



**PERSONNEL, LEGISLATIVE AND PUBLIC AFFAIRS
SUBCOMMITTEE MEETING**

February 11, 2003

8:30 p.m.

AGENDA

Personnel, Legislative and Public Affairs Subcommittee:

Barb Nichols, Chairperson
Dick Connealy, Vice Chairperson
Fred Conley
Melissa Gardner
Pete Rubin

Alternate Members: Rich Jansen
Rich Tesar

Staff Liaison: Emmett Egr *
Christy Jacobsen

1. Meeting Called to Order – Chairperson Nichols
2. Quorum Call
3. Adoption of Agenda
4. Review and Recommendation(s) on Legislative Bills of Interest to the Papio-Missouri NRD – Steve Oltmans
5. Other Items of Interest
6. Adjourn

**Papio-Missouri River NRD
2003 Unicameral Summary
by: Steven G. Oltmans**

Bill No. (Page # - NARD Summary)	Description	2003 NARD Position	2003 GM Recommended Position	2003 P-MRNRD Position
	Chemigation & Wells – Well Licensing Board			
LB 31 (pg 1)	Change provisions relating to water wells and public water systems	Support	Support	
	Chemigation & Wells – NRD Well Fees			
LB 34 (pg 2)	Increase application fee for a permit to construct a water well in a ground water management area	Support	Support	
	Chemigation & Wells – Wellhead Protection			
LB 738 (pg 2)	Require determination of ownership interests under the Wellhead Protection Area Act	Oppose	Oppose	
	Nebraska Environmental Trust Fund			
LB 367 (pg 6)	Change provisions relating to transfers of State Lottery Act funds	Support w/amendments	Support w/amendments	
LB 639 (pg 6)	Transfer funds to Environmental Trust	Support	Support	
	Property Tax Issues			
LB 520 (pg 7)	Change budget limitations for political subdivisions	Support	Support	
LB 539 (pg 7)	Change the assessment definition of agricultural and horticultural land	Support	Support	
LB 774 (pg 8)	Eliminate budget and tax levy limits	Support	Support	
	General Administration – General Issues			
LB 311 (pg 10)	Adopt the Unfunded Mandates Reform Act	Support	Support	
	General Administration – Liability Issues			
LB 347 (pg 11)	Increase statute of limitations under the Political Subdivisions Tort Claim Act	Oppose	Oppose	
LB 395 (pg 11)	Exclude political subdivisions as owners of recreational land for liability purposes	Oppose	Oppose	
LB 493 (pg 11)	Redefine recreational purposes relating to recreational liability	Support	Support	

	Solid Waste and Recycling			
LB 142 (pg 13)	Permit the Director of Environmental Quality to order access to certain property under the Integrated Solid Waste Management Act	Support	Support	
LB 144 (pg 13)	Change provisions relating to scrap tire disposal	Support	Support	
	Water Quality – Livestock Waste Issues			
LB 633 (pg 14)	Change livestock waste management fees	Support	Support	
	NRD Groundwater Management Plans			
LB 30 (pg 15)	Provide a civil penalty for violation of a cease and desist order under the Nebraska Ground Water Management and Protection Act	Support	Support	
LB 93 (pg 15)	Redefine best management practices under the Nebraska Ground Water Management and Protection Act	support	support	
	Waste/Storm Water			
LB 32 (pg 15)	Authorize storm water management programs for certain political subdivisions as prescribed	Support	Support	
LB 94 (pg 16)	Adopt the Private Onsite Wastewater Treatment System Contractors Certification & System Registration Act	Support	Support	
	Water & Wetlands – Storage/Use			
LB 145 (pg 17)	Change provisions relating to water storage facilities and livestock waste control facilities	Oppose	Oppose	
	Water & Wetlands – Water Transfers			
LB 123 (pg 17)	Provide additional considerations relating to interstate transfers of ground water	Support	Support	
LB 527 (pg 18)	Provide for a water transfer fee	Oppose	Oppose	
LB 619 (pg 18)	State intent relating to ground water regulation by natural resources districts	Support	Support	
LB 637 (pg 18)	Soil and Water Funds for reduced consumptive water use	Support	Support	
LB 638 (pg 18)	Funding for water studies	Support	Support	
LB 642 (pg 19)	Authorize a special NRD levy for water studies	Support	Support	
	General – Wildlife, Games and Parks			
LB 89 (pg 20)	Change provisions relating to fish stocking by the Game and Parks Commission	Oppose	Oppose	
	Other Issues			
LB 618	Provide for net metering systems	Monitor	Support	

NARD CA & BILL SUMMARY
2003 LEGISLATIVE SESSION

**NARD LEGISLATIVE
CONFERENCE**

EMBASSY SUITES

LINCOLN, NE

JANUARY 28-29,2003

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Chemigation & Wells

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LB 242 (*Jensen*) Change credentialing and fee provisions for health professions and occupations.
LB 245 (*Health and Human Services Committee*) Change provisions relating to health and human services.

NRD Well Fees (page 2)

- LB 34 (*Schrock*) Increase the application fee for a permit to construct a water well in a ground water management area.
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LB 570 (*Schrock, Burling, Connealy, et al.*) State legislative intent to maintain the General Fund allocation for the University of Nebraska Institute of Agriculture and Natural Resources.
LB 640 (*Schrock*) Transfer funds to Resources Development Fund.

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- LB 496 (*Raikes, at the request of the Governor*) Change provisions for property tax assessment.
LB 520 (*Janssen*) Change budget limitations for political subdivisions.
LB 539 (*Raikes*) Change the assessment definition of agricultural and horticultural land.
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LB 286 (*Landis*) Change income tax and sales tax rates.
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- LB 44 (*Thompson*) Change distribution of the cigarette tax.

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LB 311 (*Erdman, Baker, Maxwell, et al.*) Adopt the Unfunded Mandates Reform Act.
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LB 93 (Schrock) Redefine best management practices under the Nebraska Ground Water Management and Protection Act.

Waste/Storm Water (pages 15-16)

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LB 94 (Schrock) Adopt the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act.

LB 164 (Schrock, *Baker, Cudaback*) Change the Wastewater Treatment Facilities Construction Assistance Act.

LB 518 (*Synowiecki*) Adopt the Citizen Oversight Committee Act relating to wastewater treatment plants in cities of the metropolitan class.

Water & Wetlands

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LB 141 (Schrock) Provide for water storage structures and priority of certain water appropriations.

LB 145 (Schrock) Change provisions relating to water storage facilities and livestock waste control facilities.

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LB 183 (*Natural Resources Committee, Baker, Cudaback, et al.*) Provide for a water transfer fee.

LB 527 (*Louden, Baker, Combs, et al.*) Provide for a water transfer fee.

LB 619 (*Jones, Burling, Cudaback, et al.*) State intent relating to ground water regulation by natural resources districts.

LB 637 (*Schrock*) Soil and Water Funds for reduced consumptive water use.

LB 638 (Schrock) Funding for water studies.

LB 642 – (Schrock) Authorize a special NRD levy for water studies.

LB 739 (*Baker*) Provide for nondelivery of irrigation water under certain circumstances.

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LB 306 (*Stuhr*) Change fee authorization for the Game and Parks Commission.

LB 360 (*Landis*) Authorize free park entry permits for persons sixty-five years of age and older.

LB 363 (*Smith, Baker, Burling, et al.*) Authorize counties to eradicate destructive rodents.

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LB 618 (Jones, *Kremer, Loudon, et al.*) Provide for net metering systems.

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LB 692 - (*Preister*) Extend sunset date for the Biopower Steering Committee.

NARD CA & Bill Summary List

Bill Number (*Bill Sponsor*) One Line description. Committee referred to followed by Hearing Date.

Chemigation & Wells (NARD Policy Book Pages 9-11)

Well Licensing Board

LB 31 (*Schrock*) Change provisions relating to water wells and public water systems. Natural Resources Committee. Hearing Date: 1/24 Committee AMD Pending

The original bill redirects the fees collected under the Water Well Standards and Contractors' Licensing Act from the Department of Natural Resources for well registration updates and corrections to the Water Well Standards and Contractors' Licensing Fund after December 31, 2004. Provides authority for operators of public water systems to break a well seal. Allows the Director of Regulation and Licensure to place a certificate holder on probation for violations of the Nebraska Safe Drinking Water Act. *Committee AMD* -A pending committee amendment resolves the conflict between LB 31 and 33 by allowing DNR to keep the funds for updates, corrections, updates notices, changes of ownership's and online registration. The amendment increases the fees to the well decommissioning fund by \$10 and the department will charge program costs from that fund.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 33 (*Schrock*) Eliminate a termination date relating to disbursement of water well registration fees. Natural Resources Committee. Hearing Date: 1/24 See AMD for LB 31.

Eliminates the sunset clause on funding for the Nebraska Department of Natural Resources position for well registration updates and corrections, change of ownership forms, electronic registration, and adjudication notices. The projects created by the funding are continuous and ongoing. The funding was created by LB 438 last year for the updates and corrections from a portion of the well registration fees, but the sunset clause was inadvertently placed on the entire section rather than just updates and corrections.

NRD Managers Recommendation: N/A—Incorporated into LB31
NARD Legislative Committee Recommendation: N/A
NARD Position: N/A

LB 242 (*Jensen*) Change credentialing and fee provisions for health professions and occupations. Health and Human Services Committee. Hearing Date 1/22. Advanced to SF

Creates a uniform system for establishing fees for state credentialing system for all health related professions, including licenses under the Water Well Contractors Licensing Act. The WWLB would still have authority to set fees, but the credentialing fee in it would be limited to \$25.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 245 (Health and Human Services Committee) Change provisions relating to health and human services. Health and Human Services. Hearing Date **1/22**. Advanced to **SF**

A committee bill proposing several changes to programs under its jurisdiction including child support, controlled substances schedules, DNA testing, and the Water Well Licensing Act. For water wells, the bill allows licensed contractors to fill notices of properly abandoned wells for the owner. Current law only allows the owner of the well to provide the notice.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

NRD Well Fees

LB 34 (Schrock) Increase the application fee for a permit to construct a water well in a ground water management area. Natural Resources Committee. Hearing Date: 1/23 Advanced to **GF**

A NARD bill (Policy #2002, page 9) to increase the well permit application fees for wells constructed in a ground water management area from \$17.50 to \$50.00.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 35 (Schrock) Change provisions relating to denial of a water well permit in a ground water management area. Natural Resources Committee. Hearing Date: 1/23 Advanced to **GF**

A NARD bill (Policy # 2002, page 9) to provide a NRD permit process for wells constructed for the enhancement of fish, wildlife or recreation. Current law allows for such wells to be registered but the NRD permit process is absent.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Wellhead Protection

LB 738 (Baker) Require determination of ownership interests under the Wellhead Protection Area Act. Natural Resources Committee. Hearing Date: ?

Requires the controlling entity of a wellhead protection area to employ a title insurance agent, a registered abstractor, or an attorney to review the title to the property within the proposed wellhead protection area and prepare an abstract of title to determine the owner and any lienholders. The notice required to be given to the owner and any lienholders by federal regulations shall be given by registered mail, return receipt requested.

NRD Managers Recommendation: Oppose
NARD Legislative Committee Recommendation: Oppose
NARD Position: Oppose

Elections (NARD Policy Book Page 12)

LR 16CA (*McDonald, Schimek*) Constitutional amendment to exclude certain political subdivision employees from being considered executive officers. Government Committee. Hearing Date: **1/29**

A constitutional amendment to provide that **an** employee of a political subdivision who is not holding elective office is not **an** executive officer or a member of the executive branch of the state.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 358 (*Government, Military and Veterans Affairs Committee*) Change and eliminate provisions relating to elections. Government Committee. Hearing Date: **1/23**

The bill allows for the use of electronic voting machines and creates minimum criteria for such. The bill also requires the Secretary of State to create **an** electronic system for registered voters to check if their vote **has** been counted and if not, why it was not counted.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 433 (*Maxwell*) Change provisions relating to statements of financial interest under the Nebraska Political Accountability and Disclosure Act. Government Committee. Hearing Date:?

The bill categorizes the amount of income for Accountability and Disclosure Reports for income over \$1,000 to (i) \$1,000 - \$20,000; (ii) \$20,000.01 - \$50,000; (iii) \$50,000.01 - \$100,000; (iv) \$100,000.01 - \$200,000; and (v) \$200,000.01 or more.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Funding & Taxes (NARD Policy Book Pages 12-15)

Policy Statement #1: We support the Governor and Legislature's consideration of spending cuts, expansion of the state tax base, and state revenue enhancement as a way to resolve the budget crisis.

Appropriations Bill

LB 407 (*Speaker Bromm, at the request of the Governor*) Appropriate funds for state government expenses. Appropriations Committee. Hearing Date:?

The general fund appropriations bill for state operations. Included in the bill are the cuts proposed to meet the **\$673** million budget deficit for the next two fiscal years. For Natural Resources Programs, the cuts are similar percentage-wise to other programs at **10%**. The following provides a breakdown of these programs:

Aid to Natural Resources Districts – A 10% reduction equaling \$172,585 each year, bring the total state aid to \$1,553,268 annually.

Nebraska Water Rights Program, NDNR– The program total is \$4,535,373 for FY03-04 and \$1,009,663 for FY04-05. With savings from the Republican River water rights lawsuit, some of the litigation funding is shifted to operational funding to implement the settlement. A total of \$694,500 of General Funds have been recommended in both FY 2003-04 and FY 2004-05 which provides for Natural Resource Districts new operational costs and the Department's on-going engineering costs and four new water resource positions. The settlement also requires one-time capital outlays for both the State of Nebraska and the Natural Resource Districts. The Governor's FY 2003-04 recommendations include \$2,943,450 cash fund authority to finance these one-time costs utilizing the Environmental Trust Cash Fund, which was earmarked for transfer in the Second Special Session.

Another \$287,875 is dedicated to department for continuing implementation of the Platte River water rights settlement (Nebraska v. Wyoming). Additionally, the Governor's FY 2003-04 recommendations include \$300,000 cash fund authority to finance requested additional one time capital outlay. The Governor's recommendations include a transfer of \$300,000 from the Environmental Trust Cash Fund in FY 2003-04.

For the current fiscal year, FY 2002-03, the Governor is recommending the reduction of \$1.1 million in General Funds appropriated for the Republican River litigation. This reduction is a result of savings realized from the lawsuit settlement out of court. Additionally, the Governor recommends an additional \$805,503 of cash fund authority and the elimination of \$805,503 of General Fund appropriation in FY 2002-03. The Governor's recommendations include a transfer of \$805,503 from the Environmental Trust Fund in FY 2002-03.

Re-appropriations for this program in FY 2002-03 included funding provided for Consumptive Use and Ground Water Studies for the Platte River water rights settlement. The Department has indicated that this study will not be completed in FY 2002-03. The Governor recommends increasing FY 2003-04 by \$250,000 of cash fund authority and eliminating \$250,000 of General Fund appropriation in FY 2002-03. The Governor's recommendations include a transfer of \$250,000 from the Environmental Trust Fund in FY 2003-04 to finance this work.

Soil and Water Conservation Operations Program – The program total is \$7,009,119 for FY 03-04 and \$7,008,515 for FY 04-05. Included is \$525,000 of cash fund authority in FY 2003-04 and \$400,000 in General Fund appropriation in FY 2004-05 for the implementation of a cooperative agreement with the U.S. Fish and Wildlife Service to enhance water related environments for endangered species. The Governor's FY 2003-04 recommendations include a transfer to finance one-time costs of \$525,000 from the Environmental Trust Cash Fund in FY 2003-04.

The Governor's recommendations include the addition of two positions to enhance the current dam safety program providing \$75,000 of General Funds in both fiscal years in combination with federal funding.

Soil and Water Conservation Fund – The program total is \$2,770,610 for FY 03-04 and \$2,770,610 for FY 04-05. In FY 2002-03, \$250,000 was redirected from the Soil and Water Conservation Fund Aid Program to assist in funding the Water Policy Task Force. The Governor's recommendations include restoration of that funding, and then reduce to Program by \$200,000 in both fiscal years.

Resource Development Fund - The program total is reduced to \$3,131,400 for FY 03-04 and \$3,131,400 in FY 04-05. The reductions are \$450,000 in both years plus another \$75,000 to assist in providing enhanced dam safety.

Small Watersheds Flood Control - The program totals are \$400,000 for each of the next two fiscal years in cash fund only. The remaining \$24,000 in general funding was eliminated in both fiscal years.

Water Well Decommissioning - The program totals are \$178,840 in cash funds for each of the next two fiscal years.

Water Quality Fund -- The program totals are \$1,250,000 in cash funds for each of the next two fiscal years. The general funds for this program (\$250,000) were eliminated in the second special session last year.

Nebraska Soil Survey Fund -- The program totals are \$144,496 in general funds for each of the next two fiscal years.

Nebraska Environmental Trust Program - The program totals are \$6,304,238 in FY 03-04 and \$11,372,685 in FY 04-05. The reduction of \$5,060,057 in FY 03-04 matches the reduction amounts provided in the second special session last year. The funds are transferred to the Department of Natural Resources (\$4,833,953) for program previous listed and \$226,104 to the Department of Environmental Quality from the Environmental Trust Cash Fund for FY 2003-04 to provide remediation funding for Superfund sites. Funding is restored in FY 04-05.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement

NARD Legislative Committee Recommendation: See Policy Statement #1

NARD Position: See Policy Statement #1

LB 569 (*Schrock, Burling, Kremer, et al.*) Appropriate funds for the Research and Extension Center at Clay Center. Appropriations Committee. Hearing Date?

Appropriates \$661,000 for each of the next two years to the University of Nebraska to keep the South Central Research and Extension Center open.

NRD Managers Recommendation: Support (by vote: 13 yes, 8 no)

NARD Legislative Committee Recommendation: See Policy Statement #1

NARD Position: See Policy Statement #1

LB 570 (*Schrock, Burling, Connealy, et al.*) State legislative intent to maintain the General Fund allocation for the University of Nebraska Institute of Agriculture and Natural Resources. Appropriations Committee. Hearing Date:?

Provides intent language from the Legislature that the Board of Board of Regents of the University of Nebraska maintains the General Fund allocation to the University of Nebraska Institute of Agriculture and National Resources at not less than the level of fiscal year 2002-03.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 640 (*Schrock*) Transfer funds to Resources Development Fund. Appropriations Committee. Hearing Date:?

Transfers \$3 million in both FY's 03-04 and 04-05 from the Highway Trust Fund to the Resource Development Fund

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Nebraska Environmental Trust Fund

LB 367 (*Jayssen, Hartnett, Schrock*) Change provisions relating to transfers of State Lottery Act funds. **General Affairs Committee.** Hearing Date:?

Changes the minimum transfer from the lottery funds to guarantee until October 1, **2008** the amount transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund, shall not be less than the dollar amount transferred to the funds in fiscal year 2002-03. On and after October 1, 2008, at least twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to such programs.

NRD Managers Recommendation: Support, w/ amendment to reference **FY01-02** levels instead of **FY02-03**
NARD Legislative Committee Recommendation: Support, w/ amendment to reference **FY01-02** levels instead of **FY02-03**
NARD Position: Support, w/ amendment to reference **FY01-02** levels instead of **FY02-03**

LB 408 (*Speaker Bromm, at the request of the Governor*) Provide for transfers from the Carrier Enforcement Cash Fund and the Nebraska Environmental Trust Fund. Appropriations Committee. Hearing Date:?

Language to transfer funds to match the appropriations bill (LB 407). Funds are transferred to the Department of Natural Resources (\$4,833,953) for program previous listed and \$226,104 to the Department of Environmental Quality from the Environmental Trust Cash Fund for FY 2003-04 to provide remediation funding for Superfund sites. Funding is restored in FY 04-05. Funds are also transferred from Carrier Enforcement to the State Patrol for other budget-related issues.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement (coord. w/ LB407)
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 639 (*Schrock*) Transfer funds to the Environmental Trust. Appropriations Committee. Hearing Date:?

Transfers \$3 million in both FY's 03-04 and 04-05 from the Highway Trust Fund to the Environmental Trust Fund.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Property Tax Issues

LB 191 (*Vrtiska*) Change county tax levy provisions relating to correction of clerical errors. Revenue Committee. Hearing Date: 1/22 Advanced to GF

Changes the date for making corrections for clerical errors on levies from within thirty days after a levy has been made to on or before November 5.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 462 (Johnson, *Hartnett, Mines, et al.*) Redefine allowable growth for budget purposes. Revenue Committee. Hearing Date:?

Changes allowable growth for governmental units to be the percentage increase in taxable value due to improvements (eliminates the term in excess of base limitation under 77-3446) or the percentage increase in net taxable retail sales, exclusive of motor vehicle sales, from the first calendar year preceding the fiscal year for which the budget is being determined to the second calendar year preceding the fiscal year for which the budget is being determined.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 496 (*Raikes, at the request of the Governor*) Change provisions for property tax assessment. Revenue Committee. Hearing Date: 1/29

Makes some changes in the reporting of the impact of state aid on local property taxes. The change in reporting would show the tax for each political subdivision if state aid was not provided and a total impact of the state aid.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 520 (*Janssen*) Change budget limitations for political subdivisions. Revenue Committee. Hearing Date:?

Changes the limit from one percent to two percent on increasing the budget by a vote of 75% the governing body.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 539 (*Raikes*) Change the assessment definition of agricultural and horticultural land. Revenue Committee. Hearing Date:?

Clarifies that land placed in a conservation easement, which prevents the land from being converted to a more intense use, shall be defined as agricultural land or horticultural land for tax purposes.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 774 (Kruse, Hartnett, Mines, et al.) Eliminate budget and tax levy limits. Revenue Committee. Hearing Date:?

The intent of the bill is to eliminate all budget and tax limits for political subdivisions.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Policy Statement #1: We support the Governor and Legislature's consideration of spending cuts, expansion of the state tax base, and state revenue enhancement as a way to resolve the budget crisis.

Sales/Income Taxes

LB 282 (Landis) Adopt the Streamlined Sales and Use Tax Agreement and harmonize Nebraska law. Revenue Committee. Hearing Date: **1/24**. Advanced to **GF**

Authorizes Nebraska to enter into the Streamline Sales Tax Agreement with other states and national retailers to begin collecting sales taxes from direct mail and Internet sales under a uniform system. The system will require a uniform set of exemptions from the tax for tangible goods and services.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 285 (Landis) Change the sales tax rate. Revenue Committee. Hearing Date:?

Extends the temporary ½ cent sales tax adopted last year to run until July, 1 2005 rather than ending in 2003.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 286 (Landis) Change income tax and sales tax rates. Revenue Committee. Hearing Date:?

A bill to change the sales and income tax rates. The rates in the bill are noted with "XXX" to allow the committee to enter the amounts during debate on the budget issue. Several other bills are introduced to change rates and expand services &/or products. This may be the bill that becomes part of the debate &/or solution.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 368 (Baker, Burling, Jones) Eliminate the sales tax exemption for food. Revenue Committee. Hearing Date:?

Place the sales tax on food and exempts food purchased with food stamps or electronic benefits transfer.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 440 (*Thompson*) Change cigarette tax distribution. Appropriations Committee. Hearing Date:?

Beginning October 1, 2003 the bill eliminates the \$3 million/year transfer from the cigarette tax to the Municipal Infrastructure Redevelopment Fund and redirects it to the general fund.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 447 (Ruikes) Change provisions relating to exemptions from sales and use tax. Revenue committee. Hearing Date:?

Eliminates the limitation for sales taxes exemptions for entities formed under interlocal agreements by striking the term "to fulfill the purposes described in the Integrated Solid Waste Management Act".

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 453 (*Aguilar*) Impose sales tax on engineering, architectural, legal, and accounting services. Revenue Committee. Hearing Date:?

Imposes the sales tax on engineering, architectural, legal, and accounting services

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 595 (*Janssen, Jones, Landis, et al.*) Authorize a county income tax. Revenue Committee. Hearing Date:?

Allows a county board, by resolution, to impose a county resident individual income tax equal to at least twenty percent but not more than sixty percent of the residents' individual state income tax liability. The proceeds would be an alternative funding source for operational expenses of political subdivisions within the county. The total property taxes levied within counties imposing the county income tax shall be reduced proportionately to the total county income tax sought to be collected.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

LB 759 (*Brusher, D. Pederson, Thompson*) Change income tax, sales tax, homestead and school aid provisions. Revenue Committee. Hearing Date:?

A tax reform proposal that expands sales tax to numerous services, makes the income **tax** increase last year permanent, increases the homestead exemption and increases the maximum levy for schools to \$1.10.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement
NARD Legislative Committee Recommendation: See Policy Statement #1
NARD Position: See Policy Statement #1

Other

LB 44 (Thompson) Change distribution of the cigarette tax. Revenue Committee, Hearing Date:?

Shifts the one-cent cigarette tax dedicated for Nebraska Outdoor Recreation Cash Fund to the Building Renewal Allocation Cash Fund. The recreation cash fund goes to the NGPC for outdoor recreation facilities.

NRD Managers Recommendation: Refer to Legislative Committee for policy statement

NARD Legislative Committee Recommendation: See Policy Statement #1

NARD Position: See Policy Statement #1

General Administration (NARD Policy Book Pages 15-17)

General Issues

LB 79 (*Redfield*) Authorize credit unions to receive deposits of funds of political subdivisions. Banking Committee. Hearing Date: **2/4**

Allows political subdivisions to deposit funds in state or federal credit unions that are located in Nebraska.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Oppose by vote (**4** yes, 1 no)

NARD Position: Oppose

LB 247 (*Redfield, Baker, Burling, et al.*) Provide for Internet auction of political subdivision bonds. Banking Committee. Hearing Date:?

Allows any political subdivision sell bonds which the political subdivision is authorized to issue under any provision of law use an Internet auction system. The bill also allows the State Treasurer to establish such a system.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 311 (*Erasmus, Baker, Maxwell, et al.*) Adopt the Unfunded Mandates Reform Act. Executive Board.
Hearing Date:?

The bill adopts the Unfunded Mandates Reform Act. The bill would require Legislative Fiscal Analysis to prepare a statement of the direct cost of a state mandate when the bill is advanced to General File. Direct cost is defined as the aggregate amount at all local governments would be required to spend or would be prohibited from raising in revenue in order to comply with a state mandate or the amount of state financial assistance eliminated or reduced. The Act would not apply to bills that enforce constitutional rights, prohibiting discrimination, compliance with auditing procedures, emergency relief at the request of local government, state or national security, or if the bill relates to schools or state aid to schools.

NRD Managers Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 646 (*Hartnett*) Require Audits of Interlocal Agreements. Government Committee. Hearing Date:?

Requires any political subdivision to provide copies of agreements entered into pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act to the Auditor of Public Accounts. The bill also authorizes the audit of such agreements, at the expense of the government entity, by the Auditors office if any funds are derived fi-om property taxes.

NRD Managers Recommendation: Oppose
NARD Legislative Committee Recommendation: Oppose
NARD Position: Oppose

Liability Issues

LB 314 (*Brashear*) Change limitation of action provisions relating to certain political subdivisions. Judiciary Committee. Hearing Date:?

Applies the limits to political subdivisions operating under other names as follows: If a political subdivision is transacting business under a name other than the true name of the political subdivision and has not registered a trade name as required by sections 87-208 through 87-220, the time periods specified in this section shall commence upon the registration of the trade name.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 347 (*Quondahl*) Increase the statute of limitations under the Political Subdivisions Tort Claims Act. **Judiciary Committee.** Hearing Date: ?

Extends the limits against a political subdivision permitted under the Political Subdivisions Tort Claims Act from one year to two years after such claim accrued the claim is made in writing to the governing body.

NRD Managers Recommendation: Oppose
NARD Legislative Committee Recommendation: Oppose
NARD Position: Oppose

LB 395 (*Brown*) Exclude political subdivisions as owners of recreational land for liability purposes. **Judiciary Committee.** Hearing Date:?

Exempts political subdivisions fi-om the Recreational Liability Act.

NRD Managers Recommendation: Oppose
NARD Legislative Committee Recommendation: Oppose
NARD Position: Oppose

LB 493 (*Tyson, Connealy, Janssen, et al.*) Redefine recreational purposes relating to recreational liability. **Judiciary Committee.** Hearing Date:?

Adds biking, skateboarding and skating to the list of recreational activities subject to the Recreational Liability Act.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 664 (Beutler) Increases the limits under the Political Subdivisions Tort Claims Act. Judiciary Committee. Hearing Date:?

Beginning on July 1, 2007, and every 4 years thereafter, the bill increases the limits on claims under the Political Subdivisions Tort Claims Act by a percentage equal to the increase in the change in the Consumer Price Index for All Urban Consumers. Current limits are \$1 million for any person for any number of claims arising out of a single occurrence and \$5 million for all claims arising out of a single occurrence.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Land Use and Acquisition (NARD Policy Book Page 18)

LB 63 (Preister) Adopt the School Pesticide Notification Act. Ag Committee, Hearing Date: ?

Adopts the School Pesticide Notification Act, which allows for prior notification to parents, guardians and employees, who request such notification, for application of pesticides at a school facility. The bill also requires notification signs to be posted at the date of application and remain for 24 hours unless required longer under by label requirements. Additionally, students/parents must be notified annually of the school pesticide policy.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 64 (Preister) Adopt the School Integrated Pest Management Act. Ag Committee, Hearing Date: ?

Adopts the School Integrated Pest Management Act, which requires all school districts to develop a comprehensive integrated pest management policy for all school facilities in their district. The Nebraska Department of Agriculture would be required to adopt regulations under the act.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Oppose

LB 187 (Baker) Require subdivision plat reviews within highway corridors. Transportation Committee. Hearing Date: 1/28

Requires review by the Department of Roads for of a preliminary subdivision plat for all proposals to subdivide land or to make public or private improvements on all land within an approved corridor. A building permit would be required for all structures costing over \$1,000 within an approved corridor. Structures would include, but not be limited to, any construction or improvement to land such as public or private streets, sidewalks, and utilities; golf course tee boxes, fairways, or greens; drainage facilities; storm water detention areas; mitigation sites; green space; landscaped areas; or other similar uses. Any application for a building permit shall include a plat drawn by a person licensed as a professional engineer or architect.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Solid Waste (NARD Policy Book Page 20)

Solid Waste and Recycling

LB 142 (Schrock) Permit the Director of Environmental Quality to order access to certain property under the Integrated Solid Waste Management Act. Natural Resources Committee. Hearing Date: 1/30

The bill created authorities for the director or agent of the Department of Environmental Quality to order access to a waste facility if in the course of an investigation or inspection or during remedial or corrective action and if the owner of the subject property or the owner's agent has specifically denied access to the department for such purposes. The director can also agent to grant access to such property for the performance of reasonable steps to determine the source and extent of contamination, for remediation, or for other corrective action, including drilling and removal of wastes. The property shall be restored as nearly as possible to its original condition at the conclusion of the investigation &/or inspection.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 143 (Schrock) Change permit and fee provisions under the Integrated Solid Waste Management Act. Natural Resources Committee. Hearing Date: 1/30

The bill establishes limits on permits for solid waste processing facilities for no more than 10 years and no more than 5 years for solid waste disposal areas. Permits may be renewed only if the department determines, upon application, that the permit holder is in compliance with all requirements of the act.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 144 (Schrock) Change provisions relating to scrap tire disposal. Natural Resources Committee. Hearing Date: 1/30

Allows scrap tires that are not contaminated with other products to be used for agricultural uses such as bumpers on agricultural equipment, for ballast to maintain covers or structures on the agricultural site, for blowout stabilization, for fish habitat, and mats for bank stabilization. The bill also allows storage of less than 500 tires without a permit. Other changes are made with the grant process.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Low-Level Radioactive Waste Issues

LB 657 (Beutler) Establishes a Low-Level Radioactive Waste Disposal Litigation Fund. Revenue Committee. Hearing Date: ?

Creates a Low-Level Radioactive Waste Disposal Litigation Fund from a 3.5 % surcharge on electricity. The fund would be used for expenses, including, but not limited to, settlement or judgment costs, relating to litigation over disposal of low-level radioactive waste to which the State of Nebraska is a party.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Water Quality (NARD Policy Book Pages 20-21)

Livestock Waste Issues

LB 633 (Schrock) Change livestock waste management fees Natural Resources Committee. Hearing Date:?

Changes the inspection fee for livestock waste facilities as follows: Class I no change (\$50); Class II \$50 to \$200; Class III no change (\$500), and; Class IV \$500 to \$1,000.

Creates operating fees for livestock facilities as follows: Class I & II \$100; Class III & IV \$300. The operating fee would be annual for Class IV; every other year for Class III; every third year for Class II, and every fifth year for Class I.

Increases the application fees for livestock waste facilities as follows: Class I \$300 to \$500; Class II \$800 to \$1,500; Class III \$1,500 to \$3,000, and Class IV \$5,000 to \$10,000. Any modifications to a construction permit that does not change the class of facility but changes the configuration of the facility &/or changes the capacity by more than 30 percent would be subject to a modification fee of 30 percent of the application fee.

NRD Managers Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 641 (Schrock) Increase fees for livestock waste facilities. Natural Resources Committee. Hearing Date:?

Increases initial inspection fees for larger livestock waste control facilities. Class II would be increased from \$50 to \$200 and Class IV from \$500 to \$1,000. Class I would remain at \$50 and Class III would remain at \$500. The bill also increases permit fees as follows: Class I - \$300 to \$500; Class II - \$800 to \$1,500; Class III - \$1,500 to \$3,000; and Class IV -- \$5,000 to \$10,000. Any modifications to a construction permit that does not change the class of facility but changes the configuration of the facility &/or changes the capacity by more than 30 percent would be subject to a modification fee of 30 percent of the application fee.

Finally, the bill establishes regular inspection of all livestock operations and establishes a fee of \$400 for such. For Class I - no more than once every five years; Class II - no more than once every other year; Class III - no more than twice a year; and Class IV - no more than four times a year. All inspections could be increased if a violation occurs.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 748 (Beutler) Require financial assurance of livestock waste control facility permittees. Natural Resources Committee. Hearing Date:?

Requires all livestock waste facilities to obtain financial assurance to show the ability to comply with the requirements for closure of retention structures or other facilities or remediation of groundwater or other environmental contamination as required by law and by rules and regulations adopted and promulgated by the council. The assurance can come in the form of an irrevocable commercial letter of credit, cash, a cashier's check, a certificate of deposit, a bank joint custody receipt, other negotiable instrument, or a blanket surety bond. Any instrument shall constitute an unconditional promise to pay and be in a form negotiable by the department. The minimum amount of financial assurance shall be twenty dollars times the capacity number of animal units of the class of livestock waste control facility and adjusted annually based for inflation based on the Consumer Price Index.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 754 (Bromm, Burling, Stuhr, et al.) Provide criteria to recognize livestock friendly counties and change requirements for livestock waste control facilities relating to zoning. Agriculture Committee. Hearing Date:?

Allows for the designations of Livestock Friendly Counties through regulations adopted by the Department of Agriculture. Counties that want to promote growth of the livestock industry in their respective county would qualify. The county zoning authority of such a county would have the burden of proof to show why a livestock permit should not be granted in that respective county.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

NPDES Management

LB 30 (Schrock) Provide a civil penalty for violation of a cease and desist order under the Nebraska Ground Water Management and Protection Act. Natural Resources Committee. Hearing Date: 1/23. Advanced to GF with AMD

A NARD bill (Policy #1999-1, page 20) to provide a Class IV misdemeanor or a civil penalty of up to \$5,000/day for violations of a NRD cease and desist order. The bill also allows the court to levy the fine based upon the severity of the violation. Proceeds would go to the permanent school fund. Committee Amendment -- Amendment added to allow for the Attorney General to recapture attorney fees and costs if they bring the action on behalf of the NRD to recover the civil penalty. The amendment also creates a fund called the Department of Justice's Natural Resource Enforcement Fund for the purposes of enforcing.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 93 (Schrock) Redefine best management practices under the Nebraska Ground Water Management and Protection Act. Natural Resources Committee. Hearing Date: 1/23 Advanced to GF w/AMD

A bill for CPNRD, to clarify NRD authority for Phase IV of Management Plans to address severe water quality problem areas by allowing the districts to regulate the rate of fertilizer application. Committee Amendment - Amendment strikes the words "and pesticide" to read that BMP's include the "rate and timing of fertilizer applications". This addresses a concern that NRDs would not regulate pesticides other than the label requirements under FIFRA, which is the responsibility of the Nebraska Department of Agriculture. Other provisions in statute allows NRDs to work with NDOA and NDEQ to address pesticide problems

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

Waste/Storm Water

LB 32 (Schrock) Authorize storm water management programs for certain political subdivisions as prescribed. Natural Resources Committee. Hearing Date: 1/29

A bill worked on by LPSNRD and PMNRD with the cities of Lincoln and Omaha to create the Stormwater Management Act to comply with Phase II of the Clean Water Act. The bill allows municipalities and NRDs to work together on drainage improvements and storm water management programs.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 94 (Schrock) Adopt the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act. Natural Resources Committee. Hearing Date: **1/29**

Adopts the Private Onsite Wastewater Treatment System Contractors Certification and System Regulation Act. The bill requires certification and training for individuals that operate private domestic and industrial wastewater treatment facilities that are not connected to a public sewer system. The bill also creates a registration system for the private facilities.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 164 (Schrock, Baker, Cudaback) Change the Wastewater Treatment Facilities Construction Assistance Act. Natural Resources Committee. Hearing Date: **1/30**

For the Wastewater Treatment Facilities Construction Assistance Act, under the federal Clean Water Act, the bill adds Public Power Districts, Public Power and Irrigation Districts, to the definition of municipalities, having jurisdiction over disposal of sewage, industrial wastes, or other wastes. The bill also raises the small grant fund maximum for 800 inhabitants to 5,000 inhabitants and sets the maximum grant to \$150,000 for assistance to such communities.

Finally, the bill changes the definition of nonpoint source control systems under the act to control nonpoint sources which may include, but are not limited to, agricultural, forestry, and urban lands, transportation corridors, stream channels, mining and construction activities, livestock operations, septic tank systems, underground storage tanks, landfills, and atmospheric deposition.

NRD Managers Recommendation: Support; amend to add NRDs as a specific authority
NARD Legislative Committee Recommendation: Support; amend to add NRDs as a specific authority
NARD Position: Support; amend to add NRDs as a specific authority

LB 518 (Synowiecki) Adopt the Citizen Oversight Committee Act relating to wastewater treatment plants in cities of the metropolitan class. Urban Affairs Committee. Hearing Date:?

Creates a citizen oversight committee when there is a wastewater treatment facility within the city boundaries that is causing odor problems. The oversight committee would be made up of local government representative, local citizens and NDEQ to set up monitoring systems. The committee would also report to the legislature and NDEQ of the oversight-monitoring program, controls in place to limit odors and other recommendations.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Water & Wetlands (NARD Policy Book Pages 21-23)

Storage/Use

LB 141 (Schrock) Provide for water storage structures and priority of certain water appropriations. Natural Resources Committee. Hearing Date:2/6

The bill establishes an amnesty period until December 31, 2004 for any storage reservoir constructed before December 31, 2002 which a storage permit is required to file for an appropriation with NDNR and request a priority date for such storage. The owner would not be required to submit plans, drawings and specifications if the structure is a low-hazard structure and is found to be in safe condition.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 145 (Schrock) Change provisions relating to water storage facilities and livestock waste control facilities. Natural Resources Committee. Hearing Date:2/6

Changes the permit requirements for small reservoirs, dams and lagoons as follows: **1)** On channel reservoir with an impounding capacity of three acre-feet or more and **2)** Low-hazard dams, changes the exemption from 50 a.f. to 15 a.f. between the lowest elevation of the downstream toe of the dam and the top of the dam. The bill also requires new livestock waste facilities to build the structure so that surface water runoff from the upstream run-off area is diverted, except incidental runoff that drains from the slope of the embankments, top of the dam, reservoir area, the feedlots, associated roadways and up to 25 acres of additional area that can not be diverted. The structure must also be built to hold incidental runoff from a 25 year, 24 hour storm.

NRD Managers Recommendation: Oppose
NARD Legislative Committee Recommendation: Oppose
NARD Position: Oppose

Water Transfers

LB 123 (Schrock, Baker, Bromm, et al.) Provide additional considerations relating to interstate transfers of ground water. Natural Resources Committee. Hearing Date:1/31

The bill adds to the criteria for the Director of Natural Resources to grant or deny permits for ground water transfers to another state. Additional criteria includes negative effects on present demands for water in the area, compliance with interstate compacts, decree, or fulfilling provisions of other formal state contracts or agreements. Further, the bill adds criteria to review the effects on surface water supplies to meet present or future demands within the state, including compliance with interstate compacts, decree, or fulfilling provisions of other formal state contracts or agreements, adverse environmental impacts and the cumulative effect on all new and existing criteria.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 183 (*Natural Resources Committee, Baker, Cudaback, et al.*) Provide for a water transfer fee. Natural Resources Committee. Hearing Date: 1/31

The bill establishes a 25-cent/gallon fee on groundwater transferred **55** miles or more, to be paid on a monthly basis. Other requirements in the bill include metering requirements by the local **NRD** on such transfer. The proceeds from the fee would go to 1) 50% to the General Fund and 2) 50% to the newly created Groundwater Transfer Fee Fund to be used **for** administering the fund, including costs incurred by the local **NRD** to cover the cost of metering, and water studies under the direction of the Director of Natural Resources.

NRD Managers Recommendation: Support by vote (19 yes, 1 no)
NARD Legislative Committee Recommendation: Oppose (**5** yes, **0** no)
NARD Position: Oppose (89 yes, 21 no, **5** abstain)

LB 527 (*Louden, Baker, Combs, et al.*) Provide for a water transfer fee. Natural Resources Committee. Hearing Date: 1/31

Establishes a 25-cent/gallons fee on groundwater transferred over **55** miles, similar to LB 183. The proceeds would be distributed as follows: 1) **Thirty** percent to the state General Fund, 2) Seventy percent to a Groundwater Transfer Fee Fund, of which a) ten percent is credited to indemnity of the landowner, b) sixty percent credited to the county general fund in which the well is located, and c) thirty percent to be used for water studies done under the direction and supervision of the Director of Natural Resources.

NRD Managers Recommendation: Support by vote (19 yes, **1** no)
NARD Legislative Committee Recommendation: Oppose (**5** yes, **0** no)
NARD Position: Oppose (91 yes, 19 no, **5** abstain)

LB 619 (*Jones, Burling, Cudaback, et al.*) State intent relating to ground water regulation by natural resources districts. Natural Resources Committee. Hearing Date: ?

The bill mirrors language of the constitution **by** stating that water is held by the state for the benefit of its citizens. The bill also reiterates that **NRDs** are the preferred regulators for groundwater depletions in rural and urban areas.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 637 (*Schrock*) Soil and Water Funds for reduced consumptive water use. Natural Resources Committee. Hearing Date: ?

Allows funds to be used from the Soil and Water Conservation Fund for cost share on implementing practices to reduce consumptive use of water in river basins in which an interstate agreement, compact or decree could require a reduction in water use.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 638 (*Schrock*) Funding for water studies. Natural Resources Committee. Hearing Date: ?

Authorizes the Department of Natural Resources fund water studies from money appropriated for Water Rights Litigation.

NRD Managers Recommendation: Support
NARD Legislative Committee Recommendation: Support
NARD Position: Support

LB 642 – (*Schrock*) Authorize a special NRD levy for water studies. Natural Resources Committee. Hearing Date:?

Authorizes NRDs to levy an additional ½ cent to conduct and implement integrated water studies. The maximum levy would be **5 cents/\$100** but only with the special levy. The special levy would be exempt from the budget limitations.

NRD Managers Recommendation: Support by vote (**20** yes; **2** no); add “ground water management planning and implementation.”

NARD Legislative Committee Recommendation: Oppose (3 yes, **2** no)

NARD Position: Support (**95** yes, **20** no)

LB 739 (*Baker*) Provide for nondelivery of irrigation water under certain circumstances. Natural Resources Committee. Hearing Date:?

The bill authorizes irrigation districts, in times of reduced water supply, when the volume of water is not adequate to be beneficially used when equitably apportioned to all landowners in the district, the board may, after providing notice to landowners in a portion of the district and upon receiving no objections from such landowners, elect not to deliver water to that portion of the district. The district would not be liable for non-delivery and the reduction would not impact the water rights of landowners in that portion of the district.

NRD Managers Recommendation: Support

NARD Legislative Committee Recommendation: Support

NARD Position: Support

LB 779 (*Beutler*) Provide for a water conservation fee and its use. Natural Resources Committee. Hearing Date:?

Establishes a water conservation fee of \$10 annually for all water wells, excluding test holes and dewatering wells to be used for less than ninety days, to be credited to the Water Conservation Cash Fund. The fund would be used for water conservation and water development programs.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Oppose (**97** yes, **18** no)

General (NARD Policy Book Page 23)

Wildlife, Game and Parks

LR 4CA (*Schrock, Aguilar, Baker, et al.*) Constitutional amendment to preserve the right to fish, trap, and hunt. Natural Resources. Hearing Date: **1/29**

Adds a new section 25 to Article XV as follows: “Fishing, trapping, and hunting are a valued part of the heritage of the people and will be a right forever preserved for the people subject to reasonable restrictions as prescribed by law.”

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Support (94 yes, **21** no)

LB 89 (Burling, McDonald, Stuthman) Change provisions relating to fish stocking by the Game and Parks Commission. Hearing Date:?

Introduced by Senators Burling and McDonald: Prohibits the Nebraska Game and Parks Commission from stocking fish or consulting on stocking in a private manmade impoundment unless such structures are available to the public. Impoundments owned by the state and political subdivisions are exempt from these requirements.

NRD Managers Recommendation: Oppose by vote (19 yes, 0 no)

NARD Legislative Committee Recommendation: Oppose

NARD Position: Oppose

LB 100 (Baker) Provide for specialty license plates. Transportation Committee. Hearing Date: 2/11

The bill establishes specialty license plates for Emergency Medical Technicians, Firefighters, Military and the Game and Parks. For the Game and Parks specialty plates, \$10 of the \$15 application fee and \$10 of the \$40 fee for personalized message plates would go to the Nongame and Endangered Species Fund.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 122 (Schrock, Baker, Bromm, et al.) Change park entry permit fee provisions. Natural Resources Committee. Hearing Date: 1/22

Changes the NGPC annual park fees from \$14 to a range of \$14 to \$20 and the daily permits from \$2.50 to a range of \$2.50 to \$4.00. The NGPC would **set** the rate.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 305 (Schrock) Change miscellaneous provisions of the Game Law. Natural Resources Committee. Hearing Date: 1/22

The bill makes several changes to the Nebraska Game Law, including: 1) Creates hunting safety certificate programs for persons 21 or older; 2) Allows for a uniform system for tracking individual hunting licenses and permits; 3) Allows for the habitat stamp to be valid for two calendar years; 4) Provides for a non-resident landowner permit if the individual owns 320 acres or more and 5) prohibits hunting of swine for the purpose of sport, pleasure, amusement, or production of a trophy.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 306 (Stuhr) Change fee authorization for the Game and Parks Commission. Natural Resources Committee. Hearing Date: 1/22. Advanced to GF

Increases the cap for the NGPC to establish for most all hunting, fishing and boat permits by 20 percent or more.

NRD Managers Recommendation: Monitor

NARD Legislative Committee Recommendation: Monitor

NARD Position: Monitor

LB 360 (*Landis*) Authorize free park entry permits for persons sixty-five years of age and older. Natural Resources Committee. Hearing Date: 1/29

Allows the NG&PC to provide annual park permits and duplicates to residents over 65 free of charge.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 363 (*Smith, Baker, Burling, et al.*) Authorize counties to eradicate destructive rodents. Natural Resources Committee. Hearing Date:?

Authorizes county boards to purchase materials and equipment and employ one or more suitable persons to eradicate destructive rodent pests within the county. The county may use general funds or impose a special levy. The bill also requires a permit form the Department of Agriculture and authorization from the county board to release destructive rodents.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

Other Issues

Support

LB 618 (*Jones, Kremer, Loudon, et al.*) Provide for net metering systems. Natural Resources Committee. Hearing Date:?

Creates a net metering system so local users of electricity that also have a qualified generator, can supply electricity to the original supplier. Qualified generation unit means a facility for the generation of electricity that meets each of the following requirements: (a) The unit uses as its energy source solar, wind, biomass, or hydropower resources; (b) The unit has a generating capacity of not more than twenty-five kilowatts; c) The unit is intended primarily to offset part of or all of the customer-generator's requirements for electric energy at the same location.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 645 (*Hartnett*) Create a preferred purchasing status for governmental units for calcium-enriched products. Health and Human Services Committee. Hearing Date:?

Requires any unit of government, including all political subdivisions, to order calcium-enriched food or beverage that will be served in a building or room owned or operated by a governmental unit unless the calcium-enriched food or beverage is higher in price than non-calcium-enriched food or beverage of similar type

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor

LB 692 – (*Preister*) Extend sunset date for the Biopower Steering Committee. Natural Resources Committee. Hearing Date:?

Extends the sunset date for the Biopower Steering Committee from December 31, 2003 to December 31, 2005. The committee function is to study the feasibility of generating electricity from the use of biomass and agricultural crops and of supporting a demonstration project that may include a gasification component.

NRD Managers Recommendation: Monitor
NARD Legislative Committee Recommendation: Monitor
NARD Position: Monitor