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March 22, 2024

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: March 22 NARD Update

Property tax relief package - News reports came out late Thursday, March 21st, that the Revenue Committee approved a package of bills that would provide about \$1 billion in property tax relief. The bills have not been reported out of committee yet, so the only information to go from is what was reported in the news.

Parts of the package include an increase in sales tax, expanding the sales tax to more services and goods, bringing in about \$650 million. The balance comes from savings made in the budget bills and redirecting other funds.

It was also reported by various news services that new spending caps would be placed on schools, cities, counties and other political subdivisions. Again, the bills have not been reported out, so specific details are not available at this time. Details will be provided when they become available.

NARD 2024 Washington DC Conference

2024 NARD Washington DC Conference – Forty-nine NARD members, representing 13 NRDs, Nebraska NRCS and Corteva were in Washington DC this week attending the annual NARD Washington DC Conference. On Monday and Tuesday attendees participated in sessions to learn more from federal agencies and partners about natural resources issues at the national level. On Wednesday, the NARD members attended the Nebraska Breakfast joining about 75 other Nebraskans that were in the national capitol, including Governor Jim Pillen.

After the breakfast, the NRD delegation spent the day meeting personally with the Nebraska US Senators and Congressional Representatives including Senator Deb Fisher, Senator Pete Ricketts, Congressman Don Bacon, Congressman Mike Flood and Congressman Adrian Smith at the U.S. Capitol. Each provided a summary of the political climate in congress and outlined their legislative priorities. A special thank you goes out to Senator Deb Fisher for securing a meeting room at the Capitol Visitor Center that could accommodate the group.

NARD staff would like to thank all the board members and staff who attended and helped bring the message of what local NRDs are doing to protect lives, property and the future of Nebraska to Washington. NARD staff would like to extend a special thanks to NARD Past-President Dr. Orval Gigstad for leading the conference!

The group also visited the Gettysburg National Battlefield, including a personal tour of the historic battlefields. Congressmen Mike Flood also hosted a personal night tour of the Capitol for the group.

The following is a brief summary of the conference sessions. More detailed summaries, copies of presentations, and additional photos from the 2024 Washington DC Conference can be found on NARD's website: [Reports/Resources | Nebraska's Natural Resources Districts \(nrdnet.org\)](https://www.nrdnet.org/Reports/Resources/Nebraska's-Natural-Resources-Districts)

Kris Polly & Dillon Kuehn, Water Strategies & NWRA

Kris emphasized the significance of visiting Washington, DC, and cultivating a strong working rapport with your congressional representatives. Members of Congress prioritize three key things: votes, media coverage, and financial support. Meanwhile, staffers focus on two primary concerns: access to pertinent information aiding their duties and acknowledgment of their efforts to superiors.

Dillon reported that they are closely monitoring administrative actions and regulatory developments affecting water management in Nebraska. Here are the key areas of focus:

1. **Administrative Side:** Implementation of IRA funds for drought prevention continues, with funding accessible through the Bureau of Reclamation and the WaterSMART Grant program. Cybersecurity risks pose challenges to critical infrastructure, including drinking water systems, wastewater systems, and dams.
2. **Congress:** The House is undergoing a transition, with appropriations splitting 12 bills into two groups of six. The first batch has been passed, ensuring government funding through September 2024. While five of the remaining six bills have been agreed upon, funding for homeland security remains uncertain. Congress is expected to extend the current 2018 farm bill, although adjustments to the SNAP program are off-limits. There's a partisan divide over redirecting IRA funds through the farm bill, with Republicans in favor and Democrats opposed.

Regarding WOTUS (Waters of the United States), the EPA and Army Corps of Engineers have revised some aspects of the rule through the rulemaking process. However, the rule is likely to face further legal challenges, particularly from states operating under pre-regime WOTUS rules prior to the Biden administration. Proposed rulemaking changes are expected to take effect in the near future.

Christopher Young, NACD

Young reported the outlook for the Farm Bill is becoming increasingly uncertain, with growing indications that it may not pass this year. As time dwindles, particularly amidst an election year, more attention is being diverted towards campaign activities. In terms of priorities beyond conservation, there's a focus on enhancing the farm safety net by raising reference prices, though the funding source for this initiative remains unclear.

Proposals also include modernizing the Conservation Reserve Program (CRP) to encourage enrollment of marginal lands at higher rates, streamlining the Regional Conservation Partnership Program (RCCP) to align more closely with EQUIP and CSP, and allowing greater flexibility with administrative costs. Additionally, there's a call for increased funding for PL566 and a focus on innovation within the RCCP while aligning EQUIP more closely with climate-related initiatives.

Katie Flahive and Cyd Curtis, EPA

They thanked NRDs for their support in using 319 at the local level and discussed that the number of groundwater Nitrate violations across the country is small, but it is increasing nationwide. Based on the data at the state level in Nebraska, there should be a push to use 319 funds to address nitrates.

They also reviewed national studies portraying vulnerability of Nitrate contamination. Since 2014 more than 160 of the section 319 funded projects nationwide have identified groundwater as the waterbody type being addressed. Nebraska was number four on the list with 14 projects funded addressing groundwater.

Ryan Yates, American Farm Bureau Federation

Yates summarized the work of the Farm Bureau in D.C. – working to ensure that 6-million-member families values and policies are represented on the hill. All issues and policies lobbied for in D.C. start at the grassroots and county level. With this being an election year and the current makeup of congress it has been very difficult for the house and senate to find middle ground to get much accomplished.

Astrid Martinez & Ralph Smith, NRCS Watershed Programs Update

The Watershed program offers unparalleled flexibility, allowing for a wide range of activities. It was initiated in response to the movement of erosion, floodwater, and sediments within a watershed. Under its umbrella, there exist three distinct programs: the Watershed and Flood Prevention Operation (WFPO), Watershed Rehab (REHAB), and Emergency Watershed Protection Program (EWPP).

With the passage of the Bipartisan Infrastructure Law, the Watershed program received a substantial influx of funds: \$500 million for WFPO, \$118 million for REHAB, and \$300 million for EWP. The WFPO program, originally focused on high-capacity dams, now also addresses drought mitigation. Its objectives include flood prevention, watershed protection, support for public fish and wildlife, enhancement of public recreation, management of agricultural water, provision of municipal and industrial water supply, and water quality management.

Karis Gutter, Corteva Agriscience

Karis reported that Corteva, established approximately five years ago through the merger of Dow and DuPont, Global Company operates in 140 countries worldwide. The company's primary focus is on enhancing US Agriculture by delivering top-tier resources to improve soil quality and crop yields. Their commitment extends to fostering strong relationships with regulatory bodies such as the EPA, Department of Agriculture, and NRCS.

He stressed that Corteva remains committed to innovation, particularly in nitrogen stabilizers and biologicals. They are actively seeking partnerships with government bodies, industry stakeholders, and growers.

He also noted the beneficial partnerships that the Nebraska Association of Resources Districts has with Corteva in Nebraska. They appreciate the opportunity to work with the NRDs in Nebraska to address water quality issues. They are looking forward to more partnerships with the local NRDs to help protect water quality.

Russell Ames, NRCS *Regional Conservation Partnership Program*

Ames reported the National CIG Program Classic provides funds for pilot tests and field trials to explore innovative conservation approaches and technologies. On-Farm Innovation Trials support farmer field trials, including incentive payments.

The Voluntary Public Access and Habitat Incentive Program aims to assist state and tribal governments in encouraging landowners to permit public access. The Wetland Mitigation Banking Program aids in establishing wetland mitigation banks, making credits accessible for agricultural producers.

RCPP, a Partnership Program, aims to assist farmers in land stewardship. NRCS and partners invest in conservation activities on private agricultural land and non-industrial private forests.

Michelle Christoffers & Joe Di Rocco, USACE. Dan-Tam Nguyen, EPA - *Federal Funding Options for Water Projects: USACE CWIFP and EPA WIFIA Loan Programs*

The presenters provided an overview of WIFIA and CWIFP, both Federal Programs that offer financing for water projects. WIFIA can be used for several different water project types not limited to: Drinking Water Treatment Plant Projects; Projects to improve collection and distribution of water; Non-point source management (CWA 319) estuaries management (CWA 320); and Infrastructure resiliency against climate threats.

They can also be used for watershed management including: Stormwater management projects to capture store and treat; Watershed partnerships for addressing nonpoint sources and water quality; and Water resource planning including drought resiliency.

Eligible applicants for WIFIA include local state and tribal government entities, partnerships and joint ventures, corporations, and state revolving funds.

The presenters also provided an overview of CWIFP, which is the newest federal loan program authorized under the same bill as WIFIA, however CWIFP is administered by the USACE. Financing through CWIFP is available for the update and repair of dams that are registered in the national inventory of dams and owned by non-Federal entities. Eligible borrowers include any non-federal entity. Eligible costs included development phase, construction, and any costs excluding operation and maintenance.

Dr. Candiss Williams, USDA-NRCS, NRCS Soil Health Division

Williams reported their reliance on partnerships is significant, as they provide both technical and financial support for current activities and experimentation with new technologies aimed at enhancing soil health. The economic benefits of cover crops are evident, with farmers realizing increased profits by integrating them into their farming systems.

They uphold a single practice standard, CPS 336: Soil Carbon Amendment, which became a permanent standard in 2023. This standard offers technical and financial assistance to producers by introducing sequestered carbon into soils through methods such as biochar, compost, and sorghum waste. Research in Nebraska is currently investigating various biochar materials.

ICPS 809: Conservation Harvest Management promotes crops that leave standing residue to combat soil erosion and preserve moisture, though it has not yet been embraced in Nebraska.

ICPS 825: Culturally Significant Plantings for Soil Health encourages the cultivation of multiple plants together using biological and cultural strategies to enhance soil ecosystem, including improvements in soil aggregate stability, nutrient cycling, and moisture retention.

A pilot program for Rangeland In-field Soil Health Assessment is in preparation, enabling field planners and landowners to identify areas for rangeland improvement through on-site assessment.

NRCS also offers various training programs to aid staff and landowners in improving soil health, covering topics such as rangeland soil health, advanced cropland soil health, urban soil health, and soil health demonstration trailers.

Michael Preston, National Rural Water Association

Preston provided an overview of NRWA Federal Legislative Agenda, noting the role rural America plays in DC. Federal funding for rural water is all the responsibility of congress. He outlined annual NRWA priority programs including: USDA Circuit rider program; Grassroots Source Water Protection Program; EPA Safe

Drinking Water Act Technical Assistance; EPA Clean Water Act Technical Assistance; and EPA State Revolving Funds.

Preston outlined work NRWA is doing to lobby congress to ensure the new farm bill includes priorities for rural water.

Preston provided an update on PFAS action at the federal level, noting it's the hottest water topic in congress. NRWA is member of the Water Coalition Against PFAS, a group of many organizations and associations that have combined to advocate for responsible PFAS contamination rules, with the priority of providing local utilities and systems an exception from CERCLA liability and implementing a polluter pays policy.

Preston summarized the timeline of congressional action related to PFAS – noting that Sen. Ricketts is a co-sponsor of S.1430, the Water Systems PFAS Liability Protection Act. A Senate EPW Hearing Examining PFAS as Hazardous Substances is being held on Wednesday, March 20th. NRWA has submitted 83 letters representing more than 11,000 communities requesting an exemption from PFAS CERCLA Liability.

Dr. Jonathan H. Smith, USDA-NRCS Soil Science and Resource Assessment (SSRA)-NRCS

Smith reported the NRCS boasts a workforce that provides essential resources to support science-based, data-driven conservation efforts. The SSRA plays a pivotal role in conservation delivery, planning, technical assistance, and informing program and policy decisions.

The National Cooperative Soil Survey fulfills a legislative mandate to inventory the soil resources of the United States. Online resources such as the Web Soil Survey offer a comprehensive repository of free soil information and maps.

Established in 2014, the USDA Climate Hubs develops and disseminate science-based information and technologies to natural resources managers, assisting in climate-related decision-making processes.

Roque Sanchez, Bureau of Reclamation, WaterSMART Program

Smith reported that since the 1990s, WaterSMART has served as a crucial funding source and toolkit for addressing water scarcity. The WaterSMART Program encompasses various federal financial assistance opportunities, aiming to enhance water supply reliability while addressing local water conflicts. It supports water conservation and management improvements to address competing demands for water.

WaterSMART encompasses 20 different programs spanning planning, science, tools, and on-the-ground projects. It operates as a competitive grant program with a 50% non-federal cost share requirement.

The Bipartisan Infrastructure Law allocated funding for WaterSMART, totaling \$2.1 billion across 256 projects, facilitating significant advancements in water management and conservation efforts.

Julie Bushell, Ethos Connected & The Nebraska Bioeconomy Initiative

Governor Pillen has appointed Julie Bushell to spearhead Nebraska's Bioeconomy Initiative, aiming to position the state as a leader in the nation's bioeconomy sector. Bushell reported the roadmap for Nebraska's initiative includes two key priorities: safeguarding the Natural Resources District (NRD) system and bolstering critical infrastructure.

Nebraska, with its distinct attributes, holds a prime position to drive the bioeconomy forward. The absence of standards poses a challenge for producers looking to engage in carbon markets. Nebraska intends to establish its own standard, asserting its unique approach to the market.

The Governor's Full Value Ag Initiative has convened a roundtable of agricultural leaders tasked with devising a carbon intensity (CI) registry specific to Nebraska. Such a registry would enable corn commodity producers to secure premium payments based on carbon intensity.

Nathan Bowen, Irrigation Association

Bowen reported the Irrigation Association is actively engaged in shaping the forthcoming farm bill. Three major areas of focus within the bill include enhancing productivity and efficiency for producers, promoting responsible stewardship of water resources, and addressing emerging agricultural challenges.

Conservation efforts, particularly through programs like EQIP, are pivotal. Beyond water quantity, considerations also encompass greenhouse gas emissions, energy consumption, and water quality. Notably, farmers who haven't irrigated within the past five years are ineligible for EQIP funds for irrigation purposes.

As agriculture increasingly relies on connectivity, broadband access remains crucial. However, cybersecurity must also be prioritized to safeguard against potential threats. Balancing accessibility with security measures is paramount in this interconnected landscape.

Back to the Nebraska Legislature

Committee Action

LB 937 - Adopt the Caregiver Tax Credit Act. Bostar. Bostar Priority Bill.

A bill to provide tax credits for caregivers has become a bill for other tax credit bills as the Revenue Committee advanced it to General File this week. The committee amendment, AM 3132, incorporates the provisions of 10 other tax related bills into LB 937.

Of interest to NRDs is LB 1184, which proposes to adopt the Reverse Osmosis System Tax Credit Act to provide a tax credit for installation of reverse osmosis systems for one or more of the listed chemicals. The original bill also required a real-time nitrogen management plan to be implemented by January 1, 2025, but that is not included in the committee amendment.

The credit would be for individuals that install systems at a primary residence for chemical that are above:

- 1) Ten parts per million for nitrate nitrogen;
- 2) Four parts per trillion for perfluorooctanoic acid or perfluorooctanesulfonic acid;
- 3) One on the Hazard Index for perfluorononanoic acid, perfluorohexanesulfonic acid, hexafluoropropylene oxide dimer acid and its ammonium salt, or perfluorobutanesulfonic acid

The refundable tax credit would be equal to fifty percent of the cost incurred by the taxpayer during the taxable year for installation of the reverse osmosis system, up to a maximum of one thousand dollars.

The department shall consider applications in the order in which they are received and may approve tax credits under this section each year until the total amount of credits approved for the year equals one million dollars

The Department of Revenue may adopt and promulgate rules and regulations to carry out the Reverse Osmosis System Tax Credit Act.

Again, the amendment does not include a real-time nitrogen management plan to be in place as was originally proposed in LB 1184.

Below are the hearing notes on LB 1184.

The Revenue Committee held the hearing on LB 1184 on February 15th.

Sen. Bostar opened on the bill discussing NDEE's water quality report. He discussed the risks associated with ingesting nitrate from drinking water. He also mentioned uranium and its risks noting that it has been found in high concentrations in certain areas of the state. He answered questions related to the fiscal note.

Proponents

Dean Edson presented testimony in support of LB 1184 on behalf of NARD. We would like to thank Senator Bostar for introducing this bill. We need to do more to improve and protect water quality in Nebraska.

The NRDs have been working with producers to properly apply fertilizer to reduce nitrate contamination. This problem did not occur overnight and will not get resolved quickly. However, there are more things we can do to get to that goal.

The testimony included an attached copy of all 23 NRDs annual water quality sampling. In general, here is a summary:

- NRDs collect on average 12,051 nitrate samples annually.
- NRDs monitor on average 10,666 wells annually.
- All NRDs use this data to make management decisions, update groundwater rules and regulations, and submit to the Clearinghouse.
- All NRDs share data collected with NRD board members, Nebraska Department of Environment and Energy (NDEE)/Clearinghouse, and landowners/public.
- Percentages of nitrate samples collected from different wells (total wells sampled in parenthesis):
 - 63% Irrigation Wells (6,744)
 - 18% Domestic Wells (1,922)
 - 17% Dedicated Monitoring Well (1,788)
- 1% Livestock wells (118)
- 1% other wells (94)

One thing to note is the average number of nitrate samples collected is more than the average number of wells a district sample on an annual basis because wells may get sampled more than once per year.

The districts have established groundwater monitoring networks to ensure wells are sampled on a reoccurring basis.

The requirement for a real-time nitrogen management plan to be in place by August 31, 2024, with full implementation by January 1, 2025, might be unrealistic. It will take some time to develop a well-thought-out comprehensive plan as these products are expensive and rely on the ability to send data.

The technology is just coming into play on real-time sensing. The Twin Platte NRD has invested significant financial resources into cost-sharing with producers on these products. They are currently going through a process for calibration to assure the sensing is accurate. Several other districts have also implemented these sensors for groundwater quantity use.

We are also working with interested parties to get broadband and internet access to all areas of the state. That is a key component to make the remote real-time sensing work.

The NRDs are willing to work with the Legislature and other interested parties to move forward on this but consider allowing more time to get a plan put together that is accurate and dependable.

Julie Bushell, CEO of Ethos Connected, testified in support. She noted that the NRDs have a progressive mindset with water management and this bill will help with water quality. She discussed their software and how it can play a role in nitrate reduction in groundwater.

Jackson Stansell, Sentinel Fertigation, testified in support. He noted Nebraska has an extensive groundwater nitrate issue and the bill addresses the challenges that we currently face, but also takes a step forward in addressing the problem. Stansell discussed Sentinel Fertigation's software and how it can provide a win-win solution for farmers, the environment and society.

Al Davis testified in support on behalf of the Nebraska Sierra Club and Nebraska Independent Cattlemen. He discussed research articles pointing toward high pediatric cancer rates and other health impacts to Nebraskans who have impacted drinking water. He noted this is a great first step but also a very large Band-Aid and that eventually the State will be forced to address the real problem citing CAFOs that are causing environmental harm.

Kenneth Winston, Nebraska Power and Light, testified in support. He noted their organization supports those that are most vulnerable and outlined some of the health impacts from contaminated drinking water. He acknowledged that the NRDs and Legislature have been working on this issue for quite some time. He also noted their support for Sen. Ibach's nitrogen management bill.

John Hansen, Nebraska Farmers Union, testified in support. He noted the NFU 2022 conference focused on water quality, and it was very sobering to see some of the negative impacts of nitrate in water. He noted that monitoring and additional technology is needed.

Rebecca Wells testified on her own behalf. She noted that maps for nitrates and pediatric cancer in Nebraska overlay. She noted that birth defects are the biggest cause of infant mortality in Nebraska and that nitrate causes birth defects. She highlighted that CAFOs, and row crops are both contributors to increased nitrates in our water.

Opponents – There was no opposition and no neutral testimony provided.

Position comments submitted for the record included nine proponents and two neutral.

Governor Action

LB 304 - Require political subdivisions to disclose membership dues and lobbying fees. Linehan.

The Legislature gave final approval to LB 304 on March 15, 2024, by a 48-0-1 vote. Governor Pillen signed the bill into law on March 18, 2024.

Previously, the Legislature advanced the LB 304 to Final Reading on March 4, 2024, by a voice vote.

It was advanced to Select File on February 8, 2024, by a 35-0-9 vote. The Government Committee advanced LB 304 to General File on April 17, 2023, with no committee amendments.

The bill would require that political subdivisions or any other unit of local government to disclose on its website the following:

- (a) Membership dues paid annually to any association or organization, identifying each such association or organization and the dues amounts paid; and
- (b) Fees paid to any individual lobbyist or lobbying firm other than any fees paid for lobbying services that may be included in the membership dues.

For any political subdivision that does not have a website, the information shall be made available upon request to any member of the public at the office of such political subdivision.

The Government Committee accepted testimony on the bill on February 9th, 2023.

In her opening, Senator Linehan noted that she wants to know who pays the dues for the education lobbyists. She also raised concerns about the national education associations and the stances they take on issues. She feels it would be important to know what Nebraska schools are funding various national policy issues.

Proponents

Laura Ebke, senior fellow at the Platte Institute, testified in support. All public entities need to be transparent about the dues they are paying, and to what entities, which instill confidence in the public on where local tax dollars are going. This information can be found with the Accountability and Disclosure Office, but you have to dig to find it and putting it on individual websites makes the information easier to find for the public.

Opponents

There was no opposition testimony.

Neutral

Frank Daley, executive director with the Accountability and Disclosure Office, testified in the neutral. He noted his office was unsure where this would land in statute – the Accountability and Disclosure Act or somewhere else in statute? The term “lobbying” in the Accountability and Disclosure Act only applies to lobbying in the legislature, so if the public wanted a broader sense of dues payments the language would need changed. The lobbyist registration is part of the Clerk of Legislature’s Office and not the Accountability and Disclosure Office. He recommended the committee may want to clarify what they want so it goes to the correct entity.

Three proponent letters were filed and no opponent letters.

Closing on the bill, Sen. Linehan noted she would work with the Accountability and Disclosure Office to clean up the language on the bill.

Final Reading

LB 43e - Adopt the First Freedom Act and the Personal Privacy Protection Act, authorize tribal regalia to be worn by students, change provisions relating to withholding records from the public, provide requirements for interpretation of statutes, rules, and regulations, and prohibit state agencies from imposing certain requirements on charitable organizations. Sanders. Government Committee Priority.

Senators gave final approval to LB 43 on March 21, 2024, by a 39-0-10 vote. The bill now awaits action from Governor Pillen. The bill includes the emergency clause, so it would become law within five days if the governor signs the bill.

Senators debated LB 43 on March 4, and added provisions of LB 637 that would require public bodies to allow members to speak at each public meeting.

During Select File debate, AM2812, offered by Senator Brewer added language that eliminated the language that gave public bodies discretion to allow for citizens to speak at public meeting and replaced it with language to “shall allow members of the public an opportunity to speak at each meeting”. The exception would be at closed sessions.

The amendment was adopted by a 41-0-8 vote and the bill was advanced to Final Reading by a voice vote.

Current law allows for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing.

The bill, as originally drafted, would offer the Legislature's guidance to hearing officers and judges about the use of deference in cases regarding statutory or regulatory language.

The bill became the Government Committee Priority Bill and included the following additional bills into the Committee Amendment (AM 2076):

- LB 41 - Prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations. (Hansen)
- LB 277 - Adopt the First Freedom Act and authorize the wearing of tribal regalia by students. (Brewer)
- LB 297 - Adopt the Personal Privacy Protection Act (Sanders). The bill would prohibit state and local government agencies from requiring disclosure or disclosing information in their possession relating to supporters, volunteers or contributors to 501(c) nonprofit organizations.
- LB 366 - Change provisions relating to public records (Conrad). The provisions included apply to public records requests generally and remove references to "citizens" and replace them with "residents." This section of the bill would also create a bifurcated fee structure for obtaining public records, with residents receiving more favorable treatment than nonresidents, though all news media requesters would be considered as "residents" for this purpose.

The bill also includes language that specifically says that fees for records shall not include any charge for the services of an attorney or other person to review the public record seeking a legal basis to withhold them. This gets to the heart of the \$44,000 fee to Flatwater Press imposed by the Nebraska Department of Environment and Energy and would eliminate such for future requests. Recently, the Nebraska Supreme Court ruled in favor of NDEE as the language in current law did not prohibit such.

- LB 650 - Allow certain cybersecurity records to be withheld from the public. This bill would amend the statute relating to public records that may be withheld from the public to include records relating to "the nature, location, or function of cybersecurity by the State of Nebraska or any of its political subdivisions."

General File

LB 1335 - To change provisions of and provide duties and exemptions from the Nongame and Endangered Species Conservation Act. Moser. Moser Priority.

On March 20, 2024, Senators gave first round approval to LB 1335 by a 39-0-10 vote after adopting the committee amendment (AM 2947) by a 36-0-13 vote.

The Natural Resources Committee advanced LB 1335 to General File on March 13, 2024, with a committee amendment. The amendment (AM 2947) adds structural context and includes the tool of incidental take like federal regulations that allow it. It narrows the exempted party definitions to define that they only apply if an entity is directly connected with a Department of Transportation project.

The bill proposes that the Nongame and Endangered Species Conservation Act does not apply to any action of an exempted party in furtherance of its lawful duties associated with designing, constructing, reconstructing, repairing, operating, or maintaining transportation infrastructure.

Exempted party is defined in the bill as any state agency, political subdivision, or any agent, employee, consultant, or contractor of any state agency or political subdivision.

Transportation infrastructure includes any:

- (a) Road, street, highway, or any right-of-way of a road, street, or highway;
- (b) Interdependent or interrelated contractor use site;
- (c) Actions permitted by a state agency or political subdivision within any road, street, highway, or right-of-way of any road, street, or highway controlled by the state agency or political subdivision;
- (d) Pedestrian or bicycle trail, lane, or bridge;
- (e) Technology with the primary purpose of benefiting the traveling public; and
- (f) Broadband infrastructure placed by the Department of Transportation.

The Nongame and Endangered Species Conservation Act would apply to any initial action of any exempted party that creates new transportation infrastructure on areas not previously dedicated to the exempted party's lawful duties or any subsequent action that increases the area of existing transportation infrastructure.

The Natural Resources Committee held the hearing on LB 1335 on Feb. 21.

Opening on the bill, Sen. Moser indicated this is his priority bill. Sen. Moser noted this bill was brought to him by the Nebraska DOT. He noted the bill balances environmental stewardship and the importance of transportation infrastructure that the state needs. The current law is currently more restrictive than the federal law and has fewer tools for balancing the opposing sides. He gave the example of an 80-foot right-of-way times a mile is about 10 acres. If you have to offset that by a two-to-one ratio you would need 20 acres to balance the environmental impact of the infrastructure. Thus, 20 acres would be a conservation easement in perpetuity.

Proponents

Khalil Jaber, Deputy Director of Engineering for Nebraska DOT, testified in support. He noted we need to address the Nongame and Endangered Species Conservation Act (NESCA) to better address transportation infrastructure. He said it is the stricter NESCA language that impacts project delivery and NDOT feels this bill balances their commitment to the environment and the safety of the traveling public. He noted the bill will help NDOT meet their fiscal responsibility to the taxpayer. He said the bill allows existing infrastructure and roadway corridors to be used for their primary purpose. He noted that if not changed, the current law will continue to drive costs up for roadway infrastructure.

He answered questions from senators including why is the bill a priority now if it's been a law since 1975? Jaber indicated it is because the list of species is always changing and depending on the species on the list it can be significant costs to do the consultations for the species. They do approximately 400 projects a year and the species can change depending on the part of the state. They are hearing about Monarch Butterflies that might be listed next year and then they will have to deal with that. Jaber noted that by bringing the political subdivisions into the mix, we want to exempt them so if they are applying for funds they can improve their infrastructure without the hurdle. They still have to qualify under the federal requirements.

Katie Wilson, Executive Director with the Association of General Contractors of America - Nebraska Chapter, testified in support. This bill strikes the right balance between infrastructure and the environment that makes our state great. The project will still be subject to review initially but will not require further review when the road is upgraded, added to, etc.

Lash Chaffin, League of Nebraska Municipalities, testified in support. He noted the public is very frustrated that road projects take so long – years from inception to completion. He noted that there are numerous environmental laws that the city, state and federal governments have to comply with and anything that can be done to make these laws more streamlined to reduce project time is valuable.

Elaine Menzel, Nebraska Association of County Officials, testified in support. She noted that this could potentially make things easier for counties with infrastructure projects.

Thomas Schafer, Assistant Director of Transportation for the City of Lincoln, testified in support. He noted this bill promises a more streamlined, cost-effective manner to complete projects. This bill strikes a balance between transportation and conservation of our resources. Every project, we have to fill out paperwork to prove that we aren't impacting a species.

Opponents

Kristal Stoner, Audubon Great Plains, testified in opposition. She noted it has always been a debate – what is more valuable, the road or the species? She noted she found only two projects where this has come into play – the Columbus Bypass where there were orchids in the right-of-way and the Heartland Expressway where there were foxes. She added that if DOT destroys habitat, they should have to put it back to how it was. She doesn't believe this bill achieves the goal the DOT is trying to achieve.

John Cougher, The Nature Conservancy of Nebraska, testified in opposition. It's important to the state's economy to keep threatened species from moving onto to the endangered list. The rights-of-way provide habitat for species and classifying them as manmade isn't going to improve the situation.

Cindy Veys, citizen and former NDOT environmental section employee, testified in opposition noting no state agency should be exempt from this law, instead they should be leaders in accommodating it.

Kimberly Stuhr, Nebraska Wildlife Federation, testified in opposition and outlined the success of the current Nebraska Endangered Species Act. She noted the need to protect endangered and at-risk species and state agencies should be held to the same standards as others. Saving the state money now may cost more in recovery and rehab costs.

Kai Adams testified in opposition as an individual and discussed the environment is important and we can't destroy it to save money.

Neutral

Al Davis, Nebraska Sierra Club, testified in a neutral capacity. He discussed that is his understanding that this does not attempt to circumvent federal law but would still require an assessment and that is their reason for neutral testimony. He suggested more specific language be included to clearly determine what is required and what is omitted from permits. Additionally, he asked for clarification as the bill is silent on private roads and what protections are available for private roads.

Tim McCoy, Director NGPC, testified in a neutral capacity noting that his agency and other state agencies work together as partners to move projects forward efficiently under NESCA. These changes will only apply to state listed species, which includes 16 of the total 32 listed species. McCoy raised questions about independent sites and requested the committee give further consideration to exempted parties. He requested the committee add language that requires applicants to attempt to minimize impacts to species and complete restoration efforts to benefit the species in the long run. Additionally, they would like language requiring a mandatory to consult so they could work with the involved parties to identify and minimize impacts.

Position comments were submitted for the record by seven proponents and six opponents.

Sen. Moser closed by discussing that he'd continue to work with all parties and agencies to reach a consensus. However, he does not believe the state act should be a more cumbersome process than what the federal act requires.

Sen. Moser has declared the bill his personal priority bill.

LB 1368 - To adopt the Nitrogen Reduction Incentive Act. Ibach. Ibach Priority.

Senators gave first round approval to LB 1368 by a 35-0-14 vote after adopting an amendment, AM 3002, offered by Senator Ibach by a 34-0-15 vote.

The Agriculture Committee reported the advancement of LB 1368 to General File on Feb. 21, following a 7-0 committee vote. The bill proposes to create the Nitrogen Reduction Incentive Act to encourage farmers to adopt efficient and sustainable practices to help Nebraska protect land and water resources and position our farmers to compete.

The amendment (AM 3002) strikes the original provisions of the bill and replaces it with broader options for reductions in fertilizer use.

The changes from the original version are the following:

- The program shall provide an annual per-acre incentive for any farmer who verifies through documentation that commercial fertilizer rates were reduced by the lesser of 40 pounds per acre for nitrogen or 15 percent by incorporating a qualifying product in the farmer's nutrient plans. The original bill required the lesser of 25 pounds/acre for nitrogen or 15% by incorporating a qualifying product in the farmer's nutrient plans.
- A \$5 million transfer from the Cash Reserve Fund to the Nitrogen Reduction Incentive Cash Fund as soon as administratively possible after the effective date of this act, but before June 30, 2025, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services. There was not a dedicated source of funds in the original bill.
- Directs the Department of Natural Resources to apply for all grants from state, federal, and private sources that are applicable to the purposes of the Nitrogen Reduction Incentive Act.

The rest of the bill remains the same.

The bill requires that a commercial fertilizer rate reduction from historic baseline use shall be completed to qualify for the program. The purposes of the program are to:

- (a) Provide incentive payments to farmers; and
- (b) Encourage farmers to (i) reduce the use of commercial fertilizer and (ii) incorporate innovative technology into farming practices, including the proper use of biological nitrogen products.

The department shall not award more than \$5 million in incentive payments in total per year under the nitrogen reduction incentive program.

The program would be administered by the Department of Natural Resources. The department shall adopt and promulgate rules and regulations that adopt a standard for labeled products to qualify for the nitrogen reduction incentive program and may adopt and promulgate rules and regulations to carry out the Nitrogen Reduction Incentive Act.

The department shall:

- (a) Collaborate with natural resources districts to add any new technology to the program as it becomes available. Such technology shall replace nitrogen fertilizer use and maintain farm productivity;
- (b) Identify geographically beneficial target areas while keeping the program open to all farmers in the state;
- (c) Consult with farmers and commercial entities in the agriculture industry to determine a per-acre payment rate tied to the commercial rate reduction but not less than \$10 per acre; and
- (d) Review the per-acre payment rate based on inflation or emerging technology in renewing years.

The nitrogen reduction incentive program would terminate on Dec. 31, 2029.

The Agriculture Committee held the hearing on LB 1368 on Feb. 13.

Sen. Ibach opened the hearing by thanking those supporting the bill, including several ag groups and NARD. Sen. Ibach outlined provisions of the bill and noted the intent is to encourage farmers to adopt efficient and sustainable practices that will enable them to compete globally and win the race to adopt innovative products. This is the start of a bigger discussion in the months ahead. The sunset is included as this is intended to be an incentive starter, further recognizing that \$5 million is just a start. Sen. Ibach suggested exploring other funding sources including WSF, corn checkoff, NET, and other funding options, but we want to move quickly. By being proactive, farmers can be in the driver seat of this important issue. Sen. Ibach asked the committee to consider making the measure a committee priority bill.

Sen. Hughes asked if the focus will be on areas with higher nitrates or how the funds would be distributed? Sen. Ibach noted it'd be up to NeDNR to decide, but the goal is to open it up to all farmers across the state.

Sen. Reipe discussed his concern over the health risks from nitrates and asked if switches from crop rotation to corn on corn has made an impact? Sen. Ibach discussed that addressing soil health is a big piece to addressing the problem and research shows that biologicals and soil health can reduce the amount of synthetic nitrogen needed. Sen. Reipe also expressed a desire to see additional education incorporated.

Proponents

Lyndon Vogt, General Manager Central Platte NRD, testified in support on behalf of NARD. Nebraska has more irrigated acres than any other state in the nation. Irrigation allows us to have a very stable crop yield on nearly 9 million acres. Applying extra fertilizer and water have been considered cheap insurance to guard against yield loss. The downside of that thought process is the increasing nitrate levels in the soil and waters of the state.

Many NRDs have worked with UNL and other professionals to educate producers on proper timing, placement and amounts of nitrogen applied to improve yields and profitability, while also reducing the risk of contamination. CPNRD, in conjunction with UNL, has the longest on-farm research project addressing nitrogen rates in the nation. This relationship has lasted over 44 years and is still going strong.

The NRDs need assistance in getting the majority of producers to adopt new practices and products while lowering their actual nitrogen applied. There are two options when implementing change, incentives or regulations. In my opinion regulations are much more expensive than incentives, and once implemented regulations rarely end. Financial incentives will be imperative to getting producers to change their current practices and help protect our water quality.

There are biological products that can assist in reducing nitrogen rates, as long as the products are used correctly, and the amount of nitrogen applied is reduced by the suggested amount.

There is also new sensor-based imagery via satellites that has become available in the last few years that recognizes when the crop is lacking nitrogen so the crop can be spoon fed during the growing season. This reduces over application and leaching of nitrogen. The CPNRD began cost sharing on sensor-based technology for nutrient applications last year. The majority of producers participating in this program are more profitable per acre as a result of reduced N application and stable yields. On average, profitability increased over \$27 per acre and nitrogen applied decreased by over 40 pounds per acre. In some cases, nitrogen applications decreased over 90 pounds per acre with no yield loss. This technology replaces an algorithm that results in a different amount of needed nitrogen by every entity selling nitrogen and making recommendations to producers.

CPNRD has required crop reports in our high nitrate areas since 1987. These reports include soil and water samples to account for all nitrogen sources available and all results are fed into the UNL algorithm to show producers what the UNL recommended amount of nitrogen is to produce the desired crop yield. If a producer is profitable, it is very difficult to convince them they can be more profitable by making small changes even though on farm research shows that most producers over apply nitrogen.

It is time for the State of Nebraska to recognize the high nitrate issues we face in the heavily irrigated areas of the state and begin to assist the NRDs and producers in addressing this issue with the latest technologies and financial assistance to implement these programs.

If this bill moves forward the NRDs will work diligently with NeDNR in creating new incentive-based nitrogen management programs with a focus on the higher nitrate areas of the state.

Hank Robinson, Aksarben Foundation & Full Value Ag, testified in support and discussed that sustainability can mean many things, but it usually comes down to carbon intensity, nitrogen management, and water management. Robinson outlined that 1.8 billion bushels of corn were produced in the state last year and anything farmers can do to reduce reliance on nitrogen also improves carbon intensity. Companies and agribusiness benefit through use of biologicals and timing split applications. Additionally, broadly adopted practices drive down carbon-intensity scores, allowing elevators and co-ops to use them in market negotiations. The sunset is fine as following the incentives, eventually the market will drive these practices. The bill mitigates risk for producers as they shift to new practices. Robinson discussed that he is open to working with anybody to see if they can expand the reach beyond 500,000 acres. This effort would drive price support in contracts for lower carbon products.

Sen. Holdcroft asked for examples of synthetic vs biological nitrogen sources? Robinson discussed that 40% of the production of anhydrous contributes to the footprint of corn. Biologicals are naturally occurring allowing microbes to fix nitrogen from atmosphere. Various delivery methods exist for biologicals, the most common in Nebraska being seed coating.

Sen. Hughes asked what other funding sources may be available? Robinson discussed that one way to incentivize producers may be a property tax refund for adopting practices.

Claudia Stevenson, League of Women Voters of Nebraska, testified in support. Her testimony highlighted that Nebraska has the highest rate of pediatric cancer and high nitrate is the cause based on research. Too much fertilizer is applied to crops in Nebraska. Reducing fertilizer use without hurting yield is required. Golf courses should also be considered.

Katie Torpy, The Nature Conservancy, testified in support outlining the environmental and health concerns related to nitrogen pollution. This bill would help mitigate risk as farmers are transitioning and incentives are required due to an engrained culture. There is a need to support private landowners and producers with technical and financial assistance. If looking at NET for funding, they would request its supplementary and urged that the application process for funds needs be respected.

Al Davis, Nebraska Sierra Club and Independent Cattlemen of Nebraska, testified in support also outlining concerns over nitrogen pollution. This is a great pilot project to address the issue, but the concern is if incentives would produce concrete results. NRDs are the perfect candidate to administer this type of program in partnership with extension. Echoed that NET funding application process should be followed.

Ken Winston testified in support outlining that groundwater is something to be proud of and Nebraska is the envy of other states in how we protect it. Tools have been provided through the years to NRDs but more needs to be done. Recommendations to make sure technology is vetted. Make sure there are additional incentives for people stopping fertilizer and expanding education.

John Hansen, Nebraska Farmers Union, testified in support discussing this is a step in right direction to address nitrate pollution. Despite working on this issue for over 40 years we are continuing to overapply. Utilizing a pilot project to educate and incentivize is the best process for getting conservation implemented in ag. This is a good time to augment federal sources of funds.

Sen. Halloran used questioning with Hansen to highlight how he feels there is a conflict with NRDs that restrict pumping of water to save the aquifer. Noting that restricting water pumping is a conflict in policy because one of the best ways to get rid of nitrate is to pump it and use it, and now that ability is being restricted by NRDs.

Craig Derickson, retired USDA employee, testified in support and discussed that the demand for resources has not peaked and the goal of sustainable and regenerative agriculture should be to allow future generations to meet their own needs. There is growing interest in cost-effective practices that improve water quality including no-till and cover crops. Currently requests for money for cost-share generally exceeds what is available by 3 or 4 times.

Opponents – There was no opposition testimony.

Neutral

Edison McDonald, GC Resolve, testified in a neutral capacity and outlined the health and environmental threats from nitrogen pollution. Appreciate Sen. Ibach's intent, but improvements could ensure the issue is addressed properly. The bill should target areas and require coordination with NRCS and NDEE. The inclusion of biological products presents concerns over future unknown impacts of those products.

In closing, Sen. Ibach reiterated this is the start of a very important conversation that will impact Nebraska for many years. Ibach addressed Sen. Huges question about cost of products, noting currently it cost around \$325 ton for anhydrous and biologicals are sold by the acre and average \$22 per acre, many farmers use both. Sen. Ibach discussed that if we don't step up and address the issue, we lose control of who will. Sen. Ibach noted she has visited with several NRDs and they're doing an incredible job of monitoring and understanding how we can impact our groundwater.

Sen. Hansen asked if the is goal reduction in nitrogen in groundwater and if Sen. Ibach would be in favor of regulating nitrogen use? Sen. Ibach responded that the goal has to be to reduce nitrogen, and this is a proactive step to a long-term solution. Sen. Ibach also noted she doesn't ever want to have to monitor how farmers and ranchers manage their operation, rather we become successful by giving them the ability to manage with best practices. Products and innovation will become the norm and farmers will use it.

Position comments submitted for the record included 10 proponents and two opponents.

LB 1370 - Provide requirements for retirement of a dispatchable electric generation facility by an electric supplier. Bostelman. Natural Resources Priority.

The bill requires that the energy capacity of on-demand generation facilities must be replaced with equal or greater on-demand generation capacity prior to decommissioning the original facility and identifies advance notice and information that an electric supplier would be required to certify to the Power Review Board. Three other bills are included in the committee amendment, AM 2863, including LB 1260.

- **LB 969 - Change provisions relating to contracts and sealed bids for public power districts. DeKay.**

The bill proposes to increase the minimum dollar thresholds that require advertisement for sealed bids prior to contracting for project development by a public power district, or a public power and irrigation district.

The bill amends the current threshold amount that triggers the sealed bid requirement 1) by a District with gross revenue of less than \$500 million dollars the threshold is changed from \$250,000 to costs exceeding \$750,000. For a district with earnings of \$500 million or more from the current \$500,000 trigger, to \$1,500,000.

- **LB 956 - Provide requirements for light-mitigating technology on certain wind turbines. Bostar.**

The bill would require that FAA approved light mitigation technology be installed on all new wind turbines beginning July 1, 2025, and directs that application for FAA approval of the technology be made for installation on certain wind turbines in systems in Nebraska within 30 days.

The bill provides that owners and operators of wind energy conversion systems must apply to the FAA for approval to install light mitigation technology, sometimes referred to as Light Detection Systems on all new wind turbines constructed in Nebraska beginning July 1, 2025. The bill also requires that a certain percentage of existing turbines that are part of a commercial wind operation must make an application for FAA approval to install the technology on those turbines.

- **LB 1260 - Provide authority for public power and irrigation district directors to take action on certain agreements in which they have an interest. Jacobson.**

Although the bill has not advanced out of committee, provisions of the bill were incorporated into the Natural Resources Committee Priority Bill, LB 1370, through AM 2863. The amendment was adopted by a 29-0-20 vote and the bill was advanced to Select File on March 21, 2024, by a 29-0-20 vote.

The bill proposes a director of a public power and irrigation district may have an interest in a residential lease agreement or a water service agreement with such district. Such director may participate in any discussion or vote on such agreements. No agreement of such public power and irrigation district shall be void or voidable by reason of such interest by such director.

Below are the hearing notes on LB 1260.

The Natural Resources Committee held the hearing on LB 1260 on February 7th.

Sen. Jacobson opened by noting this bill addresses unique problem of three public power and irrigation districts in the state. The bill does not impact the abilities of other entities to do their business. CNPPID has 12 board members and only six were able to vote on several of the measures. Individuals want

representatives that understand the issues and can represent them and the most qualified to serve are those that use the service. Intent is to still not allow for vote on contracts that impact individual landowner. The legislation was crafted in partnership with the Accountability and Disclosure Commission.

Proponents

Devin Brundage, General Manager CNPPID, testified in support on behalf of NWRA, NSIA, and Nebraska Power Association. Central customers look to elect other customers who understand how votes and rates impact users. A 2019 advisory opinion provided limits to how board members could vote, and irrigators were prevented from voting on water service agreements and rates. Central has close to 1,000 lake leases and 1,100 water-use agreements that board members may hold, would again be able to vote on class action measures.

Dave Rowe, CNPPID Board Chair, testified in support and discussed that leases and contracts held by board members are not unique to them and are the same as all other lease and contracts held. The bill will remedy the current situation where customers are currently not represented because their elected representatives can't vote.

Tom Schwarz, CNPPID Users Association, testified in support outlining the impact of the CNPPID system on the local area. Understanding of irrigation and irrigation experience is critical for representatives. Central irrigators are currently disenfranchised, and this would fix that.

John Thorburn, General Manager Tri-Basin NRD (TBNRD), submitted a letter in support on behalf of TBNRD and NARD. Tri-Basin NRD is responsible for protecting the soil and water resources of Gosper, Phelps and Kearney counties in South-Central Nebraska. He noted that CNPPID is a critical partner in the districts mission to sustain our groundwater supplies. He also pointed out their district encompasses more than 580,000 irrigated acres. Although most of these acres are irrigated by groundwater, rather than canal water, groundwater users benefit from recharging to our aquifers provided by the operation of CNPPID's canals. Furthermore, Central's facilities are critical to our ongoing efforts to capture excess flows from the Platte and divert that water for aquifer storage, rather than allowing it to flow unused to the Gulf of Mexico.

We believe that it is fundamentally unfair for Central directors who utilize canal water to be prevented from voting on irrigation water delivery rates, a problem that arose due to a ruling from the Nebraska Accountability and Disclosure Commission. For instance, this past fall, when CNPPID decided to raise irrigation rates, only one of nine directors in the three-county irrigation service area was eligible to vote.

The Accountability and Disclosure ruling is also inconsistent with rules for irrigation district directors, who are allowed to vote on irrigation rates. It also removes a fundamental motivation for citizens who are irrigators to run for office at CNPPID. If you can't play a role in making decisions about irrigation rates, a principal feature of CNPPID's service to the area, why spend time running for and serving as a Central director?

We thank Senator Jacobson for introducing this bill and would encourage the committee to advance the bill.

Opponents – There was no opposition testimony provided.

Neutral

David Hunter, Nebraska Accountability and Disclosure Commission, testified in a neutral capacity and discussed that the commission addressed this issue in a 2019 advisory opinion which had the opinion that contract holders should not vote on such contracts. Hunter expressed that this carves out an exception to conflict-of-interest law and does not directly impact the accountability and disclosure act.

Sen. Jacobson closed by discussing his commitment to make it clear that it's just for form agreements and not independent contracts held individually.

Position comments submitted for the record included 4 proponents.

Bills Indefinitely Postponed

LB 859 - Change conflict of interest provisions for certain political subdivision officers. Linehan.

The Government Committee reported LB 859 was indefinitely postponed on March 15, 2024. Provisions of the bill have been incorporated into LB 287 which is on Final Reading.

The bill proposes to expand a section of the conflict-of-interest statutes to all political subdivisions rather than just cities, villages and school districts. These conflict statutes outline when a person must abstain from voting if it may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated.

The conflict-of-interest statements would have to be filed with the person in charge of keeping public records for that political subdivision who shall enter the statement on the public records.

This section of statutes also allows for an exception as follows:

1. To the extent that the individual's participation is legally required for the action or decision to be made, or
2. If the potential conflict of interest is based on a business association and (A) such business association is an association of such political subdivisions, (B) the political subdivision is a member of such association, and (C) the business association exists only as the result of such person holding elective office.

The Government Committee held the hearing on LB 859 on February 14th.

Sen. Linehan waived both opening and closing on the bill. There was no in-person testimony provided.

Position comments submitted for the record included nine proponents and eight opponents.

Budget Bills Debated and Advanced to Final Reading

On Select File, senators adopted an amendment offered by Senator Clements that made several changes to LB 1413. Relating to natural resources, it made a change to the scoring for the Water Sustainability Fund. Under the amendment, the commission shall, when ranking and scoring applications for funding, prioritize projects for drinking water improvements for any federally recognized Indian tribe whose drinking water is under a no-drink order from the United States Environmental Protection Agency.

The amendment was adopted by a 35-0-14 vote and the bill was advanced to Final Reading by a 42-3-4 vote.

When senators started debate on the budget bills on General File the filibusters began. Over 20 amendments and/or motions were filed to LB 1412, the first bill in the debate queue. On March 13, 2024, after eight hours of debate, Senators voted for cloture by a 38-4-4 vote. Following procedure, only the pending Committee Amendment (AM 2566) was considered and adopted on a 39-3-4 vote. The bill was then advanced to Select File by a 39-4-3 vote. All other amendments and motions were either filed before cloture or were not considered after the cloture vote.

Senators began debate on LB 1413 late afternoon on March 13 and advanced the bill on March 14 by a 36-5-6 vote. Prior to advancement, Senator Jacobson was successful with an amendment to restore \$5 million to the State Visitors Fund that was slated to go to property tax relief efforts. After that, senators adopted the Committee Amendment (AM 2698) with the committee amendment on a 36-5-6 vote.

On March 7, 2024, the Appropriation Committee advanced the budget bills for General File.

The Appropriations Committee's final recommendation contains several changes from the preliminary budget, which have a net effect of increasing the amount of General Funds available above the minimum reserve for the biennium. The projected status went from a positive \$442.4 million per the Appropriations Committee preliminary budget to the current positive \$574.9 million per the Appropriations Committee recommendation.

Additionally, the Nebraska Economic Forecasting Board met on Feb. 29, 2024, and revised the estimate of net receipts for FY 2023-24 and FY 2024-25, which resulted in a net gain of \$50 million over the biennium.

The largest Appropriations Committee adjustments from the preliminary recommendation, which increase General Funds available above the minimum reserve, include:

- Lapsing \$10 million in additional General Funds reappropriated from FY 2022-23;
- New transfers into the General Fund from Cash Funds of \$198 million in FY 2023-24 and \$46.8 million in FY 2024-25; and
- A transfer of \$3 million from the Cash Reserve Fund to the General Fund.

The largest Appropriations Committee adjustments from the preliminary recommendation, which decrease General Funds available include:

- \$94.1 million increase in TEEOSA state aid in FY 2024-25 pursuant to the January recalculation; and
- \$14.7 million increase in appropriation in FY 2023-24 and \$15.4 million increase in appropriation in FY 2024-25 for the homestead exemption program.

A copy off the proposal can be found at:

https://nebraskalegislature.gov/pdf/reports/fiscal/2024_Committee_Recommendation_Report.pdf

Related to natural resources, refer to the following:

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. A spreadsheet is on the last page of this update with a summary of LB 1412 and LB 1413.

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 2023-24 and a \$2,445 decrease in FY 2024-25.

Program No. 319 – Water Projects - The bill proposes to decrease JEDI Cash Funds by \$1,000,000 in FY 23-24 and \$20,000,000 in FY 24-25.

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 2023-24 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.

Nebraska Environmental Trust

Added \$5 million for FY 2024-25 due to increase lottery sales.

University of Nebraska

Added provisions of LB 1242 to appropriate \$350,000 from the General Fund for FY 2024-25 to the Board of Regents of the University of Nebraska for a study on the viability of using roof collected rainwater as a safe and sustainable source of drinking water.

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 (JEDI) 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.

3/7/2024		LB 814 (as Passed w/ Vetos)		LB 1412		AM 2566		AM 2566 P Proposed Changes from LB 814	
		FY 23-24	FY 24-25	FY 23-24	FY 24-25	FY 23-24	FY 24-25	FY 23-24	FY 24-25
Agency 84 - Department Environmental & Energy									
	General Fund	\$ 7,906,337	\$ 7,448,556	\$ 7,102,201	\$ 5,858,302	\$ 7,102,201	\$ 5,858,302	\$ (804,136)	\$ (1,590,254)
	Cash Fund	\$ 49,470,230	\$ 40,095,891	\$ 49,470,230	\$ 40,092,126	\$ 49,470,230	\$ 40,092,126	\$ -	\$ (3,765)
	Federal Fund est.	\$ 20,395,650	\$ 20,856,132	\$ 20,395,650	\$ 20,767,658	\$ 20,395,650	\$ 20,767,658	\$ -	\$ (88,474)
	Program Total	\$ 77,772,217	\$ 68,400,579	\$ 76,968,081	\$ 66,718,086	\$ 76,968,081	\$ 66,718,086	\$ (804,136)	\$ (1,682,493)
	Salary Limit	\$ 18,618,830	\$ 19,649,335	\$ 18,232,982	\$ 18,838,772	\$ 18,232,982	\$ 18,838,772	\$ (385,848)	\$ (810,563)
*Includes \$1,000,000 General Funds for a water quality study. Originally included \$7,000,000 General Funds to Cedar/Knox Rural Water that was line-item vetoed by Governor Pillen.									
	Cash Fund	\$ 1,000,000	\$ 1,200,000					\$ -	\$ -
	Federal Fund est.	\$ 8,109,000	\$ 8,109,000					\$ -	\$ -
	Program Total	\$ 9,109,000	\$ 9,309,000					\$ -	\$ -
*Grants to small communities shall not be commingled with funds deposited in the Wastewater Treatment Facilities Construction Loan Fund									
	Cash Fund	\$ 700,000	\$ 800,000					\$ -	\$ -
	Federal Fund est.	\$ 12,010,000	\$ 12,010,000					\$ -	\$ -
	Program Total	\$ 12,710,000	\$ 12,810,000					\$ -	\$ -
*The unexpended reappropriation balance existing on June 30, 2023, less \$7,000,000 is hereby reappropriated									
Agency 33 - Game & Parks Commission									
	Cash Fund	\$ 21,309,636	\$ 21,581,666			\$ 5,000,000		\$ -	\$ 5,000,000
	Program Total	\$ 21,309,636	\$ 21,581,666					\$ -	\$ -
	Salary Limit	\$ 331,979	\$ 349,379					\$ -	\$ -
	Cash Fund	\$ 8,380,097	\$ 8,488,682					\$ -	\$ -
	Federal Fund est.	\$ 3,900,673	\$ 3,900,673					\$ -	\$ -
	Program Total	\$ 12,280,770	\$ 12,389,355					\$ -	\$ -
	Salary Limit	\$ 1,960,708	\$ 2,048,234					\$ -	\$ -
	General Fund	\$ 1,988,073	\$ 2,072,461					\$ -	\$ -
	Cash Fund	\$ 34,694,853	\$ 35,688,076					\$ -	\$ -
	Federal Fund est.	\$ 4,251,677	\$ 4,267,306					\$ -	\$ -
	Program Total	\$ 40,934,603	\$ 42,027,843					\$ -	\$ -
	Salary Limit	\$ 17,977,438	\$ 18,802,876					\$ -	\$ -
*Includes \$5,000,000 Cash Funds each FY for wildlife damage reimbursement to landowners for damage caused by deer, antelope, or elk.									
	General Fund	\$ 52,500	\$ 52,500					\$ -	\$ -
	Cash Fund	\$ 1,000	\$ 1,000					\$ -	\$ -
	Federal Fund est.	\$ 125,000	\$ 125,000					\$ -	\$ -
	Program Total	\$ 178,500	\$ 178,500					\$ -	\$ -
The unexpended Cash Fund appropriation balance existing on June 30, 2023, is reappropriated.									
	General Fund	\$ 536,090	\$ 559,668					\$ -	\$ -
	Cash Fund	\$ 1,364,781	\$ 1,410,921					\$ -	\$ -
	Federal Fund est.	\$ 111,172	\$ 111,172					\$ -	\$ -
	Program Total	\$ 2,012,043	\$ 2,081,761					\$ -	\$ -
	Salary Limit	\$ 1,134,918	\$ 1,188,450					\$ -	\$ -
*Development & maintenance of boundary fences along Cowboy Trail limited to \$64,000 CF each FY. Unexpended Cash Fund balance is reappropriated up to \$8.3 M to fund MOPCA trail.									
Agency 29 - Department of Natural Resources									
	Cash Fund	\$ -	\$ -					\$ -	\$ -
	Program Total	\$ -	\$ -					\$ -	\$ -
	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.									
	Cash Fund	\$ 70,000	\$ 70,000					\$ -	\$ -
	Program Total	\$ 70,000	\$ 70,000					\$ -	\$ -
The unexpended General 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.									
	Cash Fund	\$ 1,187,500	\$ 1,187,500					\$ -	\$ -
	Program Total	\$ 1,187,500	\$ 1,187,500					\$ -	\$ -
The unexpended General Fund appropriation balance existing on June 30, 2023, is reappropriated.									
	Cash Fund	\$ 10,865,033	\$ 10,865,033					\$ -	\$ -
	General Fund Transfer	\$ 11,000,000	\$ 11,000,000		\$ 2,519,000		\$ 2,519,000	\$ -	\$ (8,481,000)
The unexpended General Fund appropriation balance existing on June 30, 2023, less \$8,481,000 is reappropriated - See LB 1412 Summary.									
	Cash Fund	\$ 10,000,000	\$ -	\$ 60,000,000	\$ -	\$ -	\$ -	\$ -	\$ -
	General Fund Transfer	\$ 10,000,000	\$ -	\$ 60,000,000	\$ -	\$ -	\$ -	\$ -	\$ -
	Cash Fund	\$ 87,800,000	\$ 87,800,000	\$ 77,800,000	\$ 62,800,000	\$ 86,800,000	\$ 67,800,000	\$ (1,000,000)	\$ (20,000,000)
	Federal Fund	\$ 179,200,000	\$ -	\$ 129,200,000	\$ -	\$ 179,200,000	\$ -	\$ -	\$ -
	Program Total	\$ 267,000,000	\$ 87,800,000	\$ 207,000,000	\$ 62,800,000	\$ 266,000,000	\$ 67,800,000	\$ (1,000,000)	\$ (20,000,000)
*\$62.8 million CF Perkins County Canal Project Fund FY23-24 & 24-25, \$24 million CF JEDI Fund FY 23-24 (includes \$6 million for feasibility and lake studies), \$5 million CF JEDI Fund in FY24-25, \$177.2 million FY 24-25 ARPA Funds Grant for Lincoln Water, \$2.0 million FY 23-24 ARPA Funds Grant for Norfolk.									
	Cash Reserve Transfer	\$ 574,500,000	\$ -					\$ -	\$ -
	General Fund	\$ -	\$ -					\$ -	\$ -
	*LB 814 Fund Transfer	\$ 7,000,000	\$ 7,000,000					\$ -	\$ -
**Transfer from the Nebraska Environmental Trust Fund to Water Resources Cash Fund									
	General Fund	\$ 11,837,784	\$ 12,223,866	\$ 11,710,388	\$ 12,221,421	\$ 11,710,388	\$ 12,221,421	\$ (127,396)	\$ (2,445)
	Cash Fund	\$ 9,483,790	\$ 8,551,272					\$ -	\$ -
	Federal Fund est.*	\$ 2,114,582	\$ 2,144,722					\$ -	\$ -
	Program Total	\$ 22,436,156	\$ 22,919,860	\$ 22,308,766	\$ 22,917,415	\$ 22,308,766	\$ 22,917,415	\$ (127,396)	\$ (2,445)
	Salary Limit	\$ 8,126,131	\$ 8,503,142					\$ -	\$ -
*\$1.2 Million in ARPA for enhanced data collection.									
Agency 51 - University of Nebraska									
	General Fund	\$ 500,000	\$ 500,000					\$ -	\$ -
	Nebraska Forest Service	\$ 2,804,862	\$ 2,804,862					\$ -	\$ -
*To support water and agricultural research and existing collaborative initiatives to implement best practices in water conservation.									
Agency 11 - Attorney General									
	General Fund	\$ 300,000	\$ 300,000					\$ -	\$ -
	Cash Fund	\$ 200,000	\$ 200,000					\$ -	\$ -
	Program Total	\$ 500,000	\$ 500,000					\$ -	\$ -
*\$300,000 in General Funds for Program 496 in each FY was part of Line-item veto by Governor Pillen.									

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 43e	Adopt the First Freedom Act and the Personal Privacy Protection Act, authorize tribal regalia to be worn by students, change provisions relating to withholding records from the public, provide requirements for interpretation of statutes, rules, and regulations, and prohibit state agencies from imposing certain requirements on charitable organizations	Sanders	Government (2024)		Government	2/9/2023	Passed 39-0-10	Presented to Governor Pillen on March 21, 2024.
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	Passed 41-0-8	Approved by Governor Pillen on March 5, 2024.
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	Final Reading	AM 2195 - Adopted
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	Government (2024)	Monitor	Government	3/24/2023	Final Reading	AM 2060 - Adopted; AM's 2343, 3004 - Withdrawn; MO 1182 - Prevalied; AM's 2792, 2890, 2982 - Adopted.
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	Provisions of bill ammended into LB 287 via AM 2060 - Adopted.
LB 304	Require political subdivisions to disclose membership dues and lobbying fees	Linehan		Monitor	Government	2/9/2023	Passed 48-0-1	Approved by Governor Pillen on March 18, 2024.
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	Provisions of bill ammended into LB 287 via AM 2060 - Adopted
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	Provisions incorporated into LB 43 via AM 2812 - Adopted and presented to Governor on March 21, 2024.
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 Vetoeed 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	2/14/2024	Indefinitely Postponed	Portions of bill incorporated in LB 287.
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 868 was ammended into LB 867 on an 8-0 vote of the committee. LB 867 includes six bills and is on Final Reading.
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	Select File	
LB 925	Adopt the Firearm Industry Nondiscrimination Act	Aguilar		Monitor	Government	2/1/2024	General File	AM 2546 - Filed
LB 937	Adopt the Caregiver Tax Credit Act	Bostar			Revenue	1/25/2024	General File	AM's 3001, 3132 - Pending
LB 951	Adopt the Public Officials on Private Boards Open Meetings Act	Linehan		Monitor	Government	2/15/2024	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	AM 2255 - Filed

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	2/15/2024	Committee	Provisions amended in LB 937 via AM's 3001 & 3132.
LB 1199	Repeal provisions relating to certain administrative fees imposed by the Department of Natural Resources	Moser		Support	Natural Resources	2/1/2024	General File	
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	Provisions amended into LB 1412 via AM 2566.
LB 1243	Adopt the Wildland Fire Response Act	McDonnell		Support	Government	2/22/2024	General File	AM 2620 - Filed
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	2/15/2024	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	2/7/2024	Committee	Provisions incorporated into LB 1370 via AM 2863.
LB 1277	Change provisions relating to emergency proclamations for disasters, emergencies, and civil defense emergencies made by the Governor	Wayne		Support	Government	2/23/2024	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	Moser (2024)	Support	Natural Resources	2/21/2024	Select File	AM 2947 - Adopted
LB 1357	Prohibit camping on certain property owned by political subdivisions	McDonnell		Support	Judiciary	2/29/2024	Committee	
LB 1358	Require approval of the registered voters to increase salaries of governing bodies of political subdivisions as prescribed	McDonnell		Monitor	Government	2/7/2024	General File	AM 2755 - Filed
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	Ibach (2024)	Support	Agriculture	2/13/2024	Select File	AM 3002 - Adopted
LB 1370	Provide requirements for retirement of a dispatchable electric generation facility by an electric supplier	Bostelman	Natural Resources (2024)		Natural Resources	2/1/2024	Select File	AM 2863 - Adopted
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	Final Reading	AM's 2566, 3070, 297 - Adopted; AM's 296, 2955, 2986 - Lost; MO 1254 - Prevalled; Multiple AM's & MO's - Withdrawn.
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	Final Reading	AM's 2698, 3071, 3069, 3115, 3136 & FA's 286, 254 - Adopted; FA 285 - Lost; Multiple AM's & MO's - Withdrawn; MO 1275, 1272 - Prevalled.
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	2/29/2024	Committee	

¹NARD 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.