

CLERK: I have nothing further on the bill, Mr. President.

SENATOR NICHOL: Senator Lamb, are you going to handle the bill please?

SENATOR LAMB: Mr. President, members of the Legislature, this is a rather important water bill. It has not had much publicity and so I would suggest you may want to look at the bill closely and listen to the debate. This is a bill I introduced last session to deal with a problem that many people say occurs in the administration of the Ground Water Management Act and that came to light in at least one instance that I know of in Wheeler County where some of the people were unhappy because although the local natural resources district petitioned for a control area, then the Director of Water Resources did not grant a control area in that area. And so they are saying that the Director, therefore, had too much power. So what this bill does is to establish a procedure by which the people in the area can, through the petition and voting process, establish a control area after the Director of Water Resources has declined to do so. In other words the procedure starts out just as it does now in declaring a control area in that the local natural resources district decides there should be one and they have the required hearings and so forth and then that proposal is sent to the Director of Water Resources. Under the current situation, if the Director of Water Resources says no, there is no reason for a control area, then that is the end of the matter and there is no recourse. This bill provides a procedure through which the people can then petition and vote to establish a control area. I will respond to any questions that there may be on the bill.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Schmit, your light is on.

SENATOR SCHMIT: Mr. President and members of the Legislature, you might have noticed I voted against the committee amendment. I think it is kind of interesting that we adopted a set of committee amendments which exclude from the control area the residents of a subdivision, of an incorporated area. I really don't know how we are going to rationalize that when it comes right down to the problem of whether or not we are trying to address the issue of whether or not we need a control area. Senator Lamb says that if the Director of Water Resources rules against you, even though the local people want something, then there is no alternative.