

March 13, 1979

LB 27

the Journal on page 446. The Chair recognizes Senator Kremer.

SENATOR KREMER: Mr. Chairman, I'm sorry for the confusion. I was confused myself. I am willing to move that the amendment that was amended by Senators Maresh and Beutler not be adopted and I will offer the amendments then as found on page 544 of your Journal. It does, I think clarifies the language that is used when we deal with conflict that may come up between a well used by an irrigator and a domestic well.

SPEAKER MARVEL: Excuse me, just a minute. Now did I understand, Mr. Clerk? The motion will be the rejection of the amendments found on page 446. Is that right, Senator Kremer?

SENATOR KREMER: That is right.

SPEAKER MARVEL: Senator Kremer moves the rejection of the amendments to LB 27 as found on page 446 and 447. Is there any discussion on that? Senator Maresh.

SENATOR MARESH: Mr. Speaker and members of the Legislature, my amendment is attached to this Kremer amendment and I think as long as we are going to ensure that the domestic well is protected I will go along with rejecting this amendment but unless Senator Kremer will adopt the one on the next amendment or not, but if he does, I would like to make sure that the domestic well is protected.

SPEAKER MARVEL: Okay, all those in favor of the rejection of the Kremer amendments found on 446 and 447 vote aye, opposed vote no. Record.

CLERK: 28 ayes, 0 nays on the motion to reject the Kremer amendments on page 446.

SPEAKER MARVEL: The motion is carried and the amendments are rejected. Now we turn to page 544.

SENATOR KREMER: Now, Mr. Chairman and members, if you will turn to page 544 in your Journal, here is the present amendment that we are proposing now. In my opinion the language is more clear and does a better job of explaining what we are trying to accomplish. Now I will review this. Section 1, no owner or operator of an irrigation well shall be liable in damages or be permanently enjoined from using such well because of interference with the use of a