

March 12, 1979

LB 26

Senator Koch. Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I certainly concur with the statements made by Senator Schmit, who is sponsoring these amendments in the absence, with myself in the absence of Senator Warner and Senator Kremer. I would like to let the membership of this body know that Senator Warner and Senator Kremer, who are in South Dakota with respect to the Mandan Line, do concur with these amendments. I think Senator Schmit said it very well that these amendments allow for the small Natural Resource Districts with very small critical areas to have the funds that are needed. I think with the vote of the people that it protects Natural...the people in municipalities and other taxpayers generally from having excessive taxes levied upon them, and I think the vote of the people, it's a compromise that I think we can all live with, where the funds are absolutely needed they can be obtained with the approval of the people, and where they are not needed those Natural Resource Districts will not have the authority to levy this tax if the people, in fact, do not approve that. So I do concur with these amendments. Briefly, what these amendments do, the first part of the amendments allow the Natural Resource...require that a Natural Resource District, which wants to spend in excess of the currently authorized one-quarter mill levy for a control area could levy up to three-quarters of a mill subject to approval of the people, and there would have to be an election called. The amendments then set out the procedures for this election. First of all, there would have to be...the election could be held on the general ballot, the primary ballot, or a special election subject to a resolution by the NRD Board. The proposition would have to state when the first year tax levy...first year that the tax levy would be applicable, and the amount of the increase. Also, it would require that there be a majority vote of the registered voters who live in the control area. So, this new tax, which will apply to the control area will have to have the specific approval of those residents who live in the control area and not the residents outside of that control area who would not be paying the increased tax. Another section of the amendment states that the resolution must show the proposed purpose for which these funds are to be spent, and the amount of the funds which are being requested. Then there are three sections of the amendments which deal with the type of notice and the form of the ballot. A section which allows for a joint election between two NRD boards, if the control area crosses that political subdivision's line, says that both NRD boards must concur, and that other statutes relative to the elections apply. In addition, this also applies...the Legislative Bill 1, the one percent, or the seven percent spending