



# NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS

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**February 2, 2007**

**TO: NARD Board, NRD Managers and Conservation Partners**  
**FROM: Dean E. Edson, NARD Executive Director**  
**RE: February 2 NARD UPDATE**

**Schrader joins NARD** -- Kody Schrader will join the Nebraska Association of Resources Districts on February 5th as the Information and Education Director. Schrader is a recent graduate of Doane College, majoring in Political Science. Kody worked his way through college, recently employed by the Nebraska Restaurant Association and the Embassy Suites in Lincoln. Schrader graduated from Alma High School and played basketball for Doane College.

## Floor Action

**Drinking water grant program** - Introduced by the Natural Resources Committee, **LB 80** would expand a drinking water grant program to include communities of 10,000. The program currently provides up to \$2 million annually for drinking water projects and evaluation. The bill gained first round approval and is now on Select File.

**Livestock waste bill advances** - Introduced by the Natural Resources Committee, **LB 313** clarifies that livestock operations would be required to obtain a National Pollutant Discharge Elimination System permit and large livestock operations as defined in federal requirements are subject to the requirements of the Engineers and Architects Regulation Act. Small and medium size operations not required to obtain a National Pollutant Discharge Elimination System permit, would be exempt from the Engineers and Architects Regulation Act. The bill is now awaits Select File debate.

**Environmental Trust Board changes advance** – Senators advanced **LB 291** to Select File this week, which changes the district representation on the Nebraska Environmental Trust. Currently, the board consists of nine citizen members representing the three congressional districts and five members of the executive branch. Executive branch members include the department directors of Environmental Quality, Natural Resources, Agriculture and the secretary of the Game and Parks Commission. The bill, sponsored by Senator Tom Hansen of North Platte, **LB 291** would allow the governor to appoint eight citizens, one from each of the eight newly-created districts. The new districts would be by county and are similar to the districts of the Nebraska Game and Parks Commission. A pending amendment has been filed to provide a ninth at-large seat and also make the executive branch representatives to the board ex-officio, non-voting members.

## Committee Action

**LB 295** – Ron Bishop, Manager of the Central Platte NRD, testified on behalf of NARD in support of amendments to **LB 295** this week which makes changes to the Department of Natural Resources technical changes bill. A group of NRD Managers and Water Specialist met with the department last week to clarify the bill. One significant change offered to the bill would clarify that a landowner would have 180 days either prior to or after constructing a replacement well to properly abandon the old well. A process is still provided in law to convert replaced wells for other uses such as domestic or monitoring wells. The Natural Resource Committee advanced the bill to General File with the amendments to clarify that irrigation wells could be used for di minimis purposes such as watering livestock.

**LB 314** – Ron Bishop, Manager of the Central Platte NRD, testified on behalf of NARD in support of **LB 314**, allowing water pumped from dug pits that allows groundwater to seep in (such as a sandpit), to be regulated as wells. The bill does not impose well construction standards, nor does it apply to water reuse pits. The Natural Resource Committee took no action on the bill.

**LB 568** – NARD provided testimony in support of **LB 568**, a Natural Resources Committee bill to extend the grant program for recycling tires under the Waste Reduction and Recycling Incentive Fund from June 30, 2007 to June 30, 2012. The Natural Resource Committee advanced the bill to General File after the hearing.

**Hearings Next Week – All Hearings begin at 1:30 pm.**

**LB 78 – Recoverable Amounts, Nantkes.** This bill would increase amounts recoverable against any employee for claims filed pursuant to section 13-920 or under the Political Subdivision Tort Claims Act from \$1 million per occurrence and \$5 million aggregate to \$3 million per occurrence and \$12 million aggregate. **Hearing 2/7, Judiciary Committee, Room 1113.**

**LB 197 – Change the Political Subdivisions Tort Claims Act, Schimek.** The bill provides that, if a political subdivision is transacting business under a name other than the true name of the political subdivision and has not registered a trade name as required, the time period for beginning suit under the Act shall commence upon the registration of the trade name. **Hearing 2/7, Judiciary Committee, Room 1113.**

**LB 301 – Extend NETF Distribution, Janssen.** This bill would extend current distribution of NETF Lottery funds from Jan 1, 2008 until Jan 1, 2013. **Hearing 2/5 General Affairs Committee, Room 1510.**

**LB 448 – Change limitation of action provisions under the Political Subdivisions Tort Claims Act, Ashford.** The bill extends the time frame for claims to be filed against a political subdivision or an employee of a political subdivision permitted under the Political Subdivisions Tort Claims Act from 1 year to 2 years. **Hearing 2/7, Judiciary Committee, Room 1113.**

**LB 488 – Income Tax Credit for Perpetual Conservation Easement Donations, Wallman.** The bill provides an income tax credit for donated conservation easements on areas designated quick response water shortage areas in over appropriated basins and areas subject to interstate compacts, agreements, and decrees and on areas designated as biologically unique landscapes in the Nebraska Natural Legacy plan. **Hearing 2/8, Revenue Committee, Room 1524.**

**LB 530 – Change the allocation formula for the Storm Water Management Plan Program, Nantkes.** The bill adds a requirement that, for distributing grant funds to a county, the proportion shall be based on the county population, less the population of city applicants within that county. **Hearing 2/8, Natural Resources Committee, Room 1525.**

**LB 534 – Funding Storm Water Programs and Sewage, Schimek.** The bill allows cities, villages and counties in urbanized areas to issue revenue bonds to pay for development of storm water programs, including any storm sewer systems. **Hearing 2/8, Natural Resources Committee, Room 1525.**

**LB 652 – Mandatory Energy Audits, White.** The bill would require every agency, department, commission and every political subdivision of the State of Nebraska to conduct an audit of its energy usage. Such audit shall examine the following: (1) Methods of reducing energy usage by such agency, subdivision; (2) The costs of implementing such energy efficiency measures; (3) The projected benefits, including long-term cost reductions, from such energy efficiencies; and (4) Whether there are alternative energy resources that may be used in combination with energy efficiencies to provide further benefits.

A report of each audit conducted this act shall be provided to the Clerk of the Legislature on or before December 31, 2007. Entities required to conduct such an audit are authorized to seek technical assistance from public utilities, the Nebraska Energy Office, the University of Nebraska, and other available resources. **Hearing 2/7, Natural Resources Committee, Room 1525.**