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January 11, 2019

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: January 11 NARD Update

Session Begins, Leadership Elected – The Nebraska Legislature convened its 90-day work session on January 9, 2019 and is tentatively scheduled to end on June 6, 2019. On the first day of the session, thirteen new senators were sworn into office and senators elected leadership for the body and various committees for the next two years. There are 30 of the 49 senators that have two years' experience or less.

Gov. Pete Ricketts will deliver his State of the State address Jan. 15 in the legislative chamber. Nebraska Supreme Court Justice Michael Heavican will give his State of the Judiciary address Jan. 17. Committee hearings are scheduled to begin Jan. 22 and will continue through March.

The election for leadership roles include the following:

Speaker of the Legislature – Standing Speaker Sen. Jim Scheer of Norfolk won unopposed.

Executive Board Chair - Sen. Mike Hilgers of Lincoln defeated Sen. Kate Bolz of Lincoln by a 26-23 vote. For Vice-Chair, Sen. Tony Vargas defeated Sen. Suzanne Geist by a 26-23 vote.

Agriculture Committee - Sen. Steve Halloran of Hastings won unopposed.

Appropriations Committee – Standing Chair Sen. John Stinner of Gering won unopposed.

Banking, Commerce and Insurance Committee - Sen. Matt Williams of Gothenburg won unopposed.

Business and Labor Committee – Sen. Matt Hansen of Lincoln defeated Standing Chair Sen. Joni Albrecht of Thurston by a 25-24 vote.

Education – Standing Chair Sen. Mike Groene of North Platte defeated Sen. Rick Kolowski of Omaha after two separate votes. The first vote was 24-21 in favor of Senator Groene, however no one received at least 25 votes. Sen. Groene defeated Sen. Kolowski in a second ballot by a vote of 26-20.

General Affairs – Sen. Tom Briesse of Cedar Rapids defeated Sen. Carol Blood of Bellevue by a 29-20 vote.

Government, Military and Veterans Affairs Committee - Sen. Tom Brewer of Hyannis won unopposed.

Health and Human Services Committee - Sen. Sara Howard of Omaha won unopposed.

Judiciary Committee - Sen. Steve Lathrop of Omaha won unopposed.

Natural Resources – Standing Chair Sen. Dan Hughes of Venango won unopposed.

Retirement Committee – Standing Chair Sen. Mark Kolterman of Seward won unopposed.

Revenue Committee - Sen. Lou Ann Linehan of Omaha defeated Sen. Brett Lindstrom of Omaha by a 26-23 vote.

Transportation and Telecommunications Committee – Standing Chair Sen. Curt Friesen of Henderson won unopposed.

Urban Affairs Committee – Standing Chair Sen. Justin Wayne of Omaha won unopposed.

Committee on Committees – Standing Chair Sen. Robert Hilkemann of Omaha defeated Sen. Steve Erdman of Ogallala by a 31-18 vote.

Rules Committee – Sen. Sue Crawford of Bellevue won unopposed.

Committee assignments and Senator Office assignments are on the following pages.

Mike Onnen Retires – Mike Onnen retired January 11, 2019 as the Manager of the Little Blue NRD after 42 years of working for the district. He served as manager for the district since 1985. Mike and his wife, Nila, are planning to move from Davenport to Stanton to be closer to many family members. Congratulations and thanks Mike for your many years of dedicated service to protecting natural resources in Nebraska!

Legislative Days off for Holidays (H) and Recess (R) are as follows: Jan 21 (H); Feb 15 (R), 18 (H), 25 (R); March 8 (R), 11 (R), 22 (R), 29 (R); April 1 (R), 12 (R), 19 (R), and 22 (R); May 3 (R), 6 (R), 17 (R), 20 (R), 27 (H). These are dates your senator(s) should be back in the district if you wish to schedule meetings with them. Thursday, June 6 is the last scheduled day of the working session. Session information can be found on the Nebraska Unicameral's website which is: <http://www.nebraskalegislature.gov>.

New Bills -- Introduction of legislative bills occurs in the first ten working days of the session. This is the first session of the 106th Legislature, so there are no carry over bills from last year. The following are bills of interest for the NRDs, introduced in the first three days of the session. For more information on introduced legislation, visit the Nebraska Unicameral website at www.nebraskalegislature.gov.

LB 48 - Change provisions relating to sufficient cause for nonuse of a water appropriation. Stinner.

The bill proposes to change provisions relating to finding of sufficient cause for nonuse of a water appropriation.

The bill would require that sufficient cause for nonuse be deemed to exist for up to 30 years if the land subject to the appropriation is under an acreage reserve program or production quota or is otherwise withdrawn from use as required for participation in any federal, state, or natural resources district program, or such land was previously under such a program but currently is not under such a program and there have been not more than five consecutive years of nonuse on such land subsequent to when that land was last under such program.

Under current law sufficient cause for nonuse for similar programs is limited to up to 15 years.

LB 53 - Change and provide duties for landowners or their tenants relating to removal of a blockage or obstruction in a watercourse and provide for court costs and attorney's fees. Scheer.

The bill proposes to change requirements for landowners or their tenants relating to removal of a blockage or an obstruction in a watercourse, slough, or drainage ditch or drainage course.

Current law requires landowners or tenants of such landowners to keep a watercourse, slough, drainage ditch or drainage clear. The bill would add that any blockage or obstruction caused by the landowner or tenant would require such individual to remove such so the watercourse is restored to its natural depth and width.

LB 103 - Change provisions relating to property tax requests. Linehan.

The bill proposes that when the annual assessment of property would result in an increase in the total property taxes levied by a political subdivision as determined using the previous year's rate of levy, such political subdivision shall reduce its levy for the current tax year so that the taxes collected are equal to or less than the previous year.

If the political subdivision would need to exceed that amount, the bill would require notice of a public hearing at least thirty days prior in at least one newspaper of general circulation. The notice must be at least the size of one-eighth page of a standard size or tabloid size newspaper, and the headline no smaller than eighteen-point font. The bill would require standard form for the notice and require the following information to be included:

- The total percentage increase in assessed property valuation of the subdivision.
- The lowered tax rate needed to offset the increased valuation.
- The tax rate increase (Difference between to lowered rate and requested levy rate).
- Proposed total budget increase.
- Location of the public hearing.

After the hearing, the governing body would be required to pass a resolution or ordinance if it deems it necessary to increase the levy rate.

LB 128 - Provide for Wildlife Conservation Plates. Hughes.

The bill proposes to allow for the creation of a Wildlife Conservation license plate to fund the Game and Parks Commission Education Fund. There would be an additional \$40 fee for the plate with 25% going to the Department of Motor Vehicles and 75% going to the Game and Parks Commission Educational Fund.

LB 134 - Provide levy authority and duties for natural resources districts. Stinner.

The bill proposes to reinstate the previously expired maximum 3-cent levy authority for fully or over-appropriated districts from FY 2020-21 to FY 2027-28. This would allow current successes to continue assisting Districts in complying with state law and the three-state agreement and allow for future programs to be developed to return water to the river and protect existing water supplies. The levy could only be used to implement groundwater management activities and integrated management activities under the Nebraska Ground Water Management and Protection Act.

The bill would require each district to keep separate records on the funds raised and document how such funds are expended to administer and implement ground water management activities and integrated management activities.

LB 148 - Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies. Groene.

The bill proposes to change provisions relating to budgeting of a joint entity created pursuant to the Interlocal Cooperation Act that receives funds from an occupation tax on irrigated acres.

The proposal would require that the public hearing on a proposed budget statement be held separately from any regularly scheduled meeting of the governing body and not be limited by time. The bill adds that the

governing body be required to make a detailed presentation of the proposed budget statement and make at least three copies of the proposed budget statement available to the public. Any member of the public desiring to speak on the proposed budget statement would be allowed to address the governing body and must be given a reasonable amount of time to speak.

The bill also changes the publicized notice requirements. It would require notice to be published in a newspaper of general circulation within the public body's jurisdiction and, if available, in a digital advertisement on such newspaper's web site. Each public body would be required to record the methods and dates of such notice in its minutes.

LB 150 - Change provisions relating to access to public records and provide for fees. Brewer.

The bill proposes to change provisions relating to access to and fees for public records requests for non-residents. The bill would allow a charge to non-residents for the existing salary or pay obligation to the public officers or employees, including a charge for the services of an attorney to review the requested public records.

The bill defines resident as a person domiciled in this state and includes news media without regard to domicile.

LB 158 - Change provisions relating to the assessed value of real property. Brewer.

The bill would limit the growth in valuation for tax purposes to the same value as the previous year plus the cost of any improvements made to the real property during the year, minus the assessed of any improvements to the real property that have been destroyed or removed. The bill would require this valuation procedure to be in place for years 2019 through 2023.

LB 163 - Permit counties to conduct elections by mail. Hunt.

The bill would allow any election commissioner or county clerk to apply to the Secretary of State to use mail ballots for all elections held after approval of the application to registered voters of any or all of the precincts in the county in lieu of establishing polling places for such precincts. Current law limits mail in ballots to any county with less than ten thousand inhabitants.

LB 177 - Change a termination date for bonding authority of natural resources districts. Lindstrom.

The bill proposes to extend the authority of the board of directors of a natural resources district encompassing a city of the metropolitan class, upon an affirmative vote of two-thirds of the members of the board of directors, to issue negotiable bonds and refunding bonds of the district, entitled flood protection and water quality enhancement bonds. The bill would extend the authority from December 31, 2019 to December 31, 2029.

LB 204 - Require approval of voters for bonds under the Interlocal Cooperation Act. Briese.

The bill would require that bonds issued by any joint entity on or after the effective date would have to be approved by the majority of the qualified electors of each public agency which is part of the joint entity.

2019 LEGISLATIVE COMMITTEES
Committee on Committees Final Report

Standing Committees:

Agriculture (8) -- *Rm.1524-Tuesday.* Halloran (C), Blood, Brandt, Chambers, Hansen, B., Lathrop, Moser, Slama

Appropriations (9) -- *Rm.1003-Monday, Tuesday, Wednesday, Thursday, & Friday.* Stinner (C), Bolz, Clements, Dorn, Erdman, Hilkemann, McDonnell, Vargas, Wishart.

Banking, Commerce and Insurance (8) -- *Rm.1507-Monday & Tuesday.* Williams (C), Gragert, Howard, Kolterman, La Grone, Lindstrom, McCollister, Quick

Business and Labor (7) -- *Rm.1524-Monday.* Hansen, M. (C), Chambers, Crawford, Halloran, Hansen, B., Lathrop, Slama

Education (8) -- *Rm.1525- Monday & Tuesday.* Groene (C), Brewer, Kolowski, Linehan, Morfeld, Murman, PansingBrooks, Walz

General Affairs (8) -- *Rm.1510-Monday.* Briesse (C), Arch, Blood, Brandt, Hunt, Lowe, Moser, Wayne

Government, Military and Veterans Affairs (8) -- *Rm.1507- Wednesday, Thursday & Friday.* Brewer (C), Blood, Hansen, M., Hilgers, Hunt, Kolowski, La Grone, Lowe

Health and Human Services (7) -- *Rm.1510 – Wednesday, Thursday & Friday.* Howard (C), Arch, Cavanaugh, Hansen, B., Murman, Walz, Williams

Judiciary (8) – *Warner Chamber-Wednesday, Thursday, & Friday.* Lathrop (C), Brandt, Chambers, DeBoer, Morfeld, Pansing Brooks, Slama, Wayne

Natural Resources (8) -- *Rm.1525-Wednesday, Thursday, & Friday.* Hughes (C), Albrecht, Bostelman, Geist, Gragert, Halloran, Moser, Quick

Nebraska Retirement Systems (6) – *Rm.1525-At call of Chair.* Kolterman (C), Bolz, Groene, Kolowski, Lindstrom, Stinner

Revenue (8) -- *Rm.1524- Wednesday, Thursday, & Friday.* Linehan (C), Briesse, Crawford, Friesen, Groene, Kolterman, Lindstrom, McCollister

Transportation and Telecommunications (8) – *Warner Chamber- Monday & Tuesday.* Friesen (C), Albrecht, Bostelman, Cavanaugh, DeBoer, Geist, Hilgers, Hughes

Urban Affairs (7) -- *Rm.1510 – Tuesday.* Wayne (C), Arch, Briesse, Crawford, Hansen, M., Hunt, Lowe

Select Committees:

Executive Board of the Legislative Council (9). Hilgers (C), Vargas (VC), Bolz, Chambers, Hughes, Kolterman, Lowe, McCollister, Scheer, Stinner(nonvotingexofficio)

Rules – (6) Meet at call of the Chair. Crawford (C), Erdman, Howard, Hansen, M., Lathrop, Scheer(exofficio)

2019 NEBRASKA UNICAMERAL LEGISLATURE

Capitol Mailing Address: Senator _____

District # State Capitol

PO Box 94604 Lincoln NE 68509-4604

<i>As of 1/09/2019</i> Senator	District	Capitol Phone	Room	City
Albrecht, Joni	17	(402) 471-2716	1404	Thurston
Arch, John	14	(402) 471-2730	8th Floor	La Vista
Blood, Carol	3	(402) 471-2627	1021	Bellevue
Bolz, Kate	29	(402) 471-2734	1015	Lincoln
Bostelman, Bruce	23	(402) 471-2719	8th Floor	Brainard
Brandt, Tom	32	(402) 471-2711	12th Floor	Plymouth
Brewer, Tom	43	(402) 471-2628	1423	Gordon
Briese, Tom	41	(402) 471-2631	1019	Albion
Cavanaugh, Machaela	6	(402) 471-2714	11th Floor	Omaha
Chambers, Ernie	11	(402) 471-2612	1302	Omaha
Clements, Robert	2	(402) 471-2613	8th Floor	Elmwood
Crawford, Sue	45	(402) 471-2615	1012	Bellevue
DeBoer, Wendy	10	(402) 471-2718	11th Floor	Bennington
Dorn, Myron	30	(402) 471-2620	1208	Adams
Erdman, Steve	47	(402) 471-2616	12th Floor	Bayard
Friesen, Curt	34	(402) 471-2630	1308	Henderson
Geist, Suzanne	25	(402) 471-2731	12th Floor	Lincoln
Gragert, Tim	40	(402) 471-2801	11th Floor	Creighton
Groene, Mike	42	(402) 471-2729	1306	North Platte
Halloran, Steve	33	(402) 471-2712	1022	Hastings
Hansen, Ben	16	(402) 471-2728	11th Floor	Blair
Hansen, Matt	26	(402) 471-2610	2011	Lincoln
Hilgers, Mike	21	(402) 471-2673	2000	Lincoln
Hilkemann, Robert	4	(402) 471-2621	13th Floor	Omaha
Howard, Sara	9	(402) 471-2723	1402	Omaha
Hughes, Dan	44	(402) 471-2805	1210	Venango
Hunt, Megan	8	(402) 471-2722	11th Floor	Omaha
Kolowski, Rick	31	(402) 471-2327	1018	Omaha
Kolterman, Mark	24	(402) 471-2756	2004	Seward
La Grone, Andrew	49	(402) 471-2725	1206	Gretna
Lathrop, Steve	12	(402) 471-2623	1202	Omaha
Lindstrom, Brett	18	(402) 471-2618	2015	Omaha
Linehan, Lou Ann	39	(402) 471-2885	1305	Elkhorn
Lowe, John S., Sr.	37	(402) 471-2726	12th Floor	Kearney
McCollister, John S.	20	(402) 471-2622	1017	Omaha
McDonnell, Mike	5	(402) 471-2710	13th Floor	Omaha
Morfeld, Adam	46	(402) 471-2720	1008	Lincoln
Moser, Mike	22	(402) 471-2715	12th Floor	Columbus
Murman, Dave	38	(402) 471-2732	12th Floor	Glenvil
Pansing Brooks, Patty	28	(402) 471-2633	1016	Lincoln
Quick, Dan	35	(402) 471-2617	1406	Grand Island
Scheer, Jim	19	(402) 471-2929	2010	Norfolk
Slama, Julie	1	(402) 471-2733	11th Floor	Peru
Stinner, John P.	48	(402) 471-2802	1004	Gering
Vargas, Tony	7	(402) 471-2721	1000	Omaha
Walz, Lynne	15	(402) 471-2625	1403	Fremont
Wayne, Justin T.	13	(402) 471-2727	1212	Omaha
Williams, Matt	36	(402) 471-2642	1401	Gothenburg
Wishart, Anna	27	(402) 471-2632	8th Floor	Lincoln