

May 6, 1981

LR 109 - 111
LB 146, 190, 334, 334A,
463

CLERK: (Roll call vote taken. See pages 1792 and 1793, Legislative Journal.) 19 ayes, 13 nays, Mr. President.

SPEAKER MARVEL: Motion lost.

CLERK: Mr. President, while we are waiting, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 190 and find the same correctly engrossed; LB 334 correctly engrossed; LB 334A correctly engrossed; and LB 463 correctly engrossed. All signed by Senator Kilgarin.

Mr. President, LR 109 calls for a study by the Administrative Rules Committee to study the processes followed by state government in securing federal funding for various projects. LR 110 by the Administrative Rules calls for a study of the administrative practices of agencies, boards and commissions. LR 111 by the Administrative Rules Committee calls for a study to investigate two statutory procedures under which to litigate a claim against the State of Nebraska.

SPEAKER MARVEL: We have seven amendments to this bill. The Clerk will read the first amendment.

CLERK: Mr. President, the first amendment is offered by Senators Beutler and Hoagland. Would you like me to read it, Senator?

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I will try to be brief. This amendment does not have broad implications but I think it is although small an important amendment and I think it can be best explained by giving an example. Remember now that our Natural Resource Districts are divided into twenty-four districts and that geographically they are divided based on surface water divisions. Now when one NRD establishes a control area, it may very well be that the boundaries of that control area will be adjacent to and contingent to the boundaries of some other NRDs and it is also very likely that the aquifer underlying that control area will also underlie those adjoining NRDs and the result that you can have is that one NRD can establish a control area and control the taking out of water in its particular part of the aquifer but right across the jurisdictional boundary in the same aquifer there may be no control area and the result is that you are punishing and giving a disincentive for the establishment of a control area because they will say, "Well,