

## **Christensen gets pushback on several water-related bills**

Written by Wauneta Breeze  
Thursday, 06 February 2014 18:30 -

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### **Letter Back Home**

#### **By Senator Mark Christensen**

Well, the month of January is gone, along with 17 days of the 2014 Legislative Session.

We had a busy week of hearings—six of my bills were heard in their committees. Two of these bills, LB686 and LB710, I would like to make the focus of this letter.

LB686, which would change the deadline to opt out of the occupation tax on the activity of irrigation from March 1 to June 1, was opposed by the Nebraska Association of Resources Districts (NARD).

The concern given by NARD focused on the fear of double-cropping. As explained at the hearing, the NARD representative gave an example of a scenario where someone could irrigate a crop of oats in the spring prior to the proposed June 1 deadline, then opt out of the occupation tax for the second crop and not pay the occupation tax.

I believe that is a misreading of the current law. The occupation tax is levied upon the activity of irrigation on agricultural lands on an annual basis.

Any irrigation on irrigated acres is engaging in the activity of irrigation. Activity of irrigation is not based on what crop or when that crop was irrigated during the calendar year.

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Obviously, if you irrigate agricultural lands you cannot opt out. The enforcement of the law would not change due to the change of the deadline to June 1.

NARD also opposed LB710. This bill would require that Natural Resources Districts that want to enter into a ground water augmentation project would need to have a public hearing prior to entering into such a project.

LB710 also requires a two-thirds vote of the district board to proceed.

According to the testimony at the hearing, NARD believes it unnecessary to require a public hearing and a two-thirds vote of the board.

They believed that plenty of public discussion regarding augmentation projects had happened without this requirement, therefore it wasn't needed.

They also believe that this bill would potentially be an obstacle to moving quickly on acquiring land for such projects and could potentially effect the ability to meet compliance.

I can understand their concern that slowing the process down with a public hearing could mean losing an opportunity to acquire land for such a project when it becomes available.

However, I also believe good public policy demands that reasonable checks and balances are in place when obligating taxpayers with millions of dollars of liability for years into the future.

In other government bodies, checks and balances are seen in current state policy requiring school boards to have a vote of the people before issuing bonds for school district projects. I don't believe requiring NRD's to have a public hearing and a two-thirds vote is unreasonable in that context.

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### **Unicameral Youth Legislature**

I would like to announce an opportunity for high school students in the district.

Each year in June, there is a Youth Legislature. The 2014 Unicameral Youth Legislature will be held for four days, from June 8-11. It is a great opportunity to have hands on experience as a “State Senator” in our unique unicameral system of government.

Learning about the legislative process directly from senators, staff and lobbyists creates an experience that no text book can duplicate.

Early-bird registration is open now until April 1, and the final deadline is May 15. Registration and scholarship applications can be obtained at [NebraskaLegislature.gov/uyl](http://NebraskaLegislature.gov/uyl) or [bigredcamps.unl.edu](http://bigredcamps.unl.edu).

If you have any questions or comments, contact my office.

### **Weekly call**

Christensen said LB96, which removes sales tax on ag parts and repair, continues to have strong support.

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It passed first round debate last week and will come on Select File sometime this week.

Ironically, he said some senators who have fought the effort in prior sessions now support it.

Christensen prioritized his bill LB390.

The bill would remove power from the governor to suspend or limit the sale, dispensing or transportation of firearms during a declared emergency.

On Monday, a hearing was held on raising the state's minimum wage from \$7.20 per hour to \$9/hour.

Base wages for waiters and waitresses would go up over time to a level of \$6.30/hour.

He believes this part of the bill would adversely affect restaurants and cafes in small towns.

Other hearings held or upcoming include spending up to \$3.5 million for a new state plane and allowing the production and marketing of industrial hemp.

LB1074 is a bill seeking to have the state re-examine fully-appropriated and over-appropriated river basins, using a scientific approach.

Christensen said this could be key, especially in the Republican Basin, because it takes consumption limits back to 1997 levels.

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