

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 14, 2000 LB 1348

nitrate levels. So when the fertilizer tax came into existence we said, this is not going to go into the General Fund, this is not going to go into any urban endeavors, this is going to the NRDs, and the NRDs are going to use this money to protect ground water quality. We have 23 NRDs in this state, and now they have set out to do this very task, using this very money, and they have done well, they have done well. I should say most of them have done well, as in any situation where heavy reliance is upon local control. There will be a few, for a period of time, who do not do very well in anybody's opinion. But generally speaking, they have done well. But they have started out on a regulatory program, generally speaking, that is phased. It has phase one, phase two, phase three, depending upon the seriousness of the problem. And they try to do it in such a way as to get a handle on the problem without being heavy-handed and mandating at the local level. And so almost all of the phase one programs, and most, except for one or two districts, are in phase one right now, involves the setting up of a ground water management area. Sometimes that's a particular part of their districts, sometimes it's the whole entire district. And they have educational programs, and they try to bring the farmers in and encourage them to think about when they apply fertilizers, how they apply fertilizers, through what kind of systems they apply fertilizers, how much fertilizer they're applying and, through this educational process, offending no one, get a handle on the nitrates and bring their levels under control. But this form of program is very expensive, as you might guess. It involves voluntary behavior. And voluntary behavior involves a great deal of money into education and into programs. If you just mandate something, you can get a measure of compliance fairly cheaply. But the system, the way that we have used, which I think is better, involves a slower process and a more expensive process. And this more expensive process we pay through, in part, General Funds, and we pay until...at least we would pay until December of this year with the fertilizer tax money. So what I'm asking with this amendment is simply that that fertilizer tax, which has been in place and is in place until December of this year, be continued indefinitely, because we do not yet have a handle on the nitrate problem. And if you take away these funds and say to the NRDs, you have to levy property taxes to take care of this problem, one of two things are going to happen. First of all, if they respond, the