

January 27, 2023

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: January 27 NARD Update

NARD 2023 Legislative Conference - The 2023 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 41 bills and three resolutions impacting the natural resources districts. Final NARD positions can be found on 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, which included discussion about funding budget proposals that protect Nebraska's water resources. He specifically noted the importance of protecting and securing water resources in Nebraska.

Tom Riley, Director of the Nebraska Department of Natural Resources, followed Gov. Pillen and provided attendees with an update on efforts to protect Nebraska's water by constructing the Perkins County Canal.

Senator Robert Clements, Chairman of the Appropriations Committee, was the featured Tuesday luncheon speaker. Sen. Clements summarized the current budget status and outlined the process his committee will follow for enacting a budget for the next biennium.

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

Governor Pillen's State of the State Address

Governor Pillen gave his first State of the State address on Wednesday, January 25th. He framed his speech around the perseverance, strength, and grace of the people in Nebraska. He noted that is the strength of Nebraska and we have the grit and determination needed to solve tough problems and overcome difficult obstacles, no matter the circumstances.

Here are some highlights of his proposed budget:

- Restricts the growth of state spending to an annual average of just 1.3 percent over the biennium.
- Fully fund the Perkins County Canal Project Fund, which will provide the water Nebraska is entitled to under the South Platte Compact. He noted that water is vital to Nebraska and the drought makes it even more urgent.
- Additional \$2.4 billion in property tax relief, for a total of \$7.1 billion through FY 26-27. As part of this total, the investment of an additional \$390 million in the Property Tax Credit Relief Fund. He

also proposed the state assume responsibility for funding community colleges across the state, which will immediately cut property taxes by nearly \$300 million a year.

- Touted the success of our community colleges and pledged to create better opportunities for students to obtain any training beyond high school.
- A 2 percent increase in its state appropriation for the University of Nebraska operations.
- \$1.5 billion in additional income tax cuts for individuals, families, businesses, and Social Security recipients. This includes a phase down of individual income and business tax rates to 3.99 percent by 2027, enabling Nebraska to be more competitive in attracting and retaining investment, talent, and new opportunities.
- Proposed the creation of the Education Future Fund with an investment of \$1 billion in FY 23-24 and \$250 million each year thereafter. This investment also includes a major structural reform to the state aid to education formula, TEEOSA. This formula has long failed to meet the needs of those school districts that receive no equalization aid from the state. Also included is funding for Special Education.
- Include \$100 million to leverage an additional \$400 million in federal funds to improve bridges and roads.
- Create the Nebraska Broadband Office to get broadband across Nebraska completed.

Governor Introduces Budget Bills

Following the State of the State address this week, Speaker Arch introduced the budget bills at the request of the Governor. Following is a summary of the budget bills as they relate to natural resources programs. A table summarizing the Governor's proposed budget programs follows on page 9.

LB 813 - Provide, change, and eliminate provisions relating to appropriations. Speaker Arch, at the request of the Governor.

The bill adjusts the budget for FY 2022-23. There are no adjustments related to natural resources programs.

LB 814 - Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2025, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021. Speaker Arch, at the request of the Governor.

The bill provides appropriations for operation of state government over the next two fiscal years.

For natural resources programs, the budget proposal recommends the following:

- **Nebraska Soil and Water Conservation Fund** - Maintains General Fund funding at \$1,806,112 and \$50,000 in Cash Funds for both FY 23-24 and FY 24-25.
- **Water Well Decommissioning** -- Appropriates \$70,000 in Cash Funds for both FY 23-24 and FY 24-25.
- **Natural Resources Water Quality Fund** - \$1,187,500 in Cash Funds for both FY 23-24 and FY 24-25.
- **Water Resources Cash Fund** - \$7,000,000 transfer from Environmental Trust Fund in both FY 23-24 and FY 24-25.
- **Nebraska Resources Development Fund** - The bill includes no additional appropriations. However unexpended balances existing on June 30, 2023, would be re-appropriated.

- **Nebraska Water Sustainability Fund** – The bill includes an appropriation of \$10,865,033 for both FY 23-24 and FY 24-25. Unexpended balances existing on June 30, 2023 would be re-appropriated.
- **Water Projects** – The bill includes Cash Fund appropriation of \$87,800,000 for both FY 23-24 and FY 24-25. Includes \$62,800,000 Cash Funds from the Perkins County Canal Project Fund and \$25,000,000 Cash Funds from the Jobs and Economic Development Initiative Fund in both FY 23-24 and 24-25.
- **Critical Infrastructure Fund** - The bill includes no additional appropriations, however unexpended balances existing on June 30, 2023 would be re-appropriated.
- **Department of Natural Resources operations** - The bill appropriates \$22,664,066 in FY 23-24 and \$23,137,345 in FY 24-25. Included in the appropriation is \$1,200,000 in Federal Funds for each fiscal year for enhanced data collection. Unexpended balances existing on June 30, 2023, would be re-appropriated.
- **Environmental Trust** – The bill includes appropriations of \$21,289,823 for FY 23-24 and \$21,555,153 for FY 24-25. \$7,000,000 Transfer to Water Resources Cash Fund in both FY 23-24 and FY 24-25.
- **Department of Environment and Energy** - The bill includes appropriations of \$67,034,652 for FY 23-24 and \$67,441,632 for FY 24-25 for Administration, Water Quality, Land Quality and Air Quality programs.
- **Drinking Water Facilities Loan Fund (NDEE)** - Appropriates \$12,660,000 in FY 23-24 and \$12,710,000 in FY 24-25.
- **Nebraska Game and Parks Commission Wildlife Conservation** - Appropriates \$35,738,931 for FY 23-24 and \$36,817,577 for FY 24-25.
- **Nebraska Game and Parks Commission Habitat Development** - Appropriates \$12,256,532 for FY 23-24 and \$12,371,469 for FY 24-25.
- **Nebraska Game and Parks Commission Planning and Trails Coordination** - Appropriates \$1,993,154 for FY 23-24 and \$2,063,612 for FY 24-25.
- **Nebraska Game and Parks Commission Niobrara Council** - Appropriates \$178,500 for both FY 23-24 and FY 24-25. This includes \$125,000 from Federal sources, \$52,500 in General Fund and \$1,000 in Cash Fund for each fiscal year.
- **University of Nebraska Robert B. Daugherty Water for Food Global Institute** - Appropriates \$500,000 in General Funds for both FY 23-24 and FY 24-25.
- **University of Nebraska State Nebraska Forest Service** - Appropriates \$2,804,862 in General Funds for both FY 23-24 and FY 24-25.

LB 817 - Appropriate funds for capital construction. Speaker Arch, at the request of the Governor.

The major appropriations in the bill are for the Department of Corrections, University of Nebraska projects and State Colleges.

Included in the bill are several capital construction projects for the Nebraska Game and Parks Commission as follows:

- **State Park System Facility Improvements** – Appropriates \$925,000 for both FY 23-24 and FY 24-25.
- **State Parks Facilities Deferred Maintenance** - Appropriates \$4,175,000 for both FY 23-24 and FY 24-25.
- **Wildlife Land Acquisition and Improvement** - Appropriates \$200,000 for both FY 21-22 and FY 22-23.
- **Improvements to State Recreation Areas** - Appropriates \$500,000 for both FY 23-24 and FY 24-25.
- **Emergency Repairs** - Appropriates \$750,000 for both FY 23-24 and FY 24-25.

- **Aquatic Habitat Enhancement and Restoration** - Appropriates \$3,000,000 for both FY 23-24 and FY 24-25.

LB 818 - Provide for transfers of funds and change and eliminate provisions regarding the sources, uses, and transfers 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. Related to Natural Resources the bill modifies use of the Perkins County Canal Project Fund authorizing the department to utilize the fund to develop, construct, manage and operate the Perkins County Canal.

LB 819 - Change provisions relating to the Cash Reserve Fund. Speaker Arch, at the request of the Governor.

The bill provides for transfers of funds from the state Cash Reserve Fund. Related to Natural Resources the bill includes a one-time transfer of \$574,500,000 from the Cash Reserve Fund to the Perkins County Canal Project Fund in FY 23-24.

The Following Bills Had Hearings This Week

LB 7 - Provide a statute of limitations for exposure to hazardous or toxic chemicals. Blood.

The bill proposes to add to the product liability actions that can be brought against manufacturers and sellers of products that cause damages. Under the proposal, an action to recover damages based on injury or death that is caused by exposure to a hazardous or toxic chemical shall be commenced within ten years after the cause of action accrues.

The cause of action accrues upon the earlier of the date on which the plaintiff (i) Is informed by competent medical authority that the injury or death is related to the exposure to such chemical; or (ii) by the exercise of reasonable diligence, should have known that the injury or death is related to the exposure to such chemical.

The Judiciary Committee accepted testimony on the bill on January 25th.

Sen. Carol Blood noted in her opening the change is necessary because many victims of toxic chemicals don't start experiencing symptoms until after four years. She noted the bill was drafted in response to the AltEn leak in 2021, which released wastewater from an Ethanol Plant. She claimed that even before the leak and the plant's shutdown, nearby residents complained of foul odors and negative health effects resulting from the plant.

Proponents

Vince Powers, a trial attorney from Lincoln, testified in support of the bill noting "This is the key to the courthouse for people."

Eleanor Rogan, a professor at the University of Nebraska Medical Center, testified in support noting this is a reasonable extension to the statute of limitations.

Trevor Towey, president of the Omaha Professional Firefighters, said the bill would also benefit local firefighters, who are often exposed to dangerous toxins as part of their job. He said sometimes their exposure to toxins is long-term, as some chemicals sink into their gear.

Opponents

Attorney Emily Motto testified in opposition, arguing that Nebraska's current four-year statute of limitations is long enough because it is measured from when the "death, injury or damage" occurs, rather than when the victim is first exposed.

The Committee reported no action on the bill.

LB 217 - Change a date for certain scrap tire recycling grants. Hughes.

The bill proposes to extend the sunset for the scrap tire grant program from June 30, 2024, to June 30, 2029.

The Natural Resources Committee accepted testimony on the bill on January 26th.

Sen. Hughes opened on the bill by expressing the need for continuation of grants allowed under the scrap tire program.

Proponents

Beth Bazyn Ferrell testified in support on behalf of the Nebraska Association of County Officials. Counties across the state utilize the program. Last year, 11 counties received over \$400k in grants for scrap tire cleanup. This program helps keep tires out of the places they don't belong like ditches and creeks.

NARD testified in support and thanked Sen. Hughes for introducing the bill. The testimony provided the committee with an overview of how NRDs utilize the fund, noting that NRDs are heavily involved with scrap tire recycling. It is very important, especially in our rural areas for these types of programs to ensure materials are disposed of properly.

Opponents

There was no opposition or neutral testimony.

Sen. Hughes waived closing and the committee reported no action on the bill.

LB 241 - Change provisions relating to transfers of water to another state. Briese.

The bill adds criteria to the water transfer permit process for any person, firm, city, village, municipal corporation, or other entity intending to withdraw groundwater from any water well located in the State of Nebraska and transport it for use in another state.

The additional criteria would require the director to deny any permit under this section that would allow ground water to be transported more than ten miles outside of this state unless such transportation of ground water is necessary to comply with an interstate compact or decree.

The Natural Resources Committee accepted testimony on the bill on January 26th.

Sen. Briese opened by outlining the purpose of the bill, noting that Nebraska needs to ensure we're protecting our aquifer as ongoing drought and population growth along Colorado's Front Range increase the feasibility of those areas looking to the Ogallala Aquifer. He noted that the 10-mile distance was arbitrarily picked but thought that it seemed like a reasonable distance that would not prohibit Nebraska producers who may be looking to irrigate across state lines.

Proponents

Eric Hansen testified in support on behalf of the Nebraska Cattlemen, noting that Nebraska's groundwater supplies are vital to agricultural operations across the state, and they need to be protected.

A few individuals testified in support expressing opposition to Nebraska water being used out of state when there are extensive restrictions and efforts ongoing within Nebraska to conserve and protect the resource.

Opponents

Bruce Rieker testified in opposition on behalf of the Nebraska Farm Bureau. He said their policy is clear that they oppose any transfer of Nebraska's groundwater regardless of the distance.

Neutral

Chris Peterson testified in a neutral capacity on behalf of the Nebraska Petroleum Producers Association. They want to make sure any attempts to limit transfers would not impact petroleum producers. He noted that wastewater from wells in Nebraska could be transferred to wastewater injection wells out of state.

During his closing, Sen. Briese noted that the bill is straight forward but he wants to be weary of unintended consequences and look for solutions to any constitutionality questions.

The Committee reported no action on the bill.

Hearings Next Week

For the next two weeks, the Legislature will convene in the morning and recess following any announcements. They will hold hearings beginning at 9:30 am and run all day.

They have adopted the following for testimony and positions on bills. This information can also be found at: [Nebraska Legislature - Public Input Options](#)

In Person Testimony

As always, persons attending a public hearing in person will have an opportunity to present verbal testimony to the committee and be subject to questioning by the committee members. In-person testimony is generally limited to 5 minutes although the chair of each committee has discretion to modify that time limit.

Persons verbally testifying will be listed as a testifier on the committee statement as has been the practice, and have their position included within the official committee hearing record.

Position Comments for the Public Hearing Record

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).

*The comments submitted online and verified prior to the deadline and identified as comments for the public hearing record will be the only method for submission of official hearing record comments other than testifying in person. **Letters and comments submitted via email or hand-delivered will no longer be***

included as part of the hearing record although they are a viable option for communicating your views with an individual senator.

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.

The hearing schedule may also be reached by going to the online calendar and selecting the date of the public hearing, then selecting “Hearing Schedules.”

Submission of Online Comments

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.

The hearing schedule may also be reached by going to the online calendar and selecting the date of the public hearing, then selecting “Hearing Schedules.”

ADA Accommodation Written Testimony

New this session, the Legislature has established an ADA accommodation of public hearing written testimony for qualified individuals who have a physical or mental impairment that substantially limits one or more major life activities (as defined in Title I of the American with Disabilities Act, C.F.R. 35.108).

Qualified individuals are eligible to submit written public hearing testimony via an online portal. As an eligible individual submitting written testimony, the person’s name and position will be listed on the committee statement for the legislative bill, gubernatorial appointment, agency budget, or amendment, with a notation that the testimony was submitted as ADA Accommodation Written Testimony.

If you are a qualified individual and would like to submit ADA Accommodation written testimony on a legislative bill, 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 ADA Accommodation written testimony. ADA Accommodation written testimony is allowed once the public hearing has been scheduled and must be submitted and verified prior to 12:00 p.m. CST on the last workday prior to the public hearing.

The hearing schedule may also be reached by going to the online calendar and selecting the date of the public hearing, then selecting “Hearing Schedules.”

Wednesday, February 1st

Judiciary, Room 1113 - 1:30 PM

LB 147 - Change procedures for property tax refunds. Kauth.

The bill proposes to change notice requirements with political subdivisions when refunds are due to property taxpayers.

Current law allows the county to waive notice to political subdivisions if their share of the refund is less than \$200. Under the proposal, any political subdivision whose share of the refund is \$1,000 or less, the governing body of the political subdivision may waive this notice requirement by notifying the county treasurer.

The bill also allows electronic communication of such notices.

Thursday, February 2nd

Natural Resources, Room 1525 - 1:30 PM

LB 723 - Adopt the Public Water and Natural Resources Project Contracting Act. Bostelman, at the request of the Governor.

The bill proposes to create the Public Water and Natural Resources Project Contracting Act under the Department of Natural Resources.

Design-build contract is defined under the proposal as a contract between the department and a design-builder which is subject to a best value-based selection process to furnish (a) architectural, engineering, and related design and (b) labor, materials, supplies, equipment, and construction services.

The purpose of the Public Water and Natural Resources Project Contracting Act is to provide the department alternative methods of contracting for public water and natural resources projects. The alternative methods of contracting shall be available to the department for use on any project regardless of the funding source. Notwithstanding any other provision of state law to the contrary, the Public Water and Natural Resources Project Contracting Act shall govern the design-build, progressive design-build, and construction manager-general contractor procurement processes.

The department may hire an engineering or architectural consultant to assist the department with the development of project performance criteria and requests for proposals, with evaluation of proposals, with evaluation of the construction to determine adherence to the project performance criteria, and with any additional services requested by the department to represent its interests in relation to a project.

The department shall prepare a request for qualifications for design-build and progressive design-build proposals and shall prequalify design-builders and progressive design-builders. The request for qualifications shall describe the project in sufficient detail to permit a design-builder or a progressive design-builder to respond. The request for qualifications shall identify the maximum number of design-builders or progressive design-builders the department will place on a short list as qualified and eligible to receive a request for proposals.

The bill would also allow the department to enter into agreements under the Public Water and Natural Resources Project Contracting Act to let, design, and construct projects for political subdivisions when any of the funding for such projects is provided by or through the department.

On or before July 1, 2024, the Director-State Engineer shall adopt and promulgate rules and regulations setting forth criteria to be used in determining when a public-private partnership is to be used for a particular project. The rules and regulations shall reflect the intent of the Legislature to promote and encourage the use of public-private partnerships in the State of Nebraska.

Budget Summary is on the next page

| | | Governor Proposed Budget Bills | | Proposed Budget Change From FY 22-23 Baseline | |
|--|-----------------------|--------------------------------|---------------|---|-----------------|
| Agency 84 - Department Environmental & Energy | | FY 23-24 | FY 24-25 | FY 23-24 | FY 24-25 |
| Program 513, 586, 587, 588 - NDEE | General Fund | \$ 7,917,648 | \$ 7,524,976 | \$ 3,019,746 | \$ 2,627,074 |
| | Cash Fund | \$ 38,981,241 | \$ 39,381,720 | \$ 576,563 | \$ 977,042 |
| | Federal Fund est. | \$ 20,135,763 | \$ 20,534,936 | \$ 414,753 | \$ 813,926 |
| | Program Total | \$ 67,034,652 | \$ 67,441,632 | \$ 4,366,800 | \$ 4,773,780 |
| | Salary Limit | \$ 18,555,241 | \$ 19,506,302 | \$ 1,810,176 | \$ 2,761,237 |
| *Includes \$1,000,000 General Funds for a water quality study | | | | | |
| Program 523 - Wastewater Loan Fund | Cash Fund | \$ 1,000,000 | \$ 1,200,000 | \$ 400,000 | \$ 600,000 |
| | Federal Fund est. | \$ 8,109,000 | \$ 8,109,000 | \$ 1,169,000 | \$ 1,169,000 |
| | Program Total | \$ 9,109,000 | \$ 9,309,000 | \$ 1,569,000 | \$ 1,769,000 |
| Grants to small communities shall not be commingled with funds deposited in the Wastewater Treatment Facilities Construction Loan Fund | | | | | |
| Program 528 - Drinking Water Facilities Loan Fund | Cash Fund | \$ 650,000 | \$ 700,000 | \$ 650,000 | \$ 700,000 |
| | Federal Fund est. | \$ 12,010,000 | \$ 12,010,000 | \$ 3,510,000 | \$ 3,510,000 |
| | Program Total | \$ 12,660,000 | \$ 12,710,000 | \$ 4,160,000 | \$ 4,210,000 |
| Agency 33 - Game & Parks Commission | | FY 23-24 | FY 24-25 | FY 23-24 | FY 24-25 |
| Program 162 - Environmental Trust | Cash Fund | \$ 21,289,823 | \$ 21,555,153 | \$ 102,509 | \$ 367,839 |
| | Program Total | \$ 21,289,823 | \$ 21,555,153 | \$ 102,509 | \$ 367,839 |
| | Salary Limit | \$ 315,713 | \$ 328,424 | \$ 13,324 | \$ 26,035 |
| Program 330 - Habitat Development | Cash Fund | \$ 8,347,768 | \$ 8,455,157 | \$ 724,900 | \$ 832,289 |
| | Federal Fund est. | \$ 3,908,764 | \$ 3,916,492 | \$ 8,091 | \$ 15,819 |
| | Program Total | \$ 12,256,532 | \$ 12,371,649 | \$ 732,991 | \$ 848,108 |
| | Salary Limit | \$ 1,933,269 | \$ 2,021,714 | \$ 292,475 | \$ 380,920 |
| Program 336 - Wildlife Conservation | General Fund | \$ 2,002,937 | \$ 2,075,490 | \$ 119,639 | \$ 192,192 |
| | Cash Fund | \$ 29,443,436 | \$ 30,391,937 | \$ (3,215,762) | \$ (2,267,261) |
| | Federal Fund est. | \$ 4,292,558 | \$ 4,350,150 | \$ 59,955 | \$ 117,547 |
| | Program Total | \$ 35,738,931 | \$ 36,817,577 | \$ (3,036,168) | \$ (1,957,522) |
| | Salary Limit | \$ 17,766,887 | \$ 18,569,142 | \$ 1,077,709 | \$ 1,879,964 |
| Program 338 - Niobrara Council | General Fund | \$ 52,500 | \$ 52,500 | \$ 2,500 | \$ 2,500 |
| | Cash Fund | \$ 1,000 | \$ 1,000 | \$ - | \$ - |
| | Federal Fund est. | \$ 125,000 | \$ 125,000 | \$ - | \$ - |
| | Program Total | \$ 178,500 | \$ 178,500 | \$ 2,500 | \$ 2,500 |
| The unexpended Cash Fund appropriation balance existing on June 30, 2023, is reappropriated. | | | | | |
| Program 550 - Planning & Trails Coordination | General Fund | \$ 531,059 | \$ 556,616 | \$ 26,526 | \$ 52,083 |
| | Cash Fund | \$ 1,347,719 | \$ 1,389,548 | \$ (8,143,481) | \$ (8,101,652) |
| | Federal Fund est. | \$ 114,376 | \$ 117,448 | \$ 3,204 | \$ 6,276 |
| | Program Total | \$ 1,993,154 | \$ 2,063,612 | \$ (8,113,751) | \$ (8,043,293) |
| | Salary Limit | \$ 1,117,251 | \$ 1,170,477 | \$ 113,266 | \$ 166,492 |
| Boundary fences along Cowboy Trail limited to \$64,000 CF each FY. Unexpended CF balance existing June 30, 2023 is reappropriated up to \$8.3 M to fund MOPCA trail. | | | | | |
| Agency 29 - Department of Natural Resources | | FY 23-24 | FY 24-25 | FY 23-24 | FY 24-25 |
| Program 303 - Small Watersheds | Cash Fund | \$ - | \$ - | \$ - | \$ - |
| | Program Total | \$ - | \$ - | \$ - | \$ - |
| Program 304 - Nebraska Soil & Water Conservation Fund | General Fund | \$ 1,806,112 | \$ 1,806,112 | \$ - | \$ - |
| | Cash Fund | \$ 50,000 | \$ 50,000 | \$ - | \$ - |
| | Program Total | \$ 1,856,112 | \$ 1,856,112 | \$ - | \$ - |
| The unexpended General Fund appropriation balance existing on June 30, 2023, is reappropriated. | | | | | |
| **Program 306 - Water Well Decommissioning | Cash Fund | \$ 70,000 | \$ 70,000 | \$ - | \$ - |
| | Program Total | \$ 70,000 | \$ 70,000 | \$ - | \$ - |
| The unexpended Cash Fund appropriation balance existing on June 30, 2023, is reappropriated. | | | | | |
| Program 307 - Nebraska Resources Development Fund - The unexpended General Fund & Cash Fund appropriation balances existing on June 30, 2023, are reappropriated. | | | | | |
| Program 309 - Natural Resources Water Quality Fund | Cash Fund | \$ 1,187,500 | \$ 1,187,500 | \$ - | \$ - |
| | Program Total | \$ 1,187,500 | \$ 1,187,500 | \$ - | \$ - |
| The unexpended Cash Fund appropriation balance existing on June 30, 2021, is reappropriated. | | | | | |
| Program 313 - Water Sustainability Fund | Cash Fund | \$ 10,865,033 | \$ 10,865,033 | \$ - | \$ - |
| | General Fund Transfer | \$ 11,000,000 | \$ 11,000,000 | \$ - | \$ - |
| The unexpended Cash Fund appropriation balance existing on June 30, 2021, is reappropriated. | | | | | |
| Program 314 - Critical Infrastructure Facilities -- The unexpended Cash Fund appropriation balance existing on June 30, 2023, is reappropriated | | | | | |
| Program 319 - Water Projects | Cash Fund | \$ 87,800,000 | \$ 87,800,000 | \$ 87,800,000 | \$ 87,800,000 |
| | Program Total | \$ 87,800,000 | \$ 87,800,000 | \$ - | \$ 87,800,000 |
| \$62,800,000 Cash Funds from the Perkins County Canal Project Fund for FY 23-24 & 24-25. \$25,000,000 Cash Funds from the JEDI Fund for FY 23-24 & 24-25. | | | | | |
| Perkins County Canal Project Fund | | \$ 574,500,000 | \$ - | \$ 574,500,000 | \$ - |
| Water Resources Cash Fund | General Fund | \$ - | \$ - | \$ (3,300,000) | \$ (3,300,000) |
| | LB 814 Fund Transfer* | \$ 7,000,000 | \$ 7,000,000 | \$ 3,700,000 | \$ 3,700,000 |
| *Transfer to Water Resources Cash Fund from the Nebraska Environmental Trust Fund | | | | | |
| **Program 334 - Soil & Water Conservation (General Operations) | General Fund | \$ 11,793,956 | \$ 12,257,791 | \$ 732,417 | \$ 1,196,252 |
| | Cash Fund | \$ 8,795,326 | \$ 8,801,907 | \$ (49,469,818) | \$ (49,463,237) |
| | Federal Fund est.* | \$ 2,074,784 | \$ 2,077,647 | \$ 1,202,752 | \$ 1,205,615 |
| | Program Total | \$ 22,664,066 | \$ 23,137,345 | \$ (47,534,379) | \$ (47,061,100) |
| | Salary Limit | \$ 7,879,036 | \$ 8,251,662 | \$ 560,674 | \$ 933,300 |
| *\$1.2 Million in ARPA for enhanced data collection. | | | | | |
| Agency 51 - University of Nebraska | | FY 23-24 | FY 24-25 | FY 23-24 | FY 24-25 |
| Robert B. Daugherty Water for Food Global Institute | General Fund | \$ 500,000 | \$ 500,000 | \$ - | \$ - |
| Nebraska Forest Service | General Fund | \$ 2,804,862 | \$ 2,804,862 | \$ - | \$ - |
| Agency 11 - Attorney General | | FY 23-24 | FY 24-25 | FY 23-24 | FY 24-25 |
| Program 496 Interstate Water | General Fund | \$ 300,000 | \$ 300,000 | \$ - | \$ - |
| | Cash Fund | \$ 200,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 |
| | Program Total | \$ 500,000 | \$ 500,000 | \$ 200,000 | \$ - |

NARD Bill Summary Tracking Sheet - 108th 1st Session

Updated: 1/27/23

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| 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 | | Support | Government | | Committee | |
| LR 6CA | Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes | Erdman | | Oppose | Revenue | | 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 | | 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 | | Committee | |
| LB 79 | Adopt the Nebraska EPIC Option Consumption Tax Act | Erdman | | Oppose | Revenue | | Committee | MO 2 - Pending |
| LB 121 | Repeal the Trail Development Assistance Act | Bostelman | | Monitor | Natural Resources | | Committee | |
| LB 125 | Change provisions relating to the Surface Water Irrigation Infrastructure Fund | Bostelman | | Support | Natural Resources | | Committee | |
| LB 147 | Change procedures for property tax refunds | Kauth | | Monitor | Revenue | 2/1/2023 | Committee | |
| LB 205 | Adopt the Government Neutrality in Contracting Act | von Gillern | | Support | Government | | Committee | |
| LB 217 | Change a date for certain scrap tire recycling grants | Hughes | | Support | Natural Resources | 1/26/2023 | Committee | |
| 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 | Committee | |
| 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 | | Committee | |
| LB 287 | Prohibit creation of joint public agencies under the Joint Public Agency Act | Brewer | | Monitor | Government | | 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 | | Committee | |
| LB 304 | Require political subdivisions to disclose membership dues and lobbying fees | Linehan | | Monitor | Government | | Committee | |
| LB 312 | Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions | Lowe | | Monitor | Government | | Committee | |
| LB 322 | Prohibit creation of new joint public agencies with power or authority relating to tax | Linehan | | Monitor | Revenue | | Committee | |
| LB 332 | Prohibit creation of new joint public agencies with power or authority relating to education | Linehan | | Monitor | Education | | Committee | |
| LB 361 | State legislative intent to appropriate funds for the Precision Agriculture Infrastructure Grant Program | Dorn | | Support | Appropriations | | Committee | |
| LB 394 | Change provisions relating to the determination of damages as a result of eminent domain | Erdman | | Oppose | Judiciary | | Committee | |
| LB 396 | Provide for streamflow augmentation projects and retention of water rights | Erdman | | Oppose | Natural Resources | | Committee | |
| LB 400 | Adopt the Nebraska Pheasant Restoration Act | Brewer | | Monitor | Natural Resources | 2/8/2023 | Committee | |

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| LB 401 | State intent regarding appropriations to the Department of Natural Resources | Dorn | | Support | Appropriations | | Committee | |
| LB 428 | Require the the Nebraska Emergency Management Agency to provide matching funding for the federal Hazard Mitigation Grant Program | Walz | | Support | Government | | 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 | | Committee | |
| LB 513 | Change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the <u>Open Meetings Act</u> | Brewer | | Support | Government | | Committee | |
| LB 534 | Appropriate federal funds to the Department of Environment and Energy for community water systems | Slama | | Support | Appropriations | | Committee | |
| LB 540 | Change provisions relating to public lettings | Vargas | | Monitor | Government | | Committee | |
| LB 560 | State intent to seek federal funds under the Inflation Reduction Act of 2022 | Blood | | Support | Appropriations | | 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 | | Committee | |
| LB 576 | Provide limitations on liability and nuisance related to land-management burning | Cavanaugh, J. | | Support | Judiciary | | Committee | |
| LB 614 | Appropriate funds to the Department of Agriculture | McDonnell | | Support | Appropriations | | 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 | | Committee | |
| LB 651 | Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions | McDonnell | | Support | Appropriations | | Committee | |
| LB 656 | Change provisions relating to the Small Watersheds Flood Control Fund | McDonnell | | Support | Natural Resources | | Committee | |
| LB 672 | Appropriate funds to the Department of Environment and Energy | Hansen | | Support | Appropriations | | Committee | |
| LB 683 | Create the Nebraska Broadband Office and provide duties | Transportation and Telecommunications Committee | | Support | Transportation | 2/7/2023 | 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 | |
| LB 729 | Change provisions relating to the Jobs and Economic Development Initiative Fund | McDonnell | | Monitor | Natural Resources | | Committee | |
| LB 766 | Appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems | DeKay | | Support | Transportation | | Committee | |
| LB 768 | Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund | DeKay | | Support | Appropriations | | Committee | |
| LB 813 | Provide, change, and eliminate provisions relating to appropriations | Arch, At the request of the Governor | | Support | Appropriations | | Committee | |
| LB 814 | Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2025, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021 | Arch, At the request of the Governor | | Support | Appropriations | | Committee | |
| LB 817 | Appropriate funds for capital construction | Arch, At the request of the Governor | | Support | Appropriations | | Committee | |
| LB 818 | Provide for transfers of funds and change and eliminate provisions regarding the sources, uses, and transfers of funds | Arch, At the request of the Governor | | Support | Appropriations | | Committee | |
| LB 819 | Change provisions relating to the Cash Reserve Fund | Arch, At the request of the Governor | | Support | Appropriations | | Committee | |