we have got to consider foreseeable problems, Senator Kelly.

SENATOR KELLY: You say they are the same, beneficial use and present use is the same.

SENATOR KREMER: No, we are talking about two different categories, beneficial and present. Present and future would relate to each other but not beneficial and present.

SENATOR KELLY: So they are not the same. We are going to do one thing in one and one in another.

SENATOR KREMER: No, what I should have said, what I attempted to say, Senator Kelly, was this.

PRESIDENT: Time is up. The Chair recognizes Senator Murphy.

SENATOR MURPHY: Mr. President, at the time I turned on my light I was going to ask that under Rule 2, Subsection 1, we adopt a motion. I was going to make a motion that Senator Kremer proceed section by section in accordance with Senator Schmit's recommendation. At this time of day I don't know that I would ask this body to vote upon it but I do believe with the Chair's permission, that the question should be put.