



8100 South 15th
Suite B
Lincoln, NE 68512

nard@nrdnet.org
(402) 471-7670

January 26, 2024

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: January 26 NARD Update

NARD 2024 Legislative Conference - The 2024 NARD Legislative Conference was held at the Embassy Suites in Lincoln this week. Nearly 400 NRD board members, staff, and conservation partners from across Nebraska attended the conference to engage in conversations about natural resources issues.

The NARD Voting Delegates adopted an official NARD position on 34 bills impacting the natural resources districts. Final NARD positions can be found in the attached summary. Attendees met with elected officials during the Senators reception to engage in discussion about bills of interest to NRDs.

Governor Jim Pillen opened the conference and provided attendees with an overview of his legislative and budget priorities. He discussed his efforts to cut property taxes by 40% percent this year. Additionally, Governor Pillen specifically highlighted the importance of protecting and securing water resources in Nebraska, including voicing his support for the Perkins County Canal project and for expanding the utilization of agricultural technologies to grow more with less water.

Senator Bruce Bostelman, Chairman of the Natural Resources Committee, was the featured Tuesday luncheon speaker. Sen. Bostelman addressed the issues that are before the Natural Resources Committee.

Senator Robert Clements, Chairman of the Appropriations Committee, was the featured Wednesday luncheon speaker. Sen. Clements summarized the current budget status and highlighted the proposals that will be heard in his committee. He discussed there are bills before the committee requesting an additional \$125 million in new spending.

The conference included a half day of breakout sessions on Wednesday including:

- Update on Producer Connect: An Innovative Nitrogen Dashboard
- Nebraska Department of Environment and Energy Nitrate Study
- Nebraska Department of Natural Resources Statewide Water Initiatives
- The Role of Customized Software Applications in Groundwater Management
- Data Collection & Utilization for Surface and Groundwater Management
- The Growing Costs of Dam Maintenance and Insurance
- Navigating Nebraska's Waters: Update from the Water Resources Advisory Panel
- Nebraska Mesonet Update
- Optimizing Nitrate Level Monitoring with Web-based GIS
- Addressing Soil & Water Challenges Through Collective Partnerships
- Conservation Innovation
- The Regional Conservation Partnership Program (RCPP) – Conservation Plus+
- Opportunities of In-Lieu Fee Stream and Wetland Mitigation Programs

The conference is presented by Nebraska's Natural Resources Districts with a range of local and national sponsors including HDR, JEO Consulting Group, LRE Water, Olsson, Nebraska Department of Natural Resources, The Daugherty Water for Food Global Institute, The Nebraska Water Center, and EA Engineering, Science and Technology.

Floor Action

While senators were successful in advancing several bills this week, none of the measures were bills of interest to the NRDs. The agenda did include LB 218 (summary below), however the body adjourned prior to getting to the measure.

LB 218 - Change provisions relating to intent to appropriate money for management of vegetation within the banks or flood plain of a natural stream. Ibach.

The Natural Resources Committee reported the bill to General File on March 2, 2023, following an 8-0 committee vote. The bill proposes to increase the annual funding from \$3 million to \$6 million per year for management of vegetation within the banks or flood plain of a natural stream. Such funds shall only be used to pay for activities and equipment as part of vegetation management programs that have as their primary objective improving conveyance of streamflow in natural streams.

Current law also requires that priority shall be given to grant applicants whose proposed programs are consistent with vegetation management goals, priorities, plans and policies of the Riparian Vegetation Management Task Force.

The Agriculture Committee accepted testimony on the bill on February 7th, 2023.

Sen. Ibach opened by providing the Committee with an overview of past riparian vegetation management efforts by the legislature, including the change LB 805 (2022) made in expanding management efforts to include the floodplain. She outlined how funding for vegetation management was cut in lean years and now remains underfunded, especially given the expansion of efforts to include the floodplain.

Proponents

John Thorburn, General Manager Tri-Basin NRD, testified in support on behalf of NARD. John also serves as the NRD representative on the Nebraska Invasive Species Council and the Secretary for the Platte River Resilience Fund.

Thorburn provided background to the committee on the history of the program. Fifteen years ago, Tom Carlson, introduced LB 458 that created a structure for riparian weed management areas and provided state funds to help us fight invasive phragmites and other plants that, if left unchecked, would have clogged the channels of our state's rivers.

Nebraska's proactive stance toward controlling invasive riparian plants has paid many dividends over the years since LB 458 was enacted. The most tangible and economically valuable benefit of our work has been to increase the capacity of river channels to convey water. This was evident in several flooding events, most notably in 2019 when, in spite of extreme storms that caused sustained high flows, there was little substantial damage due to flooding along the main channels of the upper Platte and Republican Rivers.

This stood in stark contrast to floods in 2010 and 2011, when much lower flows caused the Platte to leave its banks in South-Central Nebraska for several days. It is clear to me after these events that riparian vegetation management not only benefits wildlife and natural ecosystems, it protects lives and property.

The funding provided under LB 218 will help NRDs and our weed management partners in the Platte and Republican River basins sustain our long-term efforts to protect and improve the health of our riparian ecosystems for the benefit of all Nebraskans.

Thorburn addressed committee questions about safety of chemicals, noting that chemicals are special use for aquatic habitat, and that the label is the law. He also addressed committee questions about landowner access, noting that publication and notification is always provided to landowners in advance.

Katy Torpy testified in support on behalf of the Nature Conservancy and Platte Valley Weed Council. Torpy outlined the habitat advantages of riparian vegetation management.

Jon Cannon testified in support on behalf of NACO. His testimony highlighted the partnerships that are in place between the counties and multiple local partners to leverage resources.

Todd Boller testified in support on behalf of Filmore County Weed Control. Boller highlighted the partnerships and support from local NRDs. He provided the committee with examples of success from prior efforts, noting that in past years state funding of \$5 million was leveraged to secure an additional \$25 million. Prior efforts have increased conveyance of the Republican River from 300 cfs a decade ago to 1100 cfs today.

Mike Reed testified in support on behalf of the Nebraska Weed Control Association. Reed echoed stories of success, but expressed to the committee that we need to maintain a state of management to stay ahead of the war on weeds.

Andrew Dunkley, Nebraska Farm Bureau, testified in support on behalf of the Ag Leaders Working Group. His testimony reiterated that provided by prior opponents.

John Hansen testified in support on behalf of Nebraska Farmers Union and too reiterated support provided by prior proponents.

Opponents

There were no opponents and no neutral testimony.

Committee Hearings

LB 868 - Extend the sunset date for reimbursement for remedial action under the Petroleum Release Remedial Action Cash Fund. Bostelman.

The bill extends the sunset date for reimbursement of costs under the Petroleum Release Remedial Action Act from reported by June 30, 2024 to June 30, 2028.

The Natural Resources Committee held the hearing on LB 868 on January 25th.

Sen. Bostelman opened the hearing by outlining how the funds are used and noted that the source of the funds come from petroleum users.

Proponents

Nebraska Petroleum Marketers and Convenience Store Association testified in support of the bill. Their testimony noted the fund serves as a better and cheaper alternative for everyone than trying to secure insurance. They addressed questions from the committee about prior efforts to raid the fund, noting that while they strongly oppose such efforts, in the past the fund has been raided. The testimony highlighted that there are 617 known leaking sites being addressed, 390 active investigation, 48 long term monitoring, 179 no

responsible party sites, and it is estimated in the future that an additional 50-60 sites per year will be added. To date, 7,523 sites have been closed since the funds were established in 1983.

Robert Hallstrom testified in support on behalf of the Nebraska Bankers Association. Hallstrom discussed that bankers were involved in the original establishment of the fund, and it continues to serve as insurance for petroleum distributors. Additionally, lenders are financing some of these facilities and occasionally find themselves as a responsible party, and 3rd parties, including lenders, can also tap into the fund to ensure sites can be cleaned up.

Position statements were submitted for the record by one proponent, no opponents and one neutral.

The Committee reported no action on the measure.

LB 880 - Change requirements relating to the Land Acquisition and Source Water Loan Fund. Hughes.

The bill eliminates provisions requiring the Director to consult with the Director of Public Health when developing an intended use plan or when conducting activities permitted under section 1425(k) of the Safe Drinking Water Act.

The Natural Resources Committee held the hearing on LB 880 on January 25th.

Matthew Howe, legislative aid for Sen. Hughes, opened on the bill by noting it's a simple technical amendment that addresses obsolete references following the transition of drinking water act duties from DHHS to NDEE in 2021.

Proponents

Jim Macy, Director of NDEE, testified in support of the bill. His testimony echoed that of Mr. Howe.

The Committee reported no action on the measure.

Committee Hearings Scheduled Next Week

Hearings will follow the same process that was utilized last year for submitting of testimony and is summarized below.

A complete outline of rules for hearings and submitting position comments also be found at: [Nebraska Legislature - Public Input Options](#)

If you are not testifying in person at a public hearing on a bill or resolution and would like to submit written comments to be included in the official hearing record as an exhibit, you will find a link to submit your comments online on the chamber viewer page for each bill or resolution. Comments are allowed once a bill has been scheduled for public hearing and must be submitted and verified prior to 12:00 p.m. CST on the last workday prior to the public hearing to be included in the official hearing record. (NOTE: If the hearing is on a Monday, these have to be submitted by noon Friday).

In order to facilitate public input on legislation, a feature was added to the Nebraska Legislature's website for submission of written comments on pending legislation on the Legislature's website at any stage of the process. (To access this feature, search for the bill you wish to submit a statement on and click the corresponding button near the top of the bill page.) This feature will appear once a bill has been scheduled for a public hearing.

Persons submitting comments online will have the option to request the comments be included in the official public hearing record as an exhibit if the comments are submitted and verified prior to 12:00 p.m. CST on the last workday prior to the public hearing.

If you have a position comment for the public hearing record on a gubernatorial appointment, an agency budget hearing, or an amendment scheduled for public hearing, go to the “Committees” heading on the left side of the home page. From there you will go to “Hearing Schedules” and select the specific hearing to find a link to submit online comments.

Tuesday, January 30th

Appropriations, Room 1524 - 1:30 PM

The Appropriations committee has scheduled the hearing for the state budget bills on January 30th. While this is the advertised date for the hearings, hearings on the bills will continue for the next few weeks as each code agency receives a specific hearing date – this is the appropriate time for testimony on the appropriations for a respective agency. NGPC, NeDNR, and NDEE are not scheduled for agency hearings next week.

LB 1412 - Provide, change, and eliminate appropriations for operation of state government, postsecondary education, state aid, capital construction, and federal funds allocated to the State of Nebraska from the federal American Rescue Plan Act of 2021. Speaker Arch, At the request of the Governor.

The bill proposes several changes to appropriations for FY 2023-24 and FY 2024-25 that were adopted last year.

Related to natural resources, the following changes are proposed:

DEPARTMENT OF NATURAL RESOURCES

Program No. 334 - Soil and Water Conservation – The bill proposes a General Fund decrease of \$127,396 in FY 23-24 and a \$2,445 decrease in FY 2024-25.

Program No. 314 - Critical Infrastructure Facilities Fund - The bill proposes a Cash Fund increase of \$50,000,000 in FY 23-24. The bill includes language providing \$50,000,000 for a grant to a city of the primary class that utilizes more than thirty million gallons per day of water to be used for the design, construction, and implementation of additional water supply projects.

Program No. 319 – Water Projects - The bill proposes to decrease JEDI Cash Funds by \$10,000,000 in FY 23-24 and \$25,000,000 in FY 24-25. Additionally, the bill proposes to decrease Federal Funds appropriated to provide a grant to a city of the primary class that utilizes more than thirty million gallons per day of water to be used for the design, construction, and implementation of additional water supply projects by \$50,000,000 in FY 23-24, this is offset by equivalent increase for this purpose in Critical Infrastructure Facilities Fund.

Water Sustainability Fund - The bill proposes to decrease the General Fund transfer by \$8,481,000 in FY 2024-2025. Additionally, the reappropriation of the unexpended Cash Fund appropriation balance existing on June 30, 2023, is decreased by \$8,481,000. The bill specifies that none of the Cash Funds appropriated to this program shall be used for a rural drinking water project that serves rural water connections and at least four communities in two contiguous counties in order to convert to ground water sources and to provide for water system infrastructure and distribution.

DEPARTMENT OF ENVIRONMENT & ENERGY

Program 513 – Environmental Quality - The bill proposes a General Fund decrease of \$804,136 in FY 23-24 and a \$1,590,254 decrease in FY 2024-25.

Program No. 528 - Drinking Water Facilities Loan Fund - The unexpended reappropriation balance of the federal Coronavirus State Fiscal Recovery Fund pursuant to the federal American Rescue Plan Act of 2021, existing on June 30, 2023, less \$7,000,000 is reappropriated.

A table summarizing proposed appropriation changes follows this summary.

LB 1413 - Transfer and provide for the transfer of funds and create and change the use and distribution of funds. Speaker Arch, At the request of the Governor.

The bill provides for transfers of funds for state operations and changes the uses of funds. The bill authorizes many of the provisions proposed in LB 1412. Related to Natural Resources the bill proposes the following changes.

The Jobs and Economic Development Initiative Fund language is changed allowing transfers from the fund to the Cash Reserve Fund or the Critical Infrastructure Facilities Fund at the direction of the Legislature.

The bill proposes language authorizing the Critical Infrastructure Facilities Fund to be used to provide a grant to a city of the primary class that utilizes more than thirty thousand gallons of water per day to be used for the design, construction, and implementation of additional water supply projects.

Agriculture, Room 2102 - 1:30 PM

LB 828 - Change provisions of the Nebraska Apiary Act and provide for the Pollinator Task Force, the Nebraska Apiary Registry, and immunity for certain damages relating to bees. Blood.

The bill establishes a Pollinator Task Force for the purposes of: (1) annually researching existing pollinators in Nebraska and the habitat for such pollinators; (2) Research issues relevant to pollinators in Nebraska and how to resolve those issues; and (3) Work with the Legislature to achieve a healthy and sustainable pollinator population in Nebraska.

Members of the task force shall include:

- Director of Agriculture or designee;
- Director of Natural Resources or designee;
- Director of Environment and Energy or designee;
- Director of the Game and Parks Commission or designee;
- Director-State Engineer of the Department of Transportation or designee;
- The following members appointed by the Director of Agriculture, subject to approval by the Legislature:
 - Representative of a state association of natural resources districts;
 - Representative of a recreation and park association;
 - Representative of a noxious weed control association;
 - Representative of a conservation organization;
 - One individual who commercially grows at least one specialty crop;
 - One individual who commercially grows crops that are dependent upon pollinators;
 - One professional educator who teaches about pesticide use or the environmental effects of pesticides;
 - One dealer as defined in section 2-2624;
 - One commercial applicator as defined in section 2-2624;
 - One beekeeper who keeps at least one apiary in Nebraska and is also a member of a beekeeping club or organization; and
 - One member of the general public who resides in Nebraska.

The Pollinator Task Force shall examine existing statutes, rules, regulations, policies, and practices in Nebraska and the United States relating to pollinators and pollinator habitat and develop a pollinator plan that includes the following:

- (a) How the state should focus efforts relating to understanding, preventing, and recovering from pollinator losses;
- (b) The food production systems in Nebraska that rely on pollinators and the impact on such systems without sufficient pollinators;
- (c) How the state should develop and coordinate education programs to promote public knowledge about the effects of the loss of pollinators and how private individuals and businesses can help address the loss of pollinators;
- (d) An evaluation of and potential risk-reduction solutions to pesticide:
 - (i) Use, storage, and disposal, including pesticide-treated seeds;
 - (ii) Nontarget contamination;
 - (iii) Exposure to pollinators;
- (e) Recommendations for developing public and private partnerships to encourage pollinator protection and increase the quality and amount of habitat and forage for pollinators;
- (f) Specific policies and practices that state agencies should adopt to enhance pollinator habitat on state-managed property;
- (g) Recommendations for promoting availability of native seeds and plants that are beneficial to pollinators;
- (h) The marketing and promotion of products derived from bees that are kept in Nebraska, including honey, queen bees, bee packages, nucleus colonies, products derived from bees or beekeeping, and products related to support for bees or beekeeping; and
- (i) Recommendations for legislative, administrative, and budgetary actions necessary to implement the pollinator plan.

The Pollinator Task Force shall submit the pollinator plan to the Legislature not later than November 1, 2026, and by November 1 of each year thereafter.

LB 831 - Change provisions of the Noxious Weed Control Act and provide for control of restricted plants. Blood.

The bill adds “restricted plants” that can be regulated under the Noxious Weed laws.

A restricted plant is defined as any non-native plant species that is designated and listed as restricted in rules and regulations adopted and promulgated by the director.

Wednesday, January 31st

Revenue, Room 1524 - 1:30 PM

LB 1241 - Change provisions relating to property tax levy limits. von Gillern.

The bill places limits on taxing growth in valuations.

Under the bill, in addition to the existing levy limits, if the total taxable valuation of property in a political subdivision exceeds the total taxable valuation from the prior year, then such political subdivision shall be subject to an additional levy limit calculated as follows:

The percentage increase in the political subdivision's total taxable valuation shall be determined; and then the political subdivision's levy rate from the prior year shall then be decreased by the same percentage.

The decreased levy rate shall be the maximum levy rate that such political subdivision may impose in the current year.

Senator von Gillern has introduced an amendment (AM 2135) to strike the original bill and replace it with the following:

If the total taxable valuation of property in a political subdivision exceeds the total taxable valuation from the prior year, then such political subdivision's levy shall be no more than the levy necessary to raise the exact same amount of property taxes as was raised by such political subdivision in the prior year.

Natural Resources, Room 1525 - 1:30 PM

LB 1406 - Provide for an active-duty military permit for state park entry. Sanders.

An active-duty military permit may be purchased by any individual who is active-duty military and shall be valid through December 31 in the year for which the permit is issued. The fee for the veteran permit is five dollars, regardless of residence.

To qualify for an active-duty military permit, the individual shall present: (a) Such individual's military identification card; or (b) A copy of such individual's DD Form 214.

Thursday, February 1st

Natural Resources, Room 1525 - 1:30 PM

LB 1199 - Repeal provisions relating to certain administrative fees imposed by the Department of Natural Resources. Moser.

The bill repeals Section 33-105 relating to the following fees imposed by the Department of Natural Resources.

- (1) For filing, recording, and examining each application for a storage reservoir, for the first 5,000 acre-feet or fraction thereof, \$25, and for each additional 5,000 acre-feet or fraction thereof, \$10;
- (2) For filing, recording, and examining each application for, or application for modification of permits to include, intentional or incidental underground water storage and recovery, \$500;
- (3) For filing, recording, and examining each application for water for irrigation from a natural stream, for the first 1,000 acres proposed for irrigation or fraction thereof, \$200, and for each additional 1,000 acres or fraction thereof, \$100;
- (4) For filing, recording, and examining each application for water for irrigation from a storage reservoir, for the first 1,000 acres proposed for irrigation or fraction thereof, \$50, and for each additional 1,000 acres or fraction thereof, \$25;
- (5) For filing, recording, and examining each application for water for power purposes, for each theoretical 50 horsepower or fraction thereof, \$5;
- (6) For filing, recording, and examining each application for withdrawal of ground water for industrial purposes, for the first 4,000 acre-feet or fraction thereof, \$1,500, and for each additional 1,000 acre-feet or fraction thereof, \$750;
- (7) For filing an application to amend a permit for withdrawal of ground water for industrial purposes, \$500;
- (8) For filing any petition, affidavit, other paper, or application for which no fee has been fixed, \$10;

(9) For recording any deed or document pertaining to land covered in whole or in part by a water appropriation or any instrument other than an application, \$10; and

(10) For certificate and seal, \$1.

These fees are currently remitted to the General Fund.

Appropriations, Room 1003 - 1:30 PM

LB 1242 - State intent to appropriate funds to the Board of Regents of the University of Nebraska. McDonnell.

The bill appropriates \$350,000 from General Fund in FY 24-25 to the board of regents of University of Nebraska for the purposes of studying the ability of using roof-collected rainwater as a safe and sustainable source of drinking water.

The bill states it is the intent of the Legislature that this research initiative investigates the effectiveness of various filtration and purification methods in removing chemical and biological contaminants from rainwater, with the goal of providing a reliable alternative water source for household use.

Government, Room 1507 - 1:30 PM

LB 925 - Adopt the Firearm Industry Nondiscrimination Act. Aguilar.

The bill would prohibit state agencies and political subdivisions from entering a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it:

- (a) Does not have a practice, policy, guidance document, or directive that discriminates against a firearm entity or firearm trade association; and
- (b) Will not discriminate against a firearm entity or firearm trade association during the term of the contract.

The requirements of the act would not apply if a governmental entity:

- (a) Contracts with a sole-source provider; or
- (b) Does not receive a bid from a company that is able to provide the written verification.

Firearm entity is defined in the proposal as:

- (a) A firearm, firearm accessory, or ammunition manufacturer, distributor, wholesaler, supplier, or retailer; or
- (b) A gun range.

Firearm trade association is defined in the proposal as any person, corporation, unincorporated association, federation, business league, or business organization that:

- (a) Is not organized or operated for profit and for which none of its net earnings inures to the benefit of any private shareholder or individual;
- (b) Has two or more firearm entities as members; and
- (c) Is exempt from federal income taxation under section 501(a) of the Internal Revenue Code of 1986, as an organization described by section 501(c) of such code.

A contract is defined as a promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other and the right to seek a remedy for the breach of those duties. The term does not include an agreement related to investment services.

Friday, February 2nd

Government, Room 1507 - 1:30 PM

LB 1018 - Provide that positions of public employment shall not require a postsecondary degree and require equal consideration for non-degree-holders' wages and benefits. Holdcroft.

The bill proposes that as a state agency or political subdivision of the state, shall not require that an applicant for public employment possess a postsecondary degree, provided the applicant has qualifying career and life skills.

The bill includes the following exceptions:

- (a) The University of Nebraska or state colleges;
- (b) The judicial branch of state government;
- (c) Positions for which a postsecondary degree is required by state or federal law; or
- (d) Positions for which application of this section would jeopardize federal funding.

Appropriations, Room 1003 - 1:30 PM

LB 1131 - Appropriate funds to the Department of Environment and Energy for grants for tribal-owned community drinking water and sewer systems. Raybould.

The bill proposes \$10 million from the General Fund for FY2024-25 to the Department of Environment and Energy for the purpose of issuing grants to improve tribal-owned community drinking water and sewer systems.

The bill also includes an emergency clause.

LB 1179 - Appropriate funds to the Department of Natural Resources. Wishart.

The bill proposes \$1.2 million from the General Fund for FY 2024-25 to the Department of Natural Resources for the purpose of issuing a grant to a natural resources district whose territory encompasses a county containing a city of the primary class in order to fund high-priority flood mitigation projects identified by the district and being completed by the district in collaboration with at least one other political subdivision.

Judiciary, Room 1113 - 1:30 PM

LB 1366 - Change provisions relating to the use of eminent domain. Cavanaugh, J.

The bill proposes that a political subdivision of this state shall not take property through the use of eminent domain under sections outside of the boundaries of such political subdivision unless a majority vote of the governing body of the county, city, or village where the property is located approves such taking.

The bill also proposes that a private entity shall not take property through the use of eminent domain:

- (a) For use of pipelines unless all pipeline routes are approved by the Public Service Commission; or
- (b) Unless a majority vote of the governing body of the county, city, or village where the property is located.

LB 1414 - Adopt the Property Tax Growth Limitation Act and change provisions relating to budget limitations. Linehan, At the request of the Governor.

The bill proposes the Property Tax Growth Limitation Act, to mandate that a political subdivision's property tax request for any year shall not exceed its property tax request from the prior year, with a few exceptions.

The bill applies to any county, city, village, learning community, sanitary and improvement district, natural resources district, and educational service unit.

Real Growth Exception

The political subdivisions listed in the bill may exceed the property tax request authority by a percentage equal to the political subdivision's real growth percentage.

Real growth percentage means the percentage obtained by dividing (a) the political subdivision's real growth value by (b) the political subdivision's total real property valuation from the prior year.

Real growth value means the increase in a political subdivision's real property valuation from the prior year to the current year due to (a) improvements to real property as a result of new construction and additions to existing buildings, (b) any other improvements to real property which increase the value of such property, (c) annexation of real property by the political subdivision, and (d) a change in the use of real property.

Carry Forward Real Growth

A political subdivision may choose not to increase its property tax request for a particular year by the full real growth percentage. In such cases, the unused percentage amount may be carried forward to future years and may be used in future years to increase the political subdivision's property tax request by more than the real growth. In no case shall the percentage carried forward exceed five percent.

Other Exceptions

- 1) By the amount needed to pay the principal and interest on approved bonds.
- 2) To pay for repairs to infrastructure damaged by a natural disaster, which is declared a disaster or emergency pursuant to the Emergency Management Act.

Voter Override

The additional amount could be approved by the voters as follows:

- 1) By the voters at a levy override election under section 77-3444 held prior to the effective date of this act.
- 2) After the effective date of the act, the voter override election could go on the ballot in one of two ways:
 - (a) Upon the recommendation of the governing body of such political subdivision, or
 - (b) Upon the receipt by the county clerk or election commissioner of a petition requesting such issue to be placed on the ballot which is signed by at least five percent of the legal voters of the political subdivision.

The election could only be held at the next regularly scheduled election.

State Aid

Under the bill, additional state aid is provided to schools, municipalities and counties in exchange for direct property tax relief, but a dollar amount is not specified. A companion bill, LB 1415, outlines the additional state aid.

LB 1415 - Adopt the Property Tax Relief Act and change the Nebraska Property Tax Incentive Act. Dover, At the request of the Governor.

The purpose of the Property Tax Relief Act is to provide state funding directly to school districts, counties, cities, and villages in exchange for direct property tax relief. Part of the funding for the new aid programs would come from eliminating the existing property tax credit programs.

School District Property Tax Relief Cash Fund

For the FY 2024-25, the additional aid shall be \$980,600,000. For the FY 2025-26 and each fiscal year thereafter, the amount available for disbursement increased by 3%.

The aid would be distributed on the ratio of the real property valuation in the school to the real property valuation in the state.

County Property Tax Relief Cash Fund

For the FY 2024-25, the additional aid shall be \$437,200,000. For the FY 2025-26 and each fiscal year thereafter, the amount shall increase each year by \$15 million.

The aid would be distributed on the ratio of the real property valuation in the county to the real property valuation in the state.

Municipal Property Tax Relief Cash Fund

For FY 2024-25, the additional aid shall be \$297,100,000. For FY 2025-26 and each fiscal year thereafter, the amount shall increase each year by \$10 million.

The aid would be distributed on the ratio of the real property valuation in the municipality to the real property valuation of all municipalities.

Bill, LR or CA	Description	Sponsor(s)	Priority	NARD POSITION	Committee	Hearing Date	Status	Amendments/Notes
LR 1CA	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed	Blood	Blood (2023)	Support	Government	2/24/2023	General File	MO 120 - 126, AM 591 - Pending
LR 6CA	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes	Erdman		Oppose	Revenue	3/3/2023	Committee	
LR 7CA	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items	Erdman		Oppose	Revenue	3/3/2023	Committee	
LB 7	Provide a statute of limitations for exposure to hazardous or toxic chemicals	Blood		Monitor	Judiciary	1/25/2023	Committee	
LB 40	Adopt the Riparian and Water Quality Practices Act	Blood		Oppose - as written.	Natural Resources	2/23/2023	Committee	AM 469 - Pending
LB 79	Adopt the Nebraska EPIC Option Consumption Tax Act	Erdman	Erdman (2023)	Oppose	Revenue	3/3/2023	Committee	MO 258 - 264, AM 314 - Pending
LB 121	Repeal the Trail Development Assistance Act	Bostelman		Monitor	Natural Resources	2/16/2023	Committee	
LB 125	Change provisions relating to the Surface Water Irrigation Infrastructure Fund	Bostelman		Support	Appropriations	3/14/2023	Committee	Provisions incorporated into LB 818 via AM 1172 - Adopted & Passed
LB 147	Change procedures for property tax refunds	Kauth		Monitor	Revenue	2/1/2023	General File	Multiple AM/MO - Filed
LB 205	Adopt the Government Neutrality in Contracting Act	von Gillern		Support	Government	2/10/2023	General File	AM 452 - 465 - Pending
LB 218	Change provisions relating to intent to appropriate money for management of vegetation within the banks or flood plain of a natural stream	Ibach		Support	Agriculture	2/7/2023	General File	AM 2195 - Filed
LB 241	Change provisions relating to transfers of water to another state	Briese		Monitor	Natural Resources	1/26/2023	Committee	
LB 281	Require the Department of Economic Development to provide grants for youth outdoor education camp facilities	Jacobson		Support	Natural Resources	2/15/2023	Committee	Provisions incorporated into LB 814 & LB 818 via AM 915 & AM 1172 - Adopted & Passed.
LB 287	Prohibit creation of joint public agencies under the Joint Public Agency Act	Brewer		Monitor	Government	3/24/2023	Committee	
LB 292	Prohibit the use of eminent domain under the Jobs and Economic Development Initiative Act	Cavanaugh, M.		Monitor	Natural Resources	2/8/2023	Committee	
LB 302	Change provisions relating to conflicts of interest by certain officeholders and public employees	Linehan		Monitor	Government	2/15/2023	General File	AM 503, 603, 1368 - Pending
LB 304	Require political subdivisions to disclose membership dues and lobbying fees	Linehan		Monitor	Government	2/9/2023	General File	
LB 312	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions	Lowe		Monitor	Government	2/9/2023	General File	
LB 322	Prohibit creation of new joint public agencies with power or authority relating to tax	Linehan		Monitor	Revenue	3/9/2023	Committee	
LB 332	Prohibit creation of new joint public agencies with power or authority relating to education	Linehan		Monitor	Education	3/21/2023	Committee	
LB 361	State legislative intent to appropriate funds for the Precision Agriculture Infrastructure Grant Program	Dorn		Support	Appropriations	3/1/2023	Committee	Provisions incorporated into LB 814 via AM 915 - Adopted & Passed
LB 394	Change provisions relating to the determination of damages as a result of eminent domain	Erdman		Oppose	Judiciary	2/23/2023	Committee	
LB 396	Provide for streamflow augmentation projects and retention of water rights	Erdman		Oppose	Natural Resources	3/1/2023	Committee	See Attorney General Opinion 23-006
LB 400	Adopt the Nebraska Pheasant Restoration Act	Brewer		Monitor	Natural Resources	2/8/2023	Committee	
LB 401	State intent regarding appropriations to the Department of Natural Resources	Dorn		Support	Appropriations	3/14/2023	Committee	

LB 506	State intent to appropriate federal funds to the Department of Natural Resources and the Department of Environment and Energy	Bostar		Support	Appropriations	3/14/2023	Committee	Provisions Ammended into LB 818 via AM 915 - Adopted & Passed.
LB 513	Change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act	Brewer		Support	Government	2/10/2023	General File	
LB 534	Appropriate federal funds to the Department of Environment and Energy for community water systems	Slama		Support	Appropriations	3/13/2023	Committee	
LB 540	Change provisions relating to public lettings	Vargas		Monitor	Government	3/24/2023	Committee	
LB 560	State intent to seek federal funds under the Inflation Reduction Act of 2022	Blood		Support	Appropriations	3/6/2023	Committee	
LB 571	Appropriate funds to the Department of Environment and Energy to carry out the Water Well Standards and Contractors' Practice Act	Lippincott		Support	Appropriations	3/13/2023	Committee	
LB 576	Provide limitations on liability and nuisance related to land-management burning	Cavanaugh, J.		Support	Judiciary	3/3/2023	Committee	
LB 614	Appropriate funds to the Department of Agriculture	McDonnell		Support	Appropriations	2/22/2023	Committee	
LB 637	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act	Albrecht		Monitor	Government	2/24/2023	General File	AM 616, 617 - Pending
LB 651	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions	McDonnell		Support	Appropriations	3/16/2023	Committee	
LB 656	Change provisions relating to the Small Watersheds Flood Control Fund	McDonnell		Support	Natural Resources	3/1/2023	Committee	
LB 672	Appropriate funds to the Department of Environment and Energy	Hansen		Support	Appropriations	3/13/2023	Committee	
LB 723	Adopt the Public Water and Natural Resources Project Contracting Act	Bostelman, At the request of the Governor		Support	Natural Resources	2/2/2023	Committee	Ammended into LB 565e via AM 1240 - Adopted & Passed
LB 729	Change provisions relating to the Jobs and Economic Development Initiative Fund	McDonnell		Monitor	Natural Resources	2/23/2023	Committee	
LB 766	Appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems	DeKay		Support	Appropriations	3/13/2023	Committee	AM 651 - Pending
LB 768	Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund	DeKay	DeKay (2023)	Support	Appropriations	3/14/2023	Committee	Provisions incorporated into LB 814 via AM 915 - Adopted & Passed - Line-Item Vetoes by Gov. Pillen
LB 817	Appropriate funds for capital construction	Arch, At the request of the Governor		Support	Appropriations	2/13/2023	Committee	Provisions incorporated into LB 814 via AM 915 - Adopted & Passed
LB 819	Change provisions relating to the Cash Reserve Fund	Arch, At the request of the Governor		Support	Appropriations	2/13/2023	Committee	Provisions incorporated into LB 818 via AM 1172 - Adopted & Passed
LB 828	Change provisions of the Nebraska Apiary Act and provide for the Pollinator Task Force, the Nebraska Apiary Registry, and immunity for certain damages relating to bees	Blood		Monitor	Agriculture	1/30/2024	Committee	
LB 831	Change provisions of the Noxious Weed Control Act and provide for control of restricted plants	Blood		Oppose	Agriculture	1/30/2024	Committee	AM 2113 - Filed
LB 859	Change conflict of interest provisions for certain political subdivision officers	Linehan		Monitor	Government		Committee	
LB 868	Extend the sunset date for reimbursement for remedial action under the Petroleum Release Remedial Action Cash Fund	Bostelman		Support	Natural Resources	1/24/2024	Committee	
LB 872	Prohibit acceptance of central bank digital currency by state and local governments	Clements		Monitor	Banking	2/5/2024	Committee	
LB 880	Change requirements relating to the Land Acquisition and Source Water Loan Fund	Hughes		Monitor	Natural Resources	1/24/2024	Committee	
LB 925	Adopt the Firearm Industry Nondiscrimination Act	Aguilar		Monitor	Government	2/1/2024	Committee	
LB 951	Adopt the Public Officials on Private Boards Open Meetings Act	Linehan		Monitor	Government		Committee	
LB 1018	Provide that positions of public employment shall not require a postsecondary degree and require equal consideration for non-degree-holders' wages and benefits	Holdcroft		Monitor	Government	2/2/2024	Committee	

LB 1080	Appropriate Federal Funds to the Department of Natural Resources	Holdcroft		Monitor	Appropriations	2/21/2024	Committee	
LB 1131	Appropriate funds to the Department of Environment and Energy for grants for tribal-owned community drinking water and sewer systems	Raybould		Monitor	Appropriations	2/2/2024	Committee	
LB 1179	Appropriate funds to the Department of Natural Resources	Wishart		Support	Appropriations	2/2/2024	Committee	
LB 1184	Adopt the Reverse Osmosis System Tax Credit Act	Bostar		Monitor	Revenue		Committee	
LB 1199	Repeal provisions relating to certain administrative fees imposed by the Department of Natural Resources	Moser		Support	Natural Resources	2/1/2024	Committee	
LB 1205	Appropriate Federal Funds to the Department of Natural Resources	Hughes		Monitor	Appropriations	2/21/2024	Committee	
LB 1241	Change provisions relating to property tax levy limits	von Gillern		Oppose ¹ - See Policy Statement	Revenue	1/31/2024	Committee	AM 2135 - Filed
LB 1242	State intent to appropriate funds to the Board of Regents of the University of Nebraska	McDonnell		Monitor	Appropriations	2/1/2024	Committee	
LB 1243	Adopt the Wildland Fire Response Act	McDonnell		Support	Government		Committee	
LB 1244	Appropriate Federal Funds to the Department of Natural Resources	McDonnell		Support	Appropriations	2/21/2024	Committee	
LB 1258	Change requirements relating to certain permits and requirements relating to livestock waste control facilities and animal feeding operations	Cavanaugh, M.		Oppose	Natural Resources		Committee	
LB 1260	Provide authority for public power and irrigation district directors to take action on certain agreements in which they have an interest	Jacobson		Support	Natural Resources		Committee	
LB 1277	Change provisions relating to emergency proclamations for disasters, emergencies, and civil defense emergencies made by the Governor	Wayne		Support	Government		Committee	
LB 1287	Appropriate Federal Funds to the Department of Environment and Energy for drinking water infrastructure	Ballard		Support	Appropriations	2/21/2024	Committee	
LB 1335	Change provisions of and provide duties and exemptions from the Nongame and Endangered Species Conservation Act	Moser		Support	Natural Resources		Committee	
LB 1357	Prohibit camping on certain property owned by political subdivisions	McDonnell		Support	Judiciary		Committee	
LB 1358	Require approval of the registered voters to increase salaries of governing bodies of political subdivisions as prescribed	McDonnell		Monitor	Government		Committee	
LB 1366	Change provisions relating to the use of eminent domain	Cavanaugh, J.		Monitor (Remove NRDs)	Judiciary	2/2/2024	Committee	
LB 1368	Adopt the Nitrogen Reduction Incentive Act	Ibach		Support	Agriculture	2/13/2024	Committee	
LB 1406	Provide for an active-duty military permit for state park entry	Sanders		Support	Natural Resources	1/31/2024	Committee	
LB 1412	Provide, change, and eliminate appropriations for operation of state government, postsecondary education, state aid, capital construction, and federal funds allocated to the State of Nebraska from the federal American Rescue Plan Act of 2021	Speaker Arch, at the Request of the Governor		Monitor	Appropriations	1/30/2024	Committee	
LB 1413	Transfer and provide for the transfer of funds and create and change the use and distribution of funds	Speaker Arch, at the Request of the Governor		Monitor	Appropriations	1/30/2024	Committee	
LB 1414	Adopt the Property Tax Growth Limitation Act and change provisions relating to budget limitations	Linehan, at the Request of the Governor		Oppose ¹ - See Policy Statement	Revenue	2/2/2024	Committee	
LB 1415	Adopt the Property Tax Relief Act and change the Nebraska Property Tax Incentive Act	Dover, At the request of the Governor		Oppose ¹ - See Policy Statement	Revenue	2/2/2024	Committee	
LB 1417	Create, eliminate, terminate, and provide, change, eliminate, and transfer powers, duties, and membership of boards, commissions, committees, councils, task forces, panels, authorities, and departments and change and eliminate funds	Brewer, At the request of the Governor		Monitor	Government		Committee	

¹ NARD Policy Statement - We will work with the Legislature and Governor Pillemer on reasonable property tax reform measures. We support reforms that reduce property tax reliance and provide adequate funding for both rural and urban areas. We oppose restrictions on local budgets that harm the ability of local governments: 1) To implement programs and projects to meet federal and state mandated programs; 2) Make local annual adjustments to meet the needs of the local citizens; 3) Adequately fund both rural and urban needs; and 4) Provide local funding for efficient natural resources programs that protect water quality, water quantity, soil, property and the economy.