

separate classes of individuals here, and two separate types of farming, two separate types of irrigators. There is no comparison between the two. As a result the charge should not be in any way, shape or form comparable. I would oppose Senator Beutler's amendment.

SPEAKER NICHOL: Senator Hoagland, is your light on? Why is your light on? Okay. Senator Beutler, let's see, no other lights on. Senator Beutler, would you like to close, Senator Beutler, please.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, once again I just want to be sure that the issue is clear in your mind. We are talking about two different ways of assessing, and one of those is an annual fee, and one of those is a one-time fee. If you want to allow a one-time fee situation that cannot be larger than 50 cents a year even though the surface water...that cannot be larger than 50 cents in perpetuity, forever, even though the fee to the surface user might be \$17.50 per acre per year, you can do that. You can leave that option open. That is the option of subsection 2 on page 12. If you want to leave that option open you would vote against my amendment. But if you want to reduce the options and make it the same for everybody and require an annual fee and a determination of benefit and an annual fee, then you should vote for the amendment, and that is what would remain in the bill, that method. I'm not going to argue it further. The choice is as simple as that I think. It is largely philosophic. I would ask for the return of the bill to Select File.

SPEAKER NICHOL: The question is the motion to return for a specific amendment. All those in favor vote aye, opposed nay. Have you all voted that care to? We are voting on returning the bill. Record, Mr. Clerk, please.

CLERK: 10 ayes, 22 nays, Mr. President, on the motion to return.

SPEAKER NICHOL: The motion fails. You want to read the bill.

ASSISTANT CLERK: (Final Reading of LB 488.)

SPEAKER NICHOL: All provisions of law relative to procedure having been complied with, the question is, shall LB 488