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January 15, 2021

TO: NARD Board, NRD Managers and Conservation Partners  
FROM: Dean E. Edson, NARD Executive Director  
RE: January 15 NARD Update

**NARD 2021 Legislative Conference** - The 2021 NARD Legislative Conference at the Embassy Suites in Lincoln, originally scheduled for January 25-27, has been significantly abbreviated. What was normally a three-day event, will be reduced to a two-day event with limited attendance. Local health directive measures only allow the hotel to operate at 25% capacity. There will not be any breakout training sessions offered this year. Further, the Legislative Reception held with the state senators has been canceled.

On Monday, January 25<sup>th</sup>, the Benefits Committee quarterly meeting will be in the morning. At 1 pm, the NRD Managers Meeting will meet to discuss legislation. The NARD Legislative and Executive Committees will meet after the managers meeting.

On Tuesday, January 26<sup>th</sup>, there will be the NARD Committee Meetings from 7:30-8:45 am. Beginning at 9 am, there will be the NARD Business Session, which will end by noon. After lunch, the NARD Board will meet, with a 3 pm estimated end time.

**State of the State Address** - Governor Pete Ricketts delivered his State of the State address on January 14<sup>th</sup>.

He noted that 2020 began with high hopes of moving forward as we recovered from the historic floods of 2019 but was interrupted by a new and unforeseen challenge: the coronavirus pandemic.

He highlighted other work to help Nebraskans recover. The federal government has invested over \$10 billion in aid into our state. The State steered federal coronavirus relief towards \$411 million in grants for Nebraska's businesses and family farms. Nebraska has also provided over \$80 million to aid non-profit and community-based organizations ranging from food banks to childcare providers.

Governor Ricketts next two-year budget controls spending to a growth rate of 1.5 percent. He highlighted several priorities as follows.

First, property tax relief by delivering \$1.36 billion over the biennium. This includes \$550 million in direct property tax relief through the State's Property Tax Credit Relief Fund, and over \$596 million from the newly enacted refundable property tax credit. He is also proposing roughly \$214 million to provide for property tax payments under the current homestead exemption program.

Part of his effort on continued property tax relief is a proposed Constitutional Amendment (LR 22CA) to limit the growth of local government property taxes to 3 percent. He stressed that new local spending constraints are critical to ensuring the relief we provide goes into people's pockets and to maintain local control in future years. Property taxes have grown by 4.46 percent annually on average for the last 10 years.

Other highlights include:

- To help protect public safety and to replace the State Penitentiary, he proposed that Nebraska build a new, modern correctional facility. This facility will require an initial investment of \$115 million in this budget for a total of \$230 million by the time it is completed and operational in 2025.
- Proposing that Nebraska invest \$20 million in each of the next two years to help another 30,000 households get broadband connectivity. This will move Nebraska closer to bringing broadband coverage to every corner of the state.

**New Bills** - Introduction of legislative bills occurs in the first ten working days of the session. This is the first session of the 107th Legislature, so there are no carry over bills from last year. The following are bills of interest for the NRDs, introduced in this week. For more information on introduced legislation, visit the Nebraska Unicameral website at <https://www.nebraskalegislature.gov/>.

***LB 189 - Change provisions relating to property tax refunds. Halloran***

The bill proposes to change procedures for making a property tax refund. Under the bill, if sufficient funds are not available, the county treasurer shall register the refund which remains unpaid as a claim against each political subdivision and shall issue the person entitled to the refund a receipt for the registration of the claim.

The bill eliminates existing language regarding the political subdivision certifying to the county treasurer that a hardship would result and create a serious interference with its governmental functions if the refund is paid. It adds language to require the political subdivision to make provisions in its next budget for the refund claim amount.

The bill also eliminates the five-year allowance for refund.

***LB 190 - Change provisions relating to use of the Water Sustainability Fund. Hughes.***

The bill would prohibit the Legislature from appropriating or transferring money from the Water Sustainability Fund for any purpose other than to further the goals of the Water Sustainability Fund except upon a finding that the goals of the fund are not being accomplished by the fund.

***LB 209 - Change provisions relating to treatment of deferred compensation by certain political subdivisions, state agencies, and the Public Employees Retirement Board. McDonnell.***

The bill clarifies that Roth IRA contribution amounts, as part of a deferred compensation package, are to be included in the computation of federal or state taxes withheld on behalf of public employees.

***LB 212 - Prohibit charging members of the Legislature fees for public record requests. Cavanaugh, M.***

The bill proposes that no fee shall be charged for public records requests for a request made by a member of the Legislature in the member's official capacity.

If the request was made by a member of the Legislature in the member's official capacity, the entire request shall be fulfilled within 15 business days after the member's response to the custodian's written explanation unless the member negotiates with the custodian to narrow or simplify the request, withdraws the request, or agrees to a longer period of time.

The existing 10 business-day time frame would remain for other requests.

***LB 213 - Provide for an efficiency review of state agencies. Breise.***

The bill proposes a review of 191 state agencies, boards, commissions and advisory councils including, but not limited to, the following: Department of Natural Resources; Department of Environment and Energy; Department of Agriculture; Game and Parks Commission; Environmental Quality Council; Nebraska Environmental Trust Board; Geographic Information Systems Council; Nebraska Community Forestry Council; Nebraska Natural Resources Commission; Board of Geologists; Climate Assessment Response Committee; Nebraska Invasive Species Council; Missouri Basin Natural Resources Council; and the Niobrara Council

The bill requires the Department of Administrative Services to contract for an efficiency review of state agencies by an independent source to provide an outside study of such state agencies to make the delivery of services more cost effective, identify outdated delivery practices that can be eliminated, identify increased efficiencies in service delivery, identify potential new sources of funding for services other than taxation, and make government more accountable to residents of the state.

A final report would be required no later than January 1, 2023.

***LB 242 - Provide for county bridges under the Political Subdivisions Construction Alternatives Act. Brandt.***

The bill proposes to allow counties to use a design-build contract or construction management at risk contract under the Political Subdivisions Construction Alternatives Act for a project, in whole or in part, to repair, retrofit, reconstruct, or replace any bridge.

The bill also creates the County Bridge Incentive Program to be administered by the Department of Transportation. The department would administer the program using funds from the Transportation Infrastructure Bank Fund designated for the existing County Bridge Match Program.

The bill outlines that no more than ten million dollars shall be expended for the County Bridge Incentive Program.

The purpose of the program is to incentivize innovative solutions and provide funding to accelerate the repair and replacement of deficient bridges on the county road system. The department would be required to develop the program, including participation criteria and matching fund requirements for counties, in consultation with a statewide association representing county officials.

Participation by counties in the program would be voluntary.

Under current law, the County Bridge Match Program terminates on June 30, 2023. Under the bill, any designated County Bridge Match Program funds remaining on June 30, 2023, shall be designated for the County Bridge Incentive Program

***LB 314 - Change provisions related to insurance coverage of telehealth. Pahls.***

The bill proposes that health insurance coverages provide a reimbursement rate for a telehealth consultation, at a minimum, be the same as for a comparable in-person consultation.

***LB 368 - Provide the Auditor of Public Accounts enforcement powers for failure of political subdivisions to file reports. Sanders.***

The bill proposes when a political subdivision fails to file a required report with the Auditor of Public Accounts by the applicable due date, the Auditor may assess the political subdivision a late fee of twenty dollars per day for each calendar day the required report remains not filed. The late fee would begin on the

day following the date the report is due. The total late fee assessed shall not exceed two thousand dollars per filing.

The bill also outlines that at the auditor's discretion, the expense of the audit of the political subdivision shall be paid by the political subdivision.

***LB 369 - Provide the Auditor of Public Accounts access to working papers and audit files. Sanders.***

The bill outlines that the Auditor of Public Accounts shall have unrestricted access to the working papers and audit files for any audit report required to be filed with the office of the Auditor of Public Accounts.

Under the bill, working papers and audit files are defined to mean those documents containing evidence to support the auditor's findings, opinions, conclusions, and judgments and includes the collection of evidence prepared or obtained by the auditor during the audit.

The bill also incorporates provisions proposed under LB 368. This includes when a political subdivision fails to file a required report with the Auditor of Public Accounts by the applicable due date, the Auditor may assess the political subdivision a late fee of twenty dollars per day for each calendar day the required report remains not filed. The late fee would begin on the day following the date the report is due. The total late fee assessed shall not exceed two thousand dollars per filing.

The bill also outlines that at the auditor's discretion, the expense of the audit of the political subdivision shall be paid by the political subdivision.

***LB 370 - Adopt the Personal Privacy Protection Act. Sanders.***

The bill would prohibit any state or local government unit from: (a) Requiring any individual to provide personal information or otherwise compelling the release of personal information; (b) Requiring any nonprofit organization holding a certificate of exemption under section 501(c) of the Internal Revenue Code to provide such public agency with personal information or otherwise compelling the release of personal information; (c) If in the possession of personal information, releasing, publicizing, or otherwise publicly disclosing such personal information; or (d) Requesting or requiring a current or prospective contractor or grantee to provide such public agency with a list of nonprofit organizations holding certificates of exemption under section 501(c) of the Internal Revenue Code to which such contractor or grantee has provided financial or nonfinancial support.

Under the bill, personal information means any list, record, register, registry, roll, roster, or other compilation of data that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any nonprofit organization holding a certificate of exemption under section 501(c) of the Internal Revenue Code;

This bill does not prohibit: (a) Any report or disclosure required by the Nebraska Political Accountability and Disclosure Act; (b) Any report or disclosure by a public agency regarding testimony received at a public hearing conducted by such public agency; (c) Any lawful warrant, subpoena, or order issued by a court of competent jurisdiction for the production of personal information; (d) Any lawful request for discovery of personal information in litigation if both of the following conditions are met: (i) The requestor demonstrates a compelling need for such personal information by clear and convincing evidence; and (ii) The requestor obtains an order barring disclosure of such personal information to any person not named in the litigation; and (e) Admission of personal information as relevant evidence before a court of competent jurisdiction.

A person alleging a violation under the bill may be entitled to appropriate injunctive relief and damages, including a reasonable attorney's fee.

***LB 379 - Provide, change, and eliminate provisions relating to appropriations. Speaker Hilgers, at the request of the Governor.***

The bill adjusts the budget for the FY 2020-21. There are no adjustments related to natural resources programs.

***LB 380 – Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2023. Speaker Hilgers, 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 proposal recommends the following:

- **Nebraska Soil and Water Conservation Fund** - Maintains current levels of funding at \$1,806,112 and \$50,000 in Cash Funds for both FY 21-22 and FY 22-23.
- **Water Well Decommissioning** -- Appropriates \$70,000 in Cash Funds for both FY 21-22 and FY 22-23.
- **Natural Resources Water Quality Fund** - \$1,187,500 in Cash Funds for both FY 21-22 and FY 22-23.
- **Nebraska Resources Development Fund** - The bill includes no additional appropriations. However unexpended balances existing on June 30, 2021, would be re-appropriated.
- **Nebraska Water Sustainability Fund** – The bill includes an appropriation of \$10,865,033 for both FY 21-22 and FY 22-23. Unexpended balances existing on June 30, 2019 would be re-appropriated
- **Critical Infrastructure Fund** - The bill includes no additional appropriations, however unexpended balances existing on June 30, 2021 would be re-appropriated.
- **Department of Natural Resources operations** - The bill appropriates \$19,641,081 in FY 2021-22 and \$19,604,783 in FY 22-23. Included in the appropriation is \$6,450,000 in Cash Funds and \$5,000 in estimated Federal Funds for each fiscal year. Unexpended balances existing on June 30, 2021, would be re-appropriated.
- **Environmental Trust** – The bill includes appropriations of \$20,675,791 for FY 21-22 and \$21,182,401 for FY 22-23.
- **Department of Environment and Energy** - The bill includes appropriations of \$57,977,754 for FY 21-22 and \$58,223,696 for FY 22-23 for Administration, Water Quality, Land Quality and Air Quality programs.
- **Drinking Water Facilities Loan Fund (NDEE)** - Appropriates \$8.5 million for both FY 21-22 and FY 22-23.
- **Nebraska Game and Parks Commission Wildlife Conservation** - Appropriates \$33,086,734 for FY 21-22 and \$33,523,387 for FY 22-23.
- **Nebraska Game and Parks Commission Habitat Development** - Appropriates \$11,492,993 for FY 21-22 and \$11,528,447 for FY 22-23.
- **Nebraska Game and Parks Commission Planning and Trails Coordination** - Appropriates \$1,769,817 for FY 21-22 and \$1,793,546 for FY 22-23.
- **Nebraska Game and Parks Commission Niobrara Council** - Appropriates \$168,011 for both FY 21-22 and FY 22-23. This includes \$125,000 from Federal sources, \$42,011 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 21-22 and FY 22-23.

***A spreadsheet summarizing budget bills follows on the last page.***

***LB 383 - Appropriate funds for capital construction. Speaker Hilgers, at the request of the Governor.***

The major appropriation in the bill are for the proposed new prison (\$115 Million), University of Nebraska projects and the State Capitol HVAC repair.

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

- **State Park System Facility Improvements** – Appropriates \$775,000 for FY 21-22 and \$925,000 for FY 22-23.
- **State Parks Facilities Deferred Maintenance** - Appropriates \$4,325,000 for FY 21-22 and \$4,175,000 for FY 22-23.
- **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 21-22 and FY 22-23.
- **Emergency Repairs** - Appropriates \$750,000 for both FY 21-22 and FY 22-23.
- **Aquatic Habitat Enhancement and Restoration** - Appropriates \$3,000,000 for both FY 21-22 and FY 22-23 in future cash funds.

***LB 384 - Provide for transfers of funds and change permitted use of a fund. Speaker Hilgers, at the request of the Governor.***

The bill provides for transfers of funds for state operations. The larger ticket item in the bill includes \$272 million from the General Fund to the Property Tax Credit Cash Fund in both FY 21-22 and FY 22-23 for property tax relief.

Related to natural resources, the bill includes the following transfers:

- **Transfers \$11 million from the General fund to the Water Sustainability Fund in both FY 21-22 and FY 22-23.**
- **Transfers \$3.3 million from the General Fund to the Water Resources Cash Fund in both FY 21-22 and FY 22-23.**
- **Transfers \$475,000 from the Water Sustainability Fund to the Department of Natural Resources Cash fund in both FY 21-22 and FY 22-23.**

***LB 399 - Change provisions relating to rural water districts. Bostelman.***

The bill proposes to spell out the “Nebraska Safe Drinking Water Act” rather than cite the same section of statute for compliance of plans and specifications of public water systems.

***LB 406 - Create the Lower Platte River Infrastructure Task Force and provide funding. McDonnell.***

The bill proposes to create the Lower Platte River Infrastructure Task Force to study three to five potential flood-control infrastructure projects along the river basin of the lower Platte River.

The task force shall consist of the following members, appointed by the Director of Natural Resources: (a) Four directors or their designees, each from the board of directors of four natural resources districts with boundaries that include river basins along the lower Platte River, (b) the dean of the College of Engineering at the University of Nebraska-Lincoln or the dean's designee, (c) the mayor of a city of the primary class or such mayor's designee, (d) three representatives from communities located adjacent to the lower Platte River, and (e) the Director of Natural Resources as a nonvoting, ex officio member.

The task force would be housed in the Department of Natural Resources for administrative purposes. The task force shall select a chairperson and may hire consultants. Task force members shall receive no compensation for their services on the task force other than reimbursement for expenses incurred in carrying out their duties.

The task force would be required to (i) identify potential project locations and project size based on existing constraints, (ii) develop threshold criteria for project size to be of adequate scale to serve regional, or at a minimum, sub-regional populations, with appropriate amenities, and (iii) establish criteria for regional and sub-regional projects.

The task force would gather the following data and information to compile an analysis:

- (a) Hydrology and water supply;
- (b) Topography of the area;
- (c) Geotechnical information;
- (d) Existing infrastructure that may be impacted;
- (e) Existing and future recreation and economic needs of the area;
- (f) Existing and expected economic data of the area;
- (g) Existing and expected demographic data of the area;
- (h) Environmental data of flood sites and regional environmental data;
- (i) Future land-use master plans;
- (j) Existing and planned transportation infrastructure; and
- (k) Land ownership data.

Factors for task force consideration include:

- (i) Location. The proximity to urban areas and centers of economic development;
- (ii) Size. Identify opportunities to serve regional or sub-regional populations;
- (iii) Water supply and land availability. Identify minimum water supplies required to sustain and support a water-based project in addition to sediment storage for reservoir sustainability and identify contiguous land areas for a project;
- (iv) Infrastructure considerations. Assess public and private infrastructure that presents opportunities or may pose constraints, and to what degree;
- (v) Socioeconomic considerations. Assess socioeconomic factors that are opportunities or constraints;
- (vi) Environmental considerations. Assess environmental resources that may be augmented, or possibly impacted, and that may influence siting; and
- (vii) Public acceptance. Assess the general likelihood of public acceptance of a project in a proposed area.

The task force shall define project elements to maximize project benefits within physical constraints of a project, including concept level definition of project features sufficient to estimate costs, benefits and anticipated water-based project benefits that could include flood control, water supply, water quality, and hydropower.

An event based hydrologic model shall be developed and used in conjunction with existing hydrologic models to define flood-risk-reduction benefits. A long-term hydrologic model shall be used to determine firm yield of a potential site for assessing pool viability, water quality, water supply, and hydropower benefits.

The definition of project features shall include type and size of project infrastructure, property acquisition, existing infrastructure impacts, recreation amenities, relocations, if applicable or required, and an estimate of costs.

The task force shall also perform an economic analysis to assess project economic benefits, including:

- (a) Flood-risk reduction;

- (b) Water supply;
- (c) Hydropower;
- (d) Increased flat water recreational opportunities near the major population centers of Nebraska;
- (e) Enhanced tourism in Nebraska from surrounding areas, capitalizing on and complimenting existing state recreational facilities in eastern Nebraska;
- (f) Direct and indirect regional economic benefits associated with development of major recreation opportunities in eastern Nebraska;
- (g) Population and workforce retention; and
- (h) Any other relevant benefits.

The task force shall also perform an environmental analysis to identify environmental constraints, impacts, and challenges to project development, including a general socioeconomic and natural resource assessment and evaluation of potential project-related effects. Such assessment and evaluation shall be performed in the context of a federal National Environmental Policy Act evaluation and evaluate typical social and natural resource categories, identify federal, state, and local regulatory authorizations that would be required, and evaluate the complexity of obtaining any regulatory authorizations.

The date for completing the report to the legislature is left blank in the proposed bill.

Funding for the task force would come from a \$900,000 transfer from the Water Sustainability Fund to the Critical Infrastructure Facilities Cash Fund to carry out the purposes of the Lower Platte River Infrastructure. Funds could only be expended on a dollar-per-dollar basis with matching funds from private sources in support of the study.

***LB 408 – Adopt the Property Tax Request Act. Briese.***

The bill adopts the Property Tax Request Act which limits the amount of total amount of property tax revenue raised by a political subdivision in any fiscal year to not exceed three percent greater than the amount raised in the prior fiscal year.

Political subdivision is defined under the proposal as any county, city, village, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college.

The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in an amount approved by a majority of legal voters. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation.

The governing body of the political subdivision shall call for the submission of the issue to the voters by passing a resolution, by majority vote of the governing body, calling for exceeding the limit and delivering a copy of the resolution to the county clerk or election commissioner of every county which contains all or part of the political subdivision. The resolution shall include the amount which would be requested in excess of the limit.

The limitation would not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness.

Further, it would not apply to the amount of property tax revenue raised by a political subdivision in any fiscal year on any real growth value within the political subdivision. Real growth value is defined in the proposal as the increase in real property valuation due to (i) improvements to real property as a result of new construction and additions to existing buildings, (ii) any other improvements to real property which increase the value of such property, and (iii) annexation of property by the political subdivision.

(Companion legislation to LR 22 CA)



***LR 22CA - Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions. Linehan, at the request of the Governor.***

A proposed Constitutional Amendment to limit the amount of total amount of property tax revenue raised by a political subdivision in any fiscal year to not exceed three percent greater than the amount raised in the prior fiscal year.

The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in an amount approved by a majority of legal voters. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation.

The limitation would not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness.

Further, it would not apply to the amount of property tax revenue raised by a political subdivision in any fiscal year on any real growth value within the political subdivision. Real growth value is defined in the proposal as the increase in real property valuation due to (i) improvements to real property as a result of new construction and additions to existing buildings, (ii) any other improvements to real property which increase the value of such property, and (iii) annexation of property by the political subdivision.

(See LB 408 for the companion legislation)

***LB 414 - Change provisions of the Political Subdivisions Construction Alternatives Act. Wishart.***

The bill adds natural resources districts to the list of political subdivisions that could use design-build contracts or construction management at risk contracts.

The bill outlines that political subdivisions may use such for a project, in whole or in part, for water, wastewater, utility, or sewer construction.

To use the contract, the governing body of the political subdivision shall adopt a resolution selecting the design-build contract or construction management at risk contract delivery system by an affirmative vote of at least two-thirds of the governing body of the political subdivision. The resolution shall include a statement that the political subdivision has made a determination that the contract is in the public interest based, at a minimum, on one of the following criteria: (a) Savings in cost or time or (b) requirement of specialized or complex construction methods suitable for the design-build 23 contract or construction management at risk contract delivery system.

***LB 449 - Appropriate funds to the Department of Environment and Energy. Wishart.***

The bill proposes to appropriate \$100,000 annually from the General Fund for FY2021-22 and FY2022-23, to the Department of Environment and Energy, for the Low-Income Weatherization Assistance Program, to aid in carrying out energy efficiency audits and weatherization improvements.

***LB 483 – Require the University of Nebraska to develop a Climate Action Plan. Cavanaugh, J.***

The bill proposes that the University of Nebraska shall develop an evidence based, data-driven, strategic action plan to provide methods for adapting to and mitigating the impacts of extreme weather events or climate change. The action plan would include the following:

- (a) A baseline measurement of greenhouse gas emissions, also called a carbon footprint, of the state;
- (b) Measurable benchmarks and goals, including actions needed to meet the goals and benchmarks;
- (c) Assessment of risks and vulnerabilities from negative impacts of climate change;

- (d) Opportunities presented by strategies for adaptation and mitigation of the impacts of climate change;
- (e) Opportunities to improve and increase resilience to the impacts of climate change;
- (f) Potential economic impacts of climate change, both positive and negative;
- (g) Examination of impacts of climate change upon the following sectors:
  - Agriculture;
  - Water resources;
  - Health care and public health;
  - Transportation; and
  - Commerce and industry;
- (h) Recommendations for new policies and changes to policies and programs that support the goals based on the information and data collected and generated, including funding needs and recommendations for legislation.

The process for developing the action plan shall include:

- (a) Extensive opportunities for public comment and engagement, including, but not limited to, online input, public hearings, and public and private sector engagement;
- (b) Input from entomological, climate, water, agricultural, and natural resource experts in Nebraska;
- (c) Examination of comparable strategic action plans from other states; and
- (d) Such other activities as may be deemed necessary.

The cost for developing the action plan would come from a transfer of \$250,000 from the Petroleum Release Remedial Action Collection Fund to the University of Nebraska.

The action plan would have to be submitted to the Governor and the Executive Board of the Legislature on or before December 15, 2022.

***LR 23 - Interim study to examine the progress of natural resources districts in fulfilling their originally intended purpose. Erdman, Briese.***

An interim study for the purpose of studying the progress of natural resources districts in fulfilling their originally intended purpose relating to flood control, soil erosion, irrigation run-off, and ground water quantity and quality.

The Natural Resources Committee of the Legislature is designated to conduct this interim study to carry out the purposes of this resolution. Upon the conclusion of its study, the committee shall make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

**Protocols for Interaction at the Capitol with Senators:** Mike Hilgers, newly elected Speaker of the Legislature, announced a few protocols for the interactions with Senators. Many of these are not finalized yet, and all are subject to modifications.

**Committee Hearings:**

- Committee hearings are scheduled to begin on January 25<sup>th</sup>. A change this session will be that hearings will run all day, starting at 9:30 am, breaking for lunch and resuming at 1:30 pm.
- There are continued discussions on hearing protocols to protect the health and safety of all individuals involved. The hearing rooms have been modified to allow social distancing between senators on the committee and between the audience members. The public capacity for most rooms is 27 audience members. Each hearing room used (except room 1113) will have one door identified as the single entrance and one door identified as the single exit from the room. Pages will disinfect the testifier chair between testifiers. The room will be disinfected each night if a hearing was held in the room.

- There is continued discussion about allow for other ways for the public to participate other than in-person. Final details on the hearing process, including but not limited to submitted written testimony and possibly virtual participation will be announced next week.

**Interaction with the Public, Lobbyists, and Staff:**

- The Sargent of Arms will not be delivering messages from or to persons in the Rotunda.
- The Chamber glass doors to the Rotunda will not be in use during session. For safety reasons, these doors will not be locked, but they will be roped off and unavailable except in an emergency.
- Additionally, the entrance into the foyer between the Chamber and the Rotunda will be roped off to the public given the area does not provide enough space for social distancing with normal use.
- Senators wishing to speak to the public, a lobbyist, or their staff will need to exit the Chamber by the back south door and then re-enter the Chamber through the back north door once they have spoken to the person outside of the back hallway.
- Senators will want to utilize text messaging, their cell phone (not in the chamber) and their intercom for communication with persons outside of the Chamber.

**Coffee, Tea, Water and Sponsored Food:**

- Food sponsored by groups or senators will not be distributed to members of the Legislature in the Chamber or to their offices.
- Receptions and events away from the Capitol are still pending.

**CDC and Public Health Department Guidelines Recommended Throughout the Legislature:**

- All senators, staff, lobbyists, and members of the public interacting with the Legislature are encouraged to wear a mask. This includes when you are walking in the hallways, standing in the Rotunda, and when speaking to others either in your own office or when visiting another office.

**Senator Offices:**

- Senators are encouraged to implement social distancing in their offices between staff and with members of the public visiting their office.

**A spreadsheet summarizing budget bills follows on the next page.**

		Governor Proposed LB's 380 & 384		Change From FY 20-21 Baseline	Change From FY 20-21 Baseline
Agency 84 - Department Environmental Quality		FY 21-22	FY 22-23	FY 21-22	FY 22-23
Program 513, 586, 587, 588 - NDEQ	General Fund	\$ 3,754,047	\$ 3,778,641	\$ 37,303	\$ 61,897
	Cash Fund	\$ 36,918,970	\$ 37,023,644	\$ 167,863	\$ 272,537
	Federal Fund est.	\$ 17,304,737	\$ 17,415,411	\$ 167,863	\$ 278,537
	Program Total	\$ 57,977,754	\$ 58,223,696	\$ 373,029	\$ 618,971
	Salary Limit	\$ 13,769,558	\$ 13,918,726	\$ 262,021	\$ 411,189
Program 523 - Wastewater Loan Fund	Cash Fund	\$ 600,000	\$ 600,000	\$ -	\$ -
	Federal Fund est.	\$ 6,940,000	\$ 6,940,000	\$ -	\$ -
	Program Total	\$ 7,540,000	\$ 7,540,000	\$ -	\$ -
Program 528 - Drinking Water Facilities Loan Fund	Cash Fund	\$ -	\$ -	\$ -	\$ -
	Federal Fund est.	\$ 8,500,000	\$ 8,500,000	\$ -	\$ -
	Program Total	\$ 8,500,000	\$ 8,500,000	\$ -	\$ -
Agency 33 - Game & Parks Commission		FY 21-22	FY 22-23	FY 21-22	FY 22-23
Program 162 - Environmental Trust	Cash Fund	\$ 20,675,791	\$ 21,182,401	\$ 8,204	\$ 514,814
	Program Total	\$ 20,675,791	\$ 21,182,401	\$ 8,204	\$ 514,814
	Salary Limit	\$ 291,891	\$ 295,908	\$ 5,467	\$ 9,484
Program 330 - Habitat Development	Cash Fund	\$ 7,590,995	\$ 7,625,097	\$ (60,454)	\$ (26,352)
	Federal Fund est.	\$ 3,901,998	\$ 3,903,350	\$ (2,118)	\$ (766)
	Program Total	\$ 11,492,993	\$ 11,528,447	\$ (62,572)	\$ (27,118)
	Salary Limit	\$ 1,607,238	\$ 1,628,840	\$ 51,501	\$ 73,103
Program 336 - Wildlife Conservation	General Fund	\$ 1,817,493	\$ 1,849,409	\$ 391,869	\$ 423,785
	Cash Fund	\$ 27,043,836	\$ 27,430,888	\$ 1,013,665	\$ 1,400,717
	Federal Fund est.	\$ 4,225,405	\$ 42,430,900	\$ 453,252	\$ 38,658,747
	Program Total	\$ 33,086,734	\$ 33,523,387	\$ 1,858,786	\$ 2,295,439
	Salary Limit	\$ 16,025,594	\$ 16,295,845	\$ 1,074,298	\$ 1,344,549
Program 338* - Niobrara Council	General Fund	\$ 42,011	\$ 42,011	\$ -	\$ -
	Cash Fund	\$ 1,000	\$ 1,000	\$ -	\$ -
	Federal Fund est.	\$ 125,000	\$ 125,000	\$ -	\$ -
	Program Total	\$ 168,011	\$ 168,011	\$ -	\$ -
Program 550 - Planning & Trails Coordination	The unexpended Cash Fund appropriation balance existing on June 30, 2021, is hereby reappropriated.				
	General Fund	\$ 494,211	\$ 502,047	\$ 4,795	\$ 12,631
	Cash Fund	\$ 1,166,192	\$ 1,181,201	\$ 22,468	\$ 37,477
	Federal Fund est.	\$ 109,414	\$ 110,298	\$ 1,503	\$ 2,387
	Program Total	\$ 1,769,817	\$ 1,793,546	\$ 28,766	\$ 52,495
	Salary Limit	\$ 969,998	\$ 983,382	\$ 24,151	\$ 37,535
		The amount expended for development & maintenance of boundary fences along the Cowboy Trail limited to \$64,000 each FY			
Agency 29 - Department of Natural Resources		FY 21-22	FY 22-23	FY 21-22	FY 22-23
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, 2021, 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, 2021, is reappropriated.			
*Program 307 - Nebraska Resources Development Fund	General Fund	\$ -	\$ -	\$ -	\$ -
	Cash Fund	\$ -	\$ -	\$ -	\$ -
	Program Total	\$ -	\$ -	\$ -	\$ -
		The unexpended General Fund & Cash Fund appropriation balances existing on June 30, 2021, 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	\$ -	\$ -
	LB 384 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, 2021 is reappropriated.			
Water Resources Cash Fund				\$ -	\$ -
	LB 384 Transfer in	\$ 3,300,000	\$ 3,300,000	\$ -	\$ -
**Program 334 - Soil & Water Conservation (General Operations)	General Fund	\$ 11,017,548	\$ 10,971,400	\$ 481,098	\$ 434,950
	Cash Fund	\$ 7,784,340	\$ 7,788,195	\$ 358,596	\$ 362,451
	Federal Fund est.	\$ 839,193	\$ 845,188	\$ 36,122	\$ 42,117
	Program Total	\$ 19,641,081	\$ 19,604,783	\$ 875,816	\$ 839,518
	Salary Limit	\$ 7,066,469	\$ 7,162,623	\$ 210,329	\$ 306,483
Agency 51 - University of Nebraska		FY 21-22	FY 22-23	FY 21-22	FY 22-23
Robert B. Daugherty Water for Food Global Institute	General Fund	\$ 500,000	\$ 500,000	\$ -	\$ -
			\$ -	\$ -	\$ -