

February 22, 1979

LB 26

want to restrict it to the present and I think that is disastrous and I am sure that we can explain why. Senator Kelly, would you continue that discussion with Senator Kremer relative to the use problems that you were raising?

SENATOR KELLY: Thank you very much, Senator Cullan. These two (a) and (b)s are conditions under which you can set up a control area. This is the definitions of what you are going to do and my point is that in one it says that, "An inadequate ground water supply to meet present or reasonably foreseeable needs for beneficial use of such ground water". Now in (b) the, "dewatering of an aquifer, resulting in a deterioration of the quality of such ground water sufficient to make such ground water unsuitable for the present purposes for which it is being utilized." Why is that not for beneficial use?

SENATOR KREMER: Senator Kelly, I would have no quarrel if you feel that would further clarify Section (b), I mean Subsection (b) of Section 1. If you felt that beneficial use is needed there and perhaps should be there, I would have no problem with that.

SENATOR KELLY: That is what I wanted for the record, Senator Kremer, is that are those the same and the thing is they are the same if they are both beneficial use but if they are present use, they are not the same.

SENATOR KREMER: Okay, the lightbulbs come on and we are talking about the...water that is used beneficially that is causing the depletion of the under ground water supply. It is beneficial use in both cases.

SENATOR KELLY: All right. Then what we may want to do would be to amend Subsection (b) to beneficial use as it is in Subsection (a).

SENATOR KREMER: No problem.

SENATOR KELLY: Thank you very much.

PRESIDENT: All right, Senator Kelly, does that...? You still have some time.

SENATOR KELLY: Well not if we have more time.

PRESIDENT: Well you have a...looks like you have about a minute or so. Do you have another question that you can dispose of in a minute?