

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

February 10, 2003 LB 282

difficulties that we're having in controlling the sale of water from the Ogallala Aquifer to someone who's going to transport it into Colorado was the definition of water, how we defined water, so that we didn't restrict bottled water sales that we have in the state and some other things. Is there a definition in here of water, and are we...is this going to...could there be the potential for any complication with the other legislation that we are developing to try to define water and how we can tax it?

SENATOR LANDIS: There isn't a definition of water in the streamline project, nor are we asking to be bound by one by our choosing to be ratified here.

SENATOR BROWN: Okay.

SENATOR LANDIS: It always...it strikes me that this is...the controversy that you're relating to has to do with the transportation of water and losing water. And it's just the use of the tax system to try to stop the transportation of water. So that our power as a sovereign to deal in the water area I don't think comes from the tax base. I think it's just a way that we've done it in the past. But there isn't a definition of water in here. And we may...if we want to use our tax code to achieve some other policy end with respect to water, we're free to do that now. There may come a day when, if in fact there's a definition of water that we put into our statutes, that we'll have to think twice about its implication with respect to the transportation and sale of water across state lines.

SENATOR BROWN: Thank you.

SENATOR CUDABACK: Thank you, Senator Brown. Senator Janssen, on the advancement of LB 282.

SENATOR JANSSEN: Thank you, Senator Cudaback, members of the Legislature. Actually, you know, sitting and listening to the arguments here this morning, I think we're trying to make a mountain out of a molehill here. The way I look at this and the way I understand it...Senator Landis, if I'm wrong, would you please tell me. Say you have a compact of 30 states that agree to enter into...they enter into this agreement. When you have a