

January 7, 2022

TO: NARD Board, NRD Managers and Conservation Partners  
FROM: Dean E. Edson, NARD Executive Director  
RE: January 7 NARD Update

**Nebraska Legislature begins 60-day Session** – The Nebraska Legislature began its 60-day session January 5, 2022 and is tentatively scheduled to end April 20, 2022. Elections for leadership and committee chairs were held last session and those offices will be retained in 2022. **Committee assignments and Senator Office assignments are on the last two pages of this report.**

Here are some key dates for the session:

- Senators can introduce new bills through Day 10, which is January 20<sup>th</sup>.
- Governor Pete Ricketts will give his State of the State address January 13<sup>th</sup>.
- Committee hearings begin January 18<sup>th</sup> and end March 3<sup>rd</sup>.
- The deadline to submit a letter to the Speaker requesting designation of a bill as a 2022 speaker priority bill is February 19<sup>th</sup>, prior to adjournment.
- The deadline for designation of committee and senator priority bills is February 22<sup>nd</sup>, prior to adjournment.
- Full-day floor debate starts March 8<sup>th</sup>.
- The 60-day session is tentatively scheduled to end April 20<sup>th</sup>.

**Legislative Calendar** – The following are dates when the Legislature will not be in session. These are the dates your senator(s) should be back in the district if you wish to schedule meetings with them.

**Legislative Recess Days**

January 14  
February 4, 7, 18  
March 4, 7, 18, 21  
April 1, 4, 14, 15, 18, 19

**Legislative Holidays**

January 17 – Martin Luther King Jr. Day  
February 21 - Presidents' Day

The legislative calendar can be found at: <https://www.nebraskalegislature.gov/pdf/session/calendar.pdf>.

**Hearings and Procedure** – The following are the procedures announced by the Speaker this week.

***Hearings and Executive Sessions***

- The hearing room procedures, such as mask requirements and social distancing, will be enacted based on the discretion of the committee chair after consultation with the members of his or her committee.

- There will be no public usage of hearing rooms until the conclusion of the hearing room phase of session.

### ***Submission of Testimony***

- The practice of submitted written testimony for public hearings on a bill or resolution will be discontinued. Only in-person testimony will be accepted and appear on the committee statement.
- The submission of public comments to the online bill database will continue.
- The procedure for submitting position letters for inclusion as a permanent record of the public hearing record has changed. The submission of public comments to the online bill database will allow for the person submitting comments to request the comments to be part of the permanent hearing record if submitted prior to 12 p.m. CST the workday prior to the hearing. This is a new feature of the online bill database. The online bill database will be the only way to submit comments for inclusion as a public hearing exhibit. Letters and comments submitted via email or hand-delivered will no longer be included as part of the hearing record

A copy of the rules can be found at: [Speaker's Office News and Information](#).

Session information can be found on the Nebraska Unicameral's website which is: [Nebraska Legislature - Home](#).

**New Bills** -- Introduction of legislative bills occurs in the first ten working days of the session. This is the second session of the 107th Legislature, so there are carry over bills from last year. The following are bills of interest for the NRDs, introduced in the first three days of the session. For more information on introduced legislation, visit the Nebraska Unicameral website at: [Nebraska Legislature - Home](#).

### ***LB 703 – A bill to appropriate federal funds to the University of Nebraska for an agricultural innovation facility. Williams.***

The bill proposes to appropriate \$25 Million from Federal Funds in FY2022-23 to the University of Nebraska for the establishment of an agricultural innovation facility at the Nebraska Innovation Campus. The Federal Funds are from Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021.

The bill requires the University of Nebraska to provide \$25 Million in matching funds from private or other sources for the purpose of establishing the agricultural innovation facility.

The bill includes an emergency clause.

### ***LB 742 – A bill to provide for minutes to be kept in an electronic record under the Open Meetings Act. Erdman.***

The bill allows all public bodies to keep minutes in written or electronic record. Current law only allows electronic record of meeting minutes of a school district board or educational service unit.

### ***LB 743 - Change provisions relating to when closed sessions may be held under the Open Meetings Act. Erdman.***

The bill proposes to add subcommittees of public bodies to hold closed sessions. The bill also eliminated the term “but shall not be limited to” for reasons to hold a closed session. That makes closed sessions limited to the following:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms-length.

***LB 746 - Eliminate the requirement that the Director of Natural Resources be a professional engineer. Friesen.***

The bill eliminates the professional engineer requirement for the position of the Director of Natural Resources. The bill retains language requiring five years' experience in irrigation work.

***LB 761 - Adopt the Precision Agriculture Infrastructure Grant Act and state intent regarding appropriation of federal funds. Dorn.***

The bill proposes a \$10 million appropriation from the federal Coronavirus State Fiscal Recovery Fund for FY 2022-23 to the Nebraska Department of Agriculture to form the newly created Precision Agriculture Infrastructure Grant Program.

The purposes of the program are to:

- (a) Propel Nebraska agricultural producers to lead the nation in precision agriculture connectivity, sustainability, traceability, and autonomy to accelerate rural economic development; and
- (b) Provide high-speed Internet service to the most remote and cost prohibitive areas of the state to carry out the program.

A provider, an agricultural cooperative, an agronomist, or an agricultural producer may apply to the department for a grant under the program on forms prescribed by the department.

Half of the grants may only be used to provide:

- (a) Symmetrical broadband service to on-farm structures and devices, including, but not limited to, tractors, combines, irrigation systems, livestock facilities, and farm offices. The broadband service shall be at an adequate broadband speed. Grant recipients would have to complete the project within twelve months after the date on which the grant is awarded.

The other half of the grants are for:

- (b) On-farm traceability solutions that satisfy food supply stakeholder demand, including blockchain;
- (c) Products that improve soil health, water management tools and sensors that facilitate judicious use of water resources, and products that promote the use of water efficiency seed technologies that lower agriculture's water, carbon, and nitrate footprint; and
- (d) Products that use autonomous solutions in agricultural machinery, including, but not limited to, grain carts, spreaders, precision drone scouting, and scouting robots.

The department may adopt and promulgate rules and regulations to carry out the Precision Agriculture Infrastructure Grant Act.

***LB 775 - Prohibit land disposal of wind turbine blades and their component parts. Brewer.***

The bill would prohibit land disposal of wind turbine blades and the component parts of wind turbine blades.

***LB 778 - Adopt the Government Neutrality in Contracting Act. Brewer.***

The bill proposes that unless otherwise required by federal law, a governmental unit shall ensure that any requests for proposals or bid specifications for a public contract or the procurement procedures for a public contract do not contain:

- (1) A term that requires, prohibits, encourages, or discourages bidders, public contractors, or subcontractors from entering into or adhering to a collective-bargaining agreement relating to construction.
- (2) A term that discriminates against bidders, public contractors, or subcontractors based on status as a party or nonparty to, or the willingness or refusal to enter into, a collective-bargaining agreement relating to construction under the public contract; or
- (3) Contract award pass or fail scoring criteria regarding a bidder's hiring requirements, labor assignments, local headquarters, political affiliation, political activity, or demographic makeup.

***LB 787 - Redefine a term and change applicability provisions under the Nebraska Budget Act. Groene.***

The bill would require a joint entity created pursuant to the Interlocal Cooperation Act that receives tax funds generated under section 2-3226.05 from the parties to the interlocal agreement shall be subject to the Nebraska Budget Act regardless of whether or not such joint entity will have a property tax request or receive state aid.

***LB 805 - Change provisions relating to prioritization of applications and intent to appropriate funds under the Noxious Weed Control Act. Hughes.***

Beginning in FY 2022-23, the bill proposes to increase the appropriation from \$1 million to \$3 million annually for vegetation management programs that have as their primary objective improving conveyance of streamflow in natural streams.

Under current law, this program is limited to vegetation within the banks of a stream or within 100 feet of the banks. The bill strikes the 100-foot limitation and expands to the flood plain of the stream.

The bill maintains the limitation that such funds shall only be used to pay for activities and equipment as part of vegetation management programs. This program is operated by the Nebraska Department of Agriculture.

***LB 806 - Change provisions relating to drainage of land by landowner. Bostelman.***

When constructing an open ditch tile drain system to drain lands, the bill proposes that a landowner shall not drain land if any increase in water flow by such drainage would cause any other person to suffer injury or harm.

Current law allows for the drainage to harm others if such drain or ditch is wholly on the owner's land, he shall not be liable in damages therefore to any person or corporation. The bill eliminates this exception.

***LB 809 - Change powers and duties of the Department of Environment and Energy and provisions relating to the use of certain funds relating to water. Moser.***

The bill proposes several modifications to the use of the funds and the assets of the Safe Drinking Water Act, Drinking Water State Revolving Fund Act and Wastewater Treatment Facilities Construction Assistance Act.

Under the Safe Drinking Water Act, it adds the ability to use the fund to buy or refinance the debt obligation of any municipality for a public water supply system if the debt was incurred and construction began after July 1, 1993.

Under the Drinking Water State Revolving Fund Act, it expands the cost share for public water systems of 10,000 or less from 50% to 75% to provide grants and for the purpose of providing loan forgiveness. The bill also expands the authority to provide grants in addition to loans for this size of system.

It allows for grants and loan forgiveness, for up to 75% of eligible project costs, concurrent with loans to public water systems for lead service line replacement projects in accordance with all federal regulatory and statutory provisions under the Drinking Water State Revolving Fund Act.

Under the Wastewater Treatment Facilities Construction Assistance Act, the bill increases the grants from 50% to 75% of the eligible project cost for municipalities with populations of ten thousand inhabitants or less.

***LB 813 - State intent regarding funding for development and improvements along the national rail-trail route. Hilkemann.***

The bill states the intent of the Legislature that funds be transferred and appropriated to the Game and Parks Commission for trail development and improvement along the designated national rail-trail route through the State of Nebraska. No specific dollar amount or trail is listed in the bill.

***LB 840 - Change provisions relating to publication and rates for legal notices. Brewer.***

The bill updates per-line prices newspapers charge for public notices beginning in October 2022. The rates have been in effect since 1995.

Also beginning in October 2022, the bill would require that all legal publications and notices of whatever kind or character that may by law be required to be published a certain number of days or a certain number of weeks to also be posted by the newspaper on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers.

***LR 263CA – A constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed. Blood.***

A proposed constitutional amendment that would require that the Legislature shall not impose responsibility for a program created after the year 2022 or an increased level of service required under an existing program after the year 2022 on any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of such program or increase in level of service.

The reimbursement by the state shall be in the form of a specific appropriation or an increase in state distribution of revenue to such political subdivision.

***LR 264CA – A constitutional amendment to prohibit the imposition of taxes other than retail consumption taxes and excise taxes. Erdman. Co-sponsored by Albrecht, Brewer, Clements, Halloran, McDonnell and Murman.***

On and after January 1, 2024, notwithstanding any other provision of this Constitution to the contrary, no taxes other than retail consumption taxes and excise taxes shall be imposed upon the people of Nebraska.

Last year, Senator Erdman introduced LR 11 which had the same consumption tax limitation, but it did not include excise taxes.

**Senator Office and Committee List** – The State Capitol is in the next phase of the HVAC upgrade and has started to work in another quadrant of the building. Thus, some senators have moved to a new office. The phone numbers are the same. Here is the most recent list of offices and committee assignments.

**2022 NEBRASKA UNICAMERAL LEGISLATURE**  
*Capitol Mailing Address: Senator \_\_\_\_\_*  
**District # State Capitol**  
**PO Box 94604 Lincoln NE 68509-4604**  
**As of 1/07/22**

<b>Senator</b>	<b>District</b>	<b>Phone</b>	<b>Room</b>	<b>Home</b>
<b>Aguilar, Ray</b>	<b>35</b>	<b>(402) 471-2617</b>	<b>1118</b>	<b>Grand Island</b>
<b>Albrecht, Joni</b>	<b>17</b>	<b>(402) 471-2716</b>	<b>12<sup>th</sup> Floor</b>	<b>Thurston</b>
<b>Arch, John</b>	<b>14</b>	<b>(402) 471-2730</b>	<b>1117</b>	<b>La Vista</b>
<b>Blood, Carol</b>	<b>3</b>	<b>(402) 471-2627</b>	<b>10<sup>th</sup> Floor</b>	<b>Bellevue</b>
<b>Bostar, Eliot</b>	<b>29</b>	<b>(402) 471-2734</b>	<b>10<sup>th</sup> Floor</b>	<b>Lincoln</b>
<b>Bostelman, Bruce</b>	<b>23</b>	<b>(402) 471-2719</b>	<b>1210</b>	<b>Brainard</b>
<b>Brandt, Tom</b>	<b>32</b>	<b>(402) 471-2711</b>	<b>1528</b>	<b>Plymouth</b>
<b>Brewer, Tom</b>	<b>43</b>	<b>(402) 471-2628</b>	<b>1423</b>	<b>Gordon</b>
<b>Briese, Tom</b>	<b>41</b>	<b>(402) 471-2631</b>	<b>1306</b>	<b>Albion</b>
<b>Cavanaugh, John</b>	<b>9</b>	<b>(402) 471-2723</b>	<b>8<sup>th</sup> Floor</b>	<b>Omaha</b>
<b>Cavanaugh, Machaela</b>	<b>6</b>	<b>(402) 471-2714</b>	<b>11<sup>th</sup> Floor</b>	<b>Omaha</b>
<b>Clements, Robert</b>	<b>2</b>	<b>(402) 471-2613</b>	<b>1120</b>	<b>Elmwood</b>
<b>Day, Jen</b>	<b>49</b>	<b>(402) 471-2725</b>	<b>11<sup>th</sup> Floor</b>	<b>Omaha</b>
<b>DeBoer, Wendy</b>	<b>10</b>	<b>(402) 471-2718</b>	<b>12<sup>th</sup> Floor</b>	<b>Bennington</b>
<b>Dorn, Myron</b>	<b>30</b>	<b>(402) 471-2620</b>	<b>1208</b>	<b>Adams</b>
<b>Erdman, Steve</b>	<b>47</b>	<b>(402) 471-2616</b>	<b>1124</b>	<b>Bayard</b>
<b>Flood, Mike</b>	<b>19</b>	<b>(402) 471-2929</b>	<b>1206</b>	<b>Norfolk</b>
<b>Friesen, Curt</b>	<b>34</b>	<b>(402) 471-2630</b>	<b>1110</b>	<b>Henderson</b>
<b>Geist, Suzanne</b>	<b>25</b>	<b>(402) 471-2731</b>	<b>12<sup>th</sup> Floor</b>	<b>Lincoln</b>
<b>Gragert, Tim</b>	<b>40</b>	<b>(402) 471-2801</b>	<b>11<sup>th</sup> Floor</b>	<b>Creighton</b>
<b>Groene, Mike</b>	<b>42</b>	<b>(402) 471-2729</b>	<b>1302</b>	<b>North Platte</b>
<b>Halloran, Steve</b>	<b>33</b>	<b>(402) 471-2712</b>	<b>1115</b>	<b>Hastings</b>
<b>Hansen, Ben</b>	<b>16</b>	<b>(402) 471-2728</b>	<b>1308</b>	<b>Blair</b>
<b>Hansen, Matt</b>	<b>26</b>	<b>(402) 471-2610</b>	<b>12<sup>th</sup> Floor</b>	<b>Lincoln</b>
<b>Hilgers, Mike</b>	<b>21</b>	<b>(402) 471-2673</b>	<b>2103</b>	<b>Lincoln</b>

Hilkemann, Robert	4	(402) 471-2621	10 <sup>th</sup> Floor	Omaha
Hughes, Dan	44	(402) 471-2805	2108	Venango
Hunt, Megan	8	(402) 471-2722	1523	Omaha
Kolterman, Mark	24	(402) 471-2756	1101	Seward
Lathrop, Steve	12	(402) 471-2623	1103	Omaha
Lindstrom, Brett	18	(402) 471-2618	8 <sup>th</sup> Floor	Omaha
Linehan, Lou Ann	39	(402) 471-2885	1116	Elkhorn
Lowe, John S., Sr.	37	(402) 471-2726	12 <sup>th</sup> Floor	Kearney
McCollister, John S.	20	(402) 471-2622	12 <sup>th</sup> Floor	Omaha
McDonnell, Mike	5	(402) 471-2710	10 <sup>th</sup> Floor	Omaha
McKinney, Terrell	11	(402) 471-2612	11 <sup>th</sup> Floor	Omaha
Morfeld, Adam	46	(402) 471-2720	10 <sup>th</sup> Floor	Lincoln
Moser, Mike	22	(402) 471-2715	1529	Columbus
Murman, Dave	38	(402) 471-2732	1522	Glensvil
Pahls, Rich	31	(402) 471-2327	1403	Omaha
Pansing Brooks, Patty	28	(402) 471-2633	10 <sup>th</sup> Floor	Lincoln
Sanders, Rita	45	(402) 471-2615	11 <sup>th</sup> Floor	Bellevue
Slama, Julie	1	(402) 471-2733	11 <sup>th</sup> Floor	Peru
Stinner, John P.	48	(402) 471-2802	1305	Gering
Vargas, Tony	7	(402) 471-2721	8 <sup>th</sup> Floor	Omaha
Walz, Lynne	15	(402) 471-2625	1107	Fremont
Wayne, Justin T.	13	(402) 471-2727	1212	Omaha
Williams, Matt	36	(402) 471-2642	1401	Gothenburg
Wishart, Anna	27	(402) 471-2632	8 <sup>th</sup> Floor	Lincoln

## 2022 LEGISLATIVE COMMITTEES

Final Report Updated 2/16/21

**Agriculture (8). Meets on Tuesday:** Halloran (C), Brandt, Brewer, Cavanaugh, J., Gragert, Groene, Hansen, B., Lathrop.

**Appropriations (9). Meets on Monday, Tuesday, Wednesday, Thursday & Friday:** Stinner (C), Clements, Dorn, Erdman, Hilkemann, Kolterman, McDonnell, Vargas, Wishart.

**Banking, Commerce and Insurance (8). Meets on Monday & Tuesday:** Williams (C), Aguilar, Bostar, Flood, Lindstrom, McCollister, Pahls, Slama.

**Business and Labor (7). Meets on Monday:** Hansen, B.(C), Blood, Gragert, Halloran, Hansen, M., Hunt, Lathrop.

**Education (8). Meets on Monday & Tuesday:** Walz (C), Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders.

**General Affairs (8). Meets on Monday:** Briese (C), Arch, Brandt, Brewer, Cavanaugh, J., Groene, Lowe, Wayne.

**Government, Military and Veterans Affairs (8). Meets on Wednesday, Thursday, & Friday:**

Brewer (C), Blood, Halloran, Hansen, M., Hunt, Lowe, McCollister, Sanders.

**Health and Human Services (7). Meets on Wednesday, Thursday, & Friday:** Arch (C), Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams.

**Judiciary (8). Meets on Wednesday, Thursday, & Friday:** Lathrop (C), Brandt, DeBoer, Geist, McKinney, Morfeld, Pansing Brooks, Slama.

**Natural Resources (8). Meets on Wednesday, Thursday, & Friday:** Bostelman (C), Aguilar, Cavanaugh, J., Gragert, Groene, Hughes, Moser, Wayne.

**Nebraska Retirement Systems (6). Meets at the call of Chair:** Kolterman (C), Clements, Lindstrom, McDonnell, Slama, Stinner.

**Revenue (8). Meets on Wednesday, Thursday, & Friday:** Linehan (C), Albrecht, Bostar, Briese, Flood, Friesen, Lindstrom, Pahls.

**Transportation and Telecommunications (8). Meets on Monday & Tuesday:** Friesen (C), Albrecht, Bostelman, Cavanaugh, M., DeBoer, Geist, Hughes, Moser.

**Urban Affairs (7). Meets on Tuesday:** Wayne (C), Arch, Blood, Briese, Hansen, M., Hunt, Lowe.

**Executive Board of the Legislative Council (9). Meets at the call of the Chair:** Hughes (C), Vargas, Geist, Hilgers, Lathrop, Lowe, Pansing Brooks, McCollister, Slama, Stinner (nonvoting ex officio).

**Rules (6). Meets at the call of the Chair:** Clements (C), Cavanaugh, J., DeBoer, Erdman, Hansen, M., Hilgers (ex officio).