

*Telephone conference report held on
Tuesday, May 21*

By Russ Pankonin

The Imperial Republican

Senator Mark Christensen of Imperial has requested four interim studies to be completed before next year's Legislative session. Of the four, three deal with water-related issues.

Christensen introduced the interim studies on Monday, May 20, the final day that senators could request an interim study.

Legislative Resolution 254 asks the Natural Resources Committee to look at the concept of commingled acres, which includes land with both surface water rights and groundwater wells.

During times of plentiful surface water, only surface water would be used on those acres.

When surface water is scarce, these lands would only use groundwater, with surface water being held back for compliance purposes.

LR 255 would examine the concept of converting surface water-only irrigated acres to groundwater acres to help compliance with compacts, agreements, and decrees.

This would allow surface water-only landowners to drill a groundwater well, with their surface water rights then surrendered for compact compliance.

It would also look at how to replace funds on those converted acres for contract payments for the management of reservoirs and irrigation district costs.

LR 345 would study whether the state's Ground Water Management and Protection Act (LB 962) should be amended relating to designating or determining the appropriation status of river basins. Christensen said there will likely be an attempt to amend LB 962 in next year's session.

As a result, he felt it would be more beneficial if this discussion be held by the Natural Resources Committee before a bill ever hits the floor.

The hinted change would address how over-appropriated river basins are determined. In addition, the Republican Basin would no longer be exempt from review.

An interim study would also avoid having the LB 962 review amended to the water sustainability task force, LB 571, proposed by Sen. Tom Carlson of Holdrege.

Christensen's final study would ask the Health and Human Services Committee to reexamine the consolidation of the Dept. of Health and Human Services that occurred in 1996 with the enactment of LB1044.

Christensen said the merger of various state departments all into HHS has created a behemoth that's unmanageable and unaccountable.

The respective committee chairs will make the final decision on whether Christensen's requests will be granted.

LB 517

Christensen expects LB 517 to get its final reading before the end of the session. Tuesday marked the 81st day of the 90-day session.

He said he has mixed emotions on whether to create another water task force or whether the bill should be amended to have the Natural Resources Committee conduct the study.

It would be less expensive to have the committee do the study versus creating a task force that would be appointed to address the sustainability issue.

Carlson has stated his task force will not be looking at water issues from an economic

sustainability angle. Rather, it will focus solely on sustainability throughout the state.

Christensen said it's possible such an approach could lead to legislation calling for lower capped allocations in the Upper Republican Natural Resources District.

The sooner water sustainability is reached, the higher the permanent allocations will be throughout the basin, he predicted.

Two Pipelines for Basin

Christensen said Tuesday he'd like to see the NRDs developing the Lincoln County augmentation project to add a second pipeline to feed the Republican Basin. He wants to see a pipeline added that would dump water into Red Willow Reservoir. Plans now call for just one pipeline dumping into Medicine Creek Lake north of Cambridge.

Christensen said by adding water to Red Willow, surface water irrigation districts could likely be made whole. Water into Swanson Reservoir from the URNRD's Rock Creek augmentation project, along with anticipated water from Colorado, could help make irrigation districts below Swanson whole.

He said this could create a better working relationship between surface water and groundwater users.

Presently, surface water users and two irrigation districts in the basin are suing the state and the NRDs over the development of the Lincoln County project.

Sales tax break for wind

Tuesday's agenda included discussion on a sales tax break for wind energy projects.

Christensen said he's been told several proposed projects will go to other states without the tax break. He said it won't hurt the state tax-wise because they are not getting the sales tax income now. Plus, it could help create some new full-time jobs after construction is complete.

However, constituents have raised concerns that once the economic boom generated during construction ends, the project leaves behind just 7-10 jobs that are highly subsidized in their creation. Christensen said he can relate to that thinking as well.

In another tax issue Monday, Sen. Ernie Chambers efforts to repeal a 1/2 cent sales tax fell two votes short of advancing.

Chambers does not like the added sales tax that now allows communities to go to 2 percent, with a vote of the people. The Legislature approved that change last year.