

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

April 5, 2006

LB 1226

that what we've done so far in terms of actually providing additional water to Kansas in the short term, is essentially the Bostwick deal. The amount of water being sent down pursuant to that deal is between 10,000 and 15,000 acre-feet of water. We don't know exactly until some final calculations are made. But you can see that we now know that the scale of the problem is up to 104,000 acre-feet of water, and we've only taken direct short-term mitigating action for 10,000 to 15,000 acre-feet of water. So if you price water as water was priced in the Bostwick irrigation deal, the shortage of water that we still have, for which we will either have to buy additional water to send to Kansas or pay Kansas directly, is going to take us up, not in the millions--single-digit millions--but up into the double-digit millions. So we need to adjust our water use now, and we can do that through mechanisms that will cost us money. But the more rapidly we do it, the better, because that will lessen the cost in the long term. And remember that to the extent that we don't lessen that deficit to Kansas, we simply end up paying the money anyway in General Funds, either in direct damages to Kansas, or for buying more water to release down the river. So I wanted to put before you again this conservation easement idea, which is just a refundable income tax credit. It means you get it, whether you owe an income tax or not. And the easement would simply preclude the use of water, so that land is, when needed, not allowed to use water, so that we can bring ourselves into compliance with the Kansas agreement. Now, some of you are concerned about the cost. There is a cost. It's...the cost is not known. This bill has been scaled down, way scaled down, from the original bill. And it will take people a while to get into conservation easements, to understand what they are and use them. So I don't really think the short-term cost of it is...will be burdensome in any sense. Some people have been...and even if...and whatever the cost is, we need to take this land out of water use, one way or the other, because if you leave it in water use, you pay Kansas. So there's really no cost argument here. We must do this, one way or the other. Some people are put off by the notion that the conservation easement, under this language, will be perpetual. But I think we have to understand that there are two types of things that we need to do. And nobody denies this. Nobody on the LB 962 committee, nobody in the state denies this.