

going to really cause a lot of problems for our communities if we can't address it. Senator Landis, to his credit, brought us 311 I think as one mechanism that might be a way of addressing this problem. However, I am not sure that the mechanism he has brought us here is ready to be passed. I still think it has got some constitutional problems, and I bring this to your attention because I think it is serious enough for all of us here in the state to take the actions that are recommended in this handout to make sure that, in fact, the federal government realizes how important this area is. For more background, I would also refer you to an article that I passed out that is titled "Effluent, not Affluent", which is from the National Journal of March 25th of this year, and I would specifically reference you to page 742 of that article which talks about specifically the problems, the whole article, essentially, deals with the problems that communities are going to have with financing wastewater treatment activities, what the federal history has been on this whole issue, and, specifically, what some of the problems are depending on even what size of community you are. I am not going to go into that right now. I am going to withdraw this amendment and move on with this bill, but I want to call that to your attention, so that if you haven't had a chance to look at that as it came forward on your desk, I would do so. As I mentioned, I did also request an Attorney General's Opinion on this bill because it seemed to me that the bill proposes a significant departure from other funding mechanisms that we have allowed in the past. We created, you recall, the Nebraska Mortgage Finance Fund, and the Ag Development Fund, and the Nebraska Development Finance Fund, and provided that these funds would keep monies separate and distinct from any other state monies, and 311, I thought, had authorized NIFA to make deposits into a fund in the State Treasury and further authorize the state to obligate assets to secure these deposits, and I had a problem in that I thought there would be money from other sources in the fund, and both federal grant allocations and state appropriations could become so mushed together, if you will, that we might very well end up with an unconstitutional mechanism. That is where the constitutional question still arises. As I said, Senator Landis's staff has really tried to address this. I don't think we are there yet, in my opinion, but that will come down to, basically, I guess how far you want to address that. It is a very complex area. In fact, it is a real sewer of problems, but at any rate...sorry, Senator Landis...that is why that amendment was offered. The second amendment which I also intend to...