



## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** February 11, 2025

**To:** Executive Subcommittee members

**From:** Mike Sousek, General Manager

**RE:** Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 1:30pm on Thursday, February 06, 2025, via the online platform Zoom. Subcommittee members in attendance included Chair Andersen, Dave Landis, Deb Eagan, Tom Green, and John Yoakum. Subcommittee member Lisa Lewis was absent. NRD staff members in attendance include Dave Potter, Donna Reid and Mike Sousek. Kristen Hassebrook our lobbyist was in attendance.

The full list of bills that were identified during the NARD Legislative conference was the subject of discussion. Kristen Hassebrook, took the lead and covered bills LB59, LB86, LB145, LB180, LB260/261/264, LB317, LB344, LB590, LB628, LB673/674, LB695, and LR22CA. Chair Andersen opened the floor for discussion on any of the bills Kristen covered or any other bills from the NARD list that a committee member wanted to explore more.

LR22CA was brought up for further discussion. This constitutional amendment is to provide the right to a clean and healthy natural environment and that the state and political subdivisions serve as trustees of the natural resources of Nebraska. This constitutional amendment was opposed by the NARD. Opponents of the bill argue this will create an avenue for lawsuits against the districts. Proponents recognize this is our mission as a district, to oppose such a concept is not in our best interest. **It was recommended by Dave Landis, seconded by John Yoakum to change the districts position to monitor rather than oppose and accept all other positions decided at the NARD Legislative conference. The motion passed unanimously.**

Meeting adjourned shortly before 2:30PM.

MJS

**NARD CA & BILL SUMMARY of NEW  
LEGISLATION**

**2025 LEGISLATIVE SESSION**

**SUMMARY OF  
LEGISLATIVE BILLS**

**FINAL VERSION**

**NARD LEGISLATIVE  
CONFERENCE  
EMBASSY SUITES HOTEL**

**LINCOLN, NE  
JANUARY 27-29, 2025**

## Voting Procedures

**Any cell phone ringing during session will require the owner to submit a tax-deductible \$5.00 donation to the NARD Foundation.**

### **Tuesday Morning Business Session**

- 1) The first session on Tuesday morning will be spent going through the list of bills. Please wait for motions until we are completely through the outline.
- 2) After the Legislative Chairman has finished the outline, districts may make motions to vote on bills individually with a stated position. A second will be required to advance for a vote. Prior to the break for caucus, a motion and a second will be required to accept the balance of the NARD Legislative Committee recommendations. Final votes will be taken after the caucus period.
- 3) Only the voting delegate of the district, or the alternate in the case of the delegates' absence, can make a motion and vote on behalf of a district. Other NRD directors and employees can speak on issues at the request of the voting delegate of the district, or the alternate in the case of the delegates' absence.

### **Tuesday Afternoon Caucus**

- 4) You may use any part of Regents AB, which is the area where the general sessions are. The Atrium area may also be available but is not reserved specifically for our group.

### **Tuesday Afternoon Business Session**

- 5) At the session following the caucus, votes will be taken on motions made in the morning session. Each district will have five votes and a simple majority is needed to pass a motion. Simple majority is 58 of 115.
- 6) Only the voting delegate of the district, or the alternate in the case of the delegates' absence, can make a motion and vote on behalf of a district. Other NRD directors and employees can speak on issues at the request of the voting delegate of the district, or the alternate in the case of the delegates' absence.
- 7) After the individual motions are voted on, and before final action is taken on the remaining NARD Legislative Committee recommendations, a final opportunity to vote on any other bill separately will be provided. Following a second, a majority vote will be required to consider the motion. Again, a simple majority vote will be used to determine whether the motion to take action on that bill passes or fails.
- 8) After a motion and second, a final vote will be taken to accept the recommended position of the NARD Legislative Committee on the remaining bills. A simple majority vote will be used to determine whether this final motion passes or fails.

2025 NARD Voting Delegates  
 NARD Legislative Conference  
 January 27-29, 2025

<b>District</b>	<b>Delegate's Name</b>	<b>Alternate's Name</b>
<i>Central Platte NRD</i>	<i>Deb VanMatre</i>	<i>Jay Richeson</i>
<i>Lewis &amp; Clark NRD</i>	<i>Dave Condon</i>	<i>Dan Kollars</i>
<i>Little Blue NRD</i>	<i>Mason Hoffman</i>	<i>Alan Kenning</i>
<i>Lower Big Blue NRD</i>	<i>Duane Parde</i>	<i>Steve Kelley</i>
<i>Lower Elkhorn NRD</i>	<i>Gary Loftis</i>	<i>Jerry Allemann</i>
<i>Lower Loup NRD</i>	<i>Henry Thoene</i>	<i>James Eschliman</i>
<i>Lower Niobrara NRD</i>	<i>Deb Hansen</i>	
<i>Lower Platte North NRD</i>	<i>Robert Hilger</i>	<i>Jerry Johnson</i>
<i>Lower Platte South NRD</i>	<i>John Yoakum</i>	<i>Gary Hellerich</i>
<i>Lower Republican NRD</i>	<i>Don Duffy</i>	<i>Marlin Murdoch</i>
<i>Middle Niobrara NRD</i>	<i>Martin Graff</i>	<i>Leonard Danielski</i>
<i>Middle Republican NRD</i>	<i>Joe Anderjaska</i>	<i>Jay Schilling</i>
<i>Nemaha NRD</i>	<i>Orval Gigstad</i>	<i>Dan Hodges</i>
<i>North Platte NRD</i>	<i>Ryan Reuter</i>	
<i>Papio-Missouri River NRD</i>	<i>Tim Fowler</i>	
<i>South Platte NRD</i>	<i>Larry Rutt</i>	
<i>Tri-Basin NRD</i>	<i>Larry Reynolds</i>	<i>Ed Harris</i>
<i>Twin Platte NRD</i>	<i>Joe Wahlgren</i>	<i>Bob Wiseman</i>
<i>Upper Big Blue NRD</i>	<i>Paul Bethune</i>	<i>Teresa Otte</i>
<i>Upper Elkhorn</i>	<i>Gene Kelly</i>	<i>Curtis Gotschell</i>
<i>Upper Loup NRD</i>	<i>Chris Higgins</i>	<i>Jill Coble</i>
<i>Upper Niobrara White NRD</i>	<i>Scott Berndt</i>	<i>Tod Dorshorst</i>
<i>Upper Republican NRD</i>	<i>Terry Martin</i>	<i>Tyler Turner</i>

<b>Bill or CA</b>	<b>Description</b>	<b>Sponsor(s)</b>	<b>Page #</b>
LR 10CA	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items	Hardin	11
LR 11CA	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes	Hardin	11
LR 12CA	Constitutional amendment to impose a limit on ad valorem taxes for real property, provide a new method of valuing real property for tax purposes, provide certain exceptions, and eliminate conflicting constitutional provisions	Kauth	13-14
LR 16CA	Constitutional amendment to require the Legislature to reimburse political subdivisions	Urban Affairs Committee	14
LR 18CA	Constitutional amendment to require the Legislature to reimburse political subdivisions	Government Committee	14
LR 19CA	Constitutional amendment to change legislative term limits to three consecutive terms	Dover	36
LR 22CA	Constitutional amendment to provide the right to a clean and healthy natural environment and that the state and political subdivisions serve as trustee of the natural resources of Nebraska	Dungan	35-36
LR 27CA	Constitutional amendment to change legislative term limits to three consecutive terms	Hunt	36
LB 36	Provide for notification of certain regulations and permits to controlling entities by counties, cities, and villages under the Wellhead Protection Area Act	Brandt	27
LB 50	Change provisions relating to the distribution of the nameplate capacity tax	DeKay	12-13
LB 59	Provide for the disbursement of funds of a natural resources district by electronic payment systems	Sanders	15-16
LB 86e	Appropriate funds to the Department of Natural Resources	Dorn	29
LB 123	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions	Sanders	13
LB 145	Require the Director of Agriculture to administer a grant program relating to noxious weeds and restate intent regarding appropriations for vegetation management	Ibach	23
LB 147	Change provisions relating to approval and regulation of adding fluoride to the water supply of certain political subdivisions	Hansen	30
LB 163	Create the Office of Climate Action	Spivey	19

LB 167e	Change the sunset date for the Nebraska Litter Reduction and Recycling Act	Clouse	23-24
LB 175	Provide duties for the successor in interest of a railroad	Hallstrom	22
LB 180	Provide an exception for public lettings and biddings for the Department of Natural Resources	Clouse	19-20
LB 191	Change provisions relating to unlawful interference with telecommunications under the One-Call Notification System Act	Bosn	31
LB 242	Change the Property Tax Growth Limitation Act and the School District Property Tax Relief Act and change provisions relating to budget limitations, municipal occupation taxes, and property tax statements	Riepe	11-12
LB 247e	Change provisions relating to fees and distribution of proceeds under the Integrated Solid Waste Management Act and uses of and transfers from the Petroleum Release Remedial Action Cash Fund	DeKay	24-25
LB 260e	Provide, change, and eliminate provisions relating to appropriations	Arch, at the request of the Governor	8
LB 261e	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2027, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021	Arch, at the request of the Governor	8-9
LB 264e	Provide, change, and eliminate transfers from the Cash Reserve Fund and various other funds and change, terminate, and eliminate various statutory programs	Arch, at the request of the Governor	9-10
LB 309	Adopt the Safe Battery Collection and Recycling Act	Hughes	25
LB 317e	Merge the Department of Natural Resources with the Department of Environment and Energy and change the name to the Department of Water, Energy, and Environment and provide, change, and eliminate powers and duties	Brandt at the request of the Governor	17-18
LB 331	Adopt the Nebraska EPIC Option Consumption Tax Act and terminate tax provisions	Hardin	10-11
LB 344	Change provisions relating to ground water allocation	Brandt	28
LB 346	Change qualifications of the State Capitol Administrator, provide for termination of boards, commissions, committees, councils, funds, panels, task forces, the Conservation Corporation Act, and the Nebraska Potato Development Act, and change and eliminate funds and powers and duties of departments and agencies	Arch, at the request of the Governor	21

LB 384	Require a majority of the elected members of the governing bodies of participating political subdivisions to attend joint public hearings under the Property Tax Request Act	Storer	16
LB 393	Eliminate obsolete transfers relating to the Cash Reserve Fund	Clements	10
LB 403	Create the Office of Grants and provide duties	Spivey	18
LB 424	Limit increases in property tax bills	Andersen	12
LB 480	Change provisions relating to the Water Recreation Enhancement Act	DeKay	35
LB 525	Adopt the Agricultural Data Privacy Act	Jacobson at the request of the Governor	33-35
LB 546e	Change provisions relating to proclamations for disasters, emergencies, and civil defense emergencies made by the Governor	Rountree	32-33
LB 565e	Provide and change requirements relating to agency guidance documents	Quick	20
LB 568	Provide for Arbor Day Plates and the Home of Arbor Day Plate Cash Fund and change provisions relating to license plates	Fredrickson	32
LB 575e	Change provisions relating to the Property Tax Request Act and property tax levy limits	Hallstrom	12
LB 579	Prohibit charging a fee for public records requests by members of the Legislature	Cavanaugh. M	14-15
LB 590	Provide for a mitigation bank or an in-lieu fee program relating to the incidental taking of threatened or endangered species habitat	Moser	31-32
LB 595e	Create the Research Excellence Cash Fund	Prokop	13
LB 596	Change requirements for legal publications and notices required by law	Sanders	15
LB 607	Adopt the Environmental Stewardship of Batteries Act, the Extended Producer Responsibility Data Collection Act, and the Minimum Recycled Content Act, and change provisions relating to the Integrated Solid Waste Management Act, the Environmental Protection Act, and the Waste Reduction and Recycling Incentive Fund	Bostar	26-27
LB 628	Adopt the Recreational Trail Easement Property Tax Exemption Act and change provisions relating to the filing of statements of recorded easements and property tax exemptions	Dover	21-22
LB 638e	Change provisions of the Nitrogen Reduction Incentive Act	Ibach	27-28

LB 673e	Change provisions relating to the Perkins County Canal Project and provide for a transfer from the Perkins County Canal Project Fund	Raybould	29
LB 674e	Change provisions relating to the Perkins County Canal Project and provide for a transfer from the Perkins County Canal Project Fund	Raybould	29
LB 683	Change provisions relating to duties of county assessors regarding notification of real property assessments and eliminate and change provisions of the Property Tax Request Act	Raybould	16
LB 695	Require the Lower Elkhorn Natural Resources District to construct a dam and provide for flood control measures	Dover	30



## ***Funding & Taxes***

**A. State Budget** –A table of proposed budget amounts for agencies and programs related to natural resources follows on page 37-38.

**LB 260e - Provide, change, and eliminate provisions relating to appropriations. Speaker Arch, at the request of the Governor.**

The bill adjusts the budget for FY 2024-25. There are no adjustments related to natural resources programs.

**Hearing Date:**

**Committee:** Appropriations

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

**LB 261e - Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2027, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021. Speaker Arch at the request of the Governor.**

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

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

- **Nebraska Soil and Water Conservation Fund** – Eliminates General Fund funding that had previously been at \$1,806,112 and appropriates \$2,550,000 in Cash Funds for both FY 25-26 and FY 26-27. The bill includes funding via a cash transfer from the Nebraska Environmental Trust.
- **Water Well Decommissioning** -- Appropriates \$70,000 in Cash Funds for both FY 25-26 and FY 26-27.
- **Natural Resources Water Quality Fund** - \$1,187,500 in Cash Funds for both FY 25-26 and FY 26-27.
- **Nebraska Resources Development Fund** - The bill includes no additional appropriations. However unexpended balances existing on June 30, 2025, would be re-appropriated.
- **Nebraska Water Sustainability Fund** – The bill includes an appropriation of \$10,865,033 for both FY 25-26 and FY 26-27. Unexpended balances existing on June 30, 2025 would be re-appropriated. Note the bill includes a transfer of only \$5 million from NET. This would result in a year over reduction of \$5.8 million to the fund.
- **Water Projects** – The bill includes a Cash Fund appropriation of \$67,800,000 for both FY 25-26 and FY 26-27. Includes \$67,800,000 in Cash Funds from the Perkins County Canal Project Fund and \$5 million in Cash Funds from the Jobs and Economic Development Initiative (JEDI) Fund in both FY 25-26 and 26-27.
- **Critical Infrastructure Fund** - The bill includes no additional appropriations, however unexpended balances existing on June 30, 2025, would be re-appropriated.
- **Department of Natural Resources operations** - The bill appropriates \$22,489,358 in FY 25-26 and \$22,592,399 in FY 26-27. Unexpended balances existing on June 30, 2025, for subprograms

19, 20, 21, and 24 would be re-appropriated. This includes Water Resources Cash Fund – see LB 264.

- **Environmental Trust** – The bill includes appropriations of \$26,584,483 for FY 25-26 and \$26,587,415 for FY 26-27. \$5 million Transfer to Water Sustainability Fund in both FY 25-26 and FY 26-27. \$2.5 million transfer to Nebraska Soil and Water Conservation Fund in both FY 25-26 and FY 26-27. Additionally, see LB 264 for proposed 25% NET transfer to Water Resources Cash Fund.
- **Department of Environment and Energy** - The bill includes appropriations of \$91,344,418 for FY 25-26 and \$91,984,247 for FY 26-27 for Administration, Water Quality, Land Quality and Air Quality programs.
- **Drinking Water Facilities Loan Fund (NDEE)** - Appropriates \$12,990,000 in FY 25-26 and \$12,990,000 in FY 26-27.
- **Nebraska Game and Parks Commission Wildlife Conservation** - Appropriates \$41,008,055 for FY 25-26 and \$41,204,158 for FY 26-27.
- **Nebraska Game and Parks Commission Habitat Development** - Appropriates \$12,960,697 for FY 25-26 and \$13,046,566 for FY 25-26.
- **Nebraska Game and Parks Commission Planning and Trails Coordination** - Appropriates \$3,000,554 for FY 25-26 and \$3,042,964 for FY 26-27.
- **Nebraska Game and Parks Commission Niobrara Council** - Appropriates \$178,500 for both FY 25-26 and FY 26-27.
- **University of Nebraska Robert B. Daugherty Water for Food Global Institute** - Appropriates \$500,000 in General Funds for both FY 25-26 and FY 26-27. Funds shall be used to support water and agricultural research and existing collaborative initiatives to implement best practices in water conservation.
- **University of Nebraska State Nebraska Forest Service** - Appropriates \$2,804,862 in General Funds for both FY 25-26 and FY 26-27.

**Hearing Date:**

**Committee:** Appropriations

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

**LB 264e - Provide, change, and eliminate transfers from the Cash Reserve Fund and various other funds and change, terminate, and eliminate various statutory programs. Speaker Arch at the request of the Governor.**

The bill provides for transfers of funds for state operations and changes the uses of funds. There are several cash fund transfers to the General Fund, related to Natural Resources, it includes a \$65 million transfer from the Water Recreation Enhancement Fund to the General Fund and a \$6 million transfer from the Jobs and Economic Development Initiative (JEDI) Fund to the General Fund.

The bill proposes to outright repeal the Resilient Soils and Water Quality Act.



**Hearing Date:**

**Committee:** Revenue

**Bill Status:** Committee

**Manager Recommendation:** Oppose

**NARD Legislative Committee Recommendation:** Oppose

**NARD Position:** Oppose

**LR 10CA - Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items. Hardin.**

A constitutional amendment to provide that the State of Nebraska shall impose a retail consumption tax or an excise tax on all new goods and services, that the Legislature may authorize political subdivisions to do the same, and that there shall be no exemption from such taxes except for grocery items purchased for off-premises consumption.

The amendment does not eliminate all other taxes.

**Hearing Date:**

**Committee:** Revenue

**Bill Status:** Committee

**Manager Recommendation:** Oppose

**NARD Legislative Committee Recommendation:** Oppose

**NARD Position:** Oppose

**LR 11CA - Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes. Hardin.**

A constitutional amendment to provide that, beginning January 1, 2028, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

**Hearing Date:**

**Committee:** Revenue

**Bill Status:** Committee

**Manager Recommendation:** Oppose

**NARD Legislative Committee Recommendation:** Oppose

**NARD Position:** Oppose

### **C. Budget Limitation**

**LB 242 - Change the Property Tax Growth Limitation Act and the School District Property Tax Relief Act and change provisions relating to budget limitations, municipal occupation taxes, and property tax statements. Riepe.**

The bill proposes several changes to the budget limitations passed during the special session in 2024 for cities and counties.

There is one proposed change that impacts the allowable growth and valuation process for all political subdivisions. The bill adds:

- Change in use of real property;
- Any increase in personal property valuation over the prior year; and
- The increase in excess valuation over the redevelopment project valuation within the governmental unit, provided the accumulated excess valuation which exists as of July 1, 2025,

shall be included in the calculation of the increase in excess valuation for the governmental unit's first fiscal year beginning on or after July 1, 2025.

**Hearing Date:**                      **Committee:** Revenue                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

**LB 424 - Limit increases in property tax bills. Andersen.**

The bill proposes that property tax bill for any parcel of real property shall not exceed the prior year's property tax bill by more than the allowable growth percentage. Allowable growth percentage is defined as the inflation rate or 3%.

**Hearing Date:**                      **Committee:** Revenue                      **Bill Status:** Committee

**Manager Recommendation:** Monitor - See Policy Statement 2025-1 (page 38)  
**NARD Legislative Committee Recommendation:** Monitor - See Policy Statement 2025-1 (page 38)  
**NARD Position:** Monitor - See Policy Statement 2025-1 (page 38)

**LB 575e - Change provisions relating to the Property Tax Request Act and property tax levy limits. Hallstrom.**

The bill proposes that if the total taxable valuation of property in a political subdivision exceeds the total taxable valuation from the prior year, then such political subdivision's levy shall be no more than the levy necessary to raise the exact same amount of property taxes as was raised by such political subdivision in the prior year.

The bill provides that a political subdivision may exceed the levy limit provided upon the affirmative vote of at least two-thirds of the members of the governing body of such political subdivision.

**Hearing Date:**                      **Committee:** Revenue                      **Bill Status:** Committee

**Manager Recommendation:** Oppose  
**NARD Legislative Committee Recommendation:** Oppose – See Policy Statement 2025-1 (page 38)  
**NARD Position:** Oppose – See Policy Statement 2025-1 (page 38)

## **D. State Aid**

**LB 50 - Change provisions relating to the distribution of the nameplate capacity tax. DeKay.**

The bill addresses a shortfall in funding community colleges when the state took over funding and removed the colleges from property tax authority. It adds back a portion of the nameplate taxes on renewable energy to the colleges.

The bill requires that five percent of such tax revenue be distributed to the community college area in which the renewable energy generation facility is located. The remainder of such revenue shall be distributed to local taxing entities which, but for such personal property tax exemption, would have received distribution of personal property tax revenue from depreciable personal property used directly in the generation of electricity using wind, solar, biomass, or landfill gas as the fuel source.

**Hearing Date:**

**Committee:** Revenue

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

**LB 123 - Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions. Sanders.**

The bill proposes that state aid to governmental units that do not submit their calculated restricted funds authority with its budget documents at the time the budgets are due to the Auditor of Public Accounts, shall be forfeited until the governmental unit reaches compliance and the State Treasurer has received notification of such compliance from the Auditor of Public Accounts.

If the governmental unit fails to reach compliance, future distributions will be suspended until they are in compliance.

**Hearing Date:**

**Committee:** Government

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

**E. New Cash Fund**

**LB 595e - Create the Research Excellence Cash Fund. Prokop.**

The bill proposes to create the Research Excellence Cash Fund to be administered by the University of Nebraska. The fund may be used to support research-based investments in data, data collection, and ongoing research critical to the Nebraska economy, including, but not limited to, the Nebraska Mesonet system.

**Hearing Date:**

**Committee:** Education

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

**F. Constitutional Amendments**

**LR 12CA - Constitutional amendment to impose a limit on ad valorem taxes for real property, provide a new method of valuing real property for tax purposes, provide certain exceptions, and eliminate conflicting constitutional provisions. Kauth.**

A constitutional amendment to eliminate the uniform and proportionate language in the constitution for taxes on real property. The amendment also eliminates the language to allow ag land to be a separate class of property. This section allows ag land to be valued at 70% of the market value rather than full market value.

The new method would be to value real property at full cash value. Full cash value is defined as the county assessor's valuation of real property for 2027 or, thereafter, the appraised value of real property when purchased, when newly constructed, or when a change in ownership has occurred after the 2027 assessment.

The full cash value shall be adjusted from year to year by the inflationary rate, not to exceed two percent for any given year, or the deflationary rate, if applicable, as shown in the consumer price index or comparable data for the area subject to taxation, and may also be reduced to reflect substantial damage, destruction, or other factors causing a decline in value.

Beginning January 1, 2027, the maximum amount of any ad valorem tax on real property shall not exceed one and one-half percent of the full cash value of such property. Such tax shall be collected by the counties and apportioned as prescribed by the Legislature to the political subdivisions within the counties.

**Hearing Date:**                      **Committee:** Revenue                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Oppose

**LR 16CA - Constitutional amendment to require the Legislature to reimburse political subdivisions. Urban Affairs Committee.**

A constitutional amendment to require the state to reimburse political subdivisions for responsibilities imposed by the Legislature after the year 2026 or for increased levels of service required by the Legislature after the year 2026.

**Hearing Date:**                      **Committee:** Government                      **Bill Status:** Committee

**Manager Recommendation:** Support  
**NARD Legislative Committee Recommendation:** Support  
**NARD Position:** Support

**LR 18CA - Constitutional amendment to require the Legislature to reimburse political subdivision. Government Committee.**

A constitutional amendment to require the state to reimburse political subdivisions for responsibilities imposed by the Legislature after the year 2026 or for increased levels of service required by the Legislature after the year 2026.

**Hearing Date:**                      **Committee:** Revenue                      **Bill Status:** Committee

**Manager Recommendation:** Support  
**NARD Legislative Committee Recommendation:** Support  
**NARD Position:** Support

## ***General Administration***

### **A. Open Meetings & Public Records**

**LB 579 - Prohibit charging a fee for public records requests by members of the Legislature. M. Cavanaugh.**

The bill prohibits charging a fee for public records requests by members of the Legislature.

**Hearing Date:**                      **Committee:** Executive Board                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

**LB 596 - Change requirements for legal publications and notices required by law. Sanders.**

The bill clarifies that legal publications and notices can be published in a digital news publication, if a digital news publication does not have a print publication.

**Hearing Date:**                      **Committee:** Government                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Support  
**NARD Position:** Support

## **B. NRD Payment Processes**

**LB 59 - Provide for the disbursement of funds of a natural resources district by electronic payment systems. Sanders.**

The bill adds electronic funds transfer and automatic clearinghouse transfer to the list of authorized payment methods by NRDs. The natural resources districts would join most Nebraska's citizens and businesses who regularly avail themselves of the benefits of electronic payment systems.

The Government Committee held the hearing for LB 59 on January 23<sup>rd</sup>.

Sen. Sanders opened on the bill noting that NRDs are currently only allowed to use paper checks to disperse funds, this change would allow them to use electronic transfer of funds. The bill allows NRDs to use a more efficient and more secure payment process.

### Proponents

Mike Sousek, Lower Platte South NRD, testified in support on behalf of LPSNRD and NARD.

Sousek noted when the legislation for the creation of Natural Resources Districts was written, the digital platforms we rely on today did not exist, and your predecessors could not have anticipated the business practices in place by 2025. In light of this, the Lower Platte South NRD proposes amending the statutes to allow all NRDs in the state to utilize electronic platforms for financial transactions.

With the passage of LB59, the Lower Platte South Natural Resources District expects to save over \$2,000 annually on printer ink, checks, envelopes, and postage. Additional savings will come from avoiding finance and late fees due to postal delays. This change will also reduce staff time spent on printing and mailing checks; an expense not reflected in these savings. Overall, it will improve operational efficiency, streamline payments, and enhance customer satisfaction, as many have requested this preferred payment method for faster payment delivery.

He requested that the committee advance the bill to help districts adopt modern business practices for the benefit of all.

### Opponents

There was no opposition and no neutral testimony.



During closing Sen. Sanders noted that there is one minor amendment needed to the bill. During drafting the bill mistakenly used the term automatic and the correct terminology is automated.

The Committee reported no action on the measure.

**Hearing Date:** 1/23/2025                      **Committee:** Natural Resources                      **Bill Status:** Committee

**Manager Recommendation:** Support  
**NARD Legislative Committee Recommendation:** Support  
**NARD Position:** Support

### C. Hearings & Notices

**LB 384 - Require a majority of the elected members of the governing bodies of participating political subdivisions to attend joint public hearings under the Property Tax Request Act. Storer.**

This proposal deals with cities, counties and school districts when they seek to increase its property tax request by more than the allowable growth percentage. This does not apply to NRDs.

The law requires that each such political subdivision shall designate one representative to attend the joint public hearing on behalf of the political subdivision. If a political subdivision includes area in more than one county, the political subdivision shall be deemed to be within the county in which the political subdivision's principal headquarters are located.

The proposal would require at least a majority of the elected members of the governing body to attend the joint public hearing.

**Hearing Date:**                                      **Committee:** Revenue                                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

**LB 683 - Change provisions relating to duties of county assessors regarding notification of real property assessments and eliminate and change provisions of the Property Tax Request Act. Raybould.**

The bill requires, in addition to preliminary valuation notices, each county assessor to create and send a notice to each property owner a notice that includes the following:

1. Display a column for the prior tax year and the current tax year.
2. Under the column for the prior tax year, the notice shall display the valuation of the parcel in the prior year and the amount each political subdivision levied against such parcel in the prior year.
3. Under the column for the current tax year, the notice shall display the valuation of the parcel in the current year and the time and place when each political subdivision levying a tax against the parcel is convening the budget hearing of each political subdivision.

The bill also requires that on or before May 15, each political subdivision levying a tax against property shall inform the county assessor of the time and place such political subdivision's budget hearing will convene.

**Hearing Date:**                                      **Committee:** Revenue                                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

## D. Merge State Agencies

**LB 317e - Merge the Department of Natural Resources with the Department of Environment and Energy and change the name to the Department of Water, Energy, and Environment and provide, change, and eliminate powers and duties. Brandt at the request of the Governor.**

The 446-page bill proposes to merge the Department of Environment and Energy (DEE) and the Department of Natural Resources (DNR) to become the Department of Water, Energy, and Environment (DWEE), effective July 1, 2025.

The merged Department shall exercise the powers and perform such duties that were assigned to both DEE and DNR prior to the merger. As introduced, the Director of Environment and Energy shall be renamed the Director of Water, Energy, and Environment and shall be appointed by the Governor as the agency director. The bill proposes to eliminate language that the Environmental Quality Council shall submit a list of names from which the Governor shall appoint the Director.

The Director of Natural Resources shall be renamed the Chief Water Officer and would retain the authorities previously prescribed for the administration of the duties of DNR. The Chief Water Officer shall have at least five years' experience in a position of responsibility in irrigation work, shall be appointed by the Governor, and shall report directly to the Director of Water, Energy, and Environment. The bill proposes to remove the requirement for the Chief Water Officer to be a licensed Professional Engineer.

Any appropriations provided in any legislative bill enacted during the session to the Department of Natural Resources would be null and void, and any such amounts would be appropriated to Agency No. 84, Department of Water, Energy, and Environment.

Any financial obligations of the Department of Natural Resources that remain unpaid as of June 30, 2025, shall be paid by the Department of Water, Energy, and Environment.

On and after July 1, 2025, whenever the Department of Natural Resources or the Department of Environment and Energy is referred to or designated by any contract or other document in connection with the duties and functions of the Department of Water, Energy, and Environment, such reference or designation shall apply to the Department of Water, Energy, and Environment.

All contracts entered into by the Department of Natural Resources or the Department of Environment and Energy prior to July 1, 2025, in connection with the duties and functions of the Department of Water, Energy, and Environment would be recognized, with the Department of Water, Energy, and Environment succeeding to all rights and obligations under such contracts.

Any cash funds, custodial funds, gifts, trusts, grants, and appropriations of funds from prior fiscal years available to satisfy obligations incurred under such contracts shall be transferred and appropriated to such department for the payment of such obligations.

In addition to the merger, the bill also proposes to:

- Repeal outdated and duplicative sections, including provisions relating to the Conservation Corporation Act, the Low-Level Radioactive Waste Disposal Act, and the Nebraska Soil Survey Fund.
- Eliminate the requirement for NRDs to prepare and adopt annual Long Range Implementation Plans.

- Transfers duties related to locating State Game Refuge Boundaries from DNR to the Nebraska Game and Parks Commission.
- Extend the sunset date for the Nebraska Litter Reduction and Recycling Act from 2025 to 2027.

**Hearing Date:**

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor – See Policy Statement 2025-2 (page 38)

**NARD Position:** Oppose

## **E. New State Office**

### **LB 403 - Create the Office of Grants and provide duties. Spivey.**

The bill proposes to create the Office of Grants in the executive branch of state government. The office would consist of the Director of Grants, who shall be appointed by the Governor, and such other employees as are appointed by the Director of Grants to achieve the purposes of the office and for which adequate funding is available.

The Director of Grants shall have at least 10 years of experience in writing or managing federal grants and shall be selected after conducting a nationwide search.

The Office of Grants shall:

- (a) Identify national grant programs, including grant programs of the federal government, that are available to state agencies, political subdivisions of this state, and private organizations located in this state; and
- (b) Assist state agencies, political subdivisions of this state, and private organizations located in this state in identifying relevant national grant programs, applying for grant funding under such programs, and complying with such programs.

No later than July 1, 2026, the Office of Grants should be required to develop a statewide plan, to be updated annually, for maximizing the amount of grant funding received by state agencies, political subdivisions of this state, and private organizations located in this state under national grant programs, including grant programs of the federal government.

The Office of Grants shall electronically submit a report to the Legislature which includes:

- (a) A summary of the statewide plan;
- (b) An analysis of whether any state legislation passed during the most recently completed legislative session supports, hinders, or otherwise affects the ability to receive funding under national grant programs, including grant programs of the federal government;
- (c) The number of state agencies, political subdivisions, and private organizations served by the office during the most recent calendar year; and
- (d) The number of national grant awards received during the most recent calendar year by state agencies, political subdivisions, and private organizations as a result of services provided by the office and the total dollar amount of such grant awards.

**Hearing Date:**

**Committee:** Government

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

## F. State Climate Office

### LB 163 - Create the Office of Climate Action. Spivey.

The bill proposes to create the Office of Climate Action within the Department of Environment and Energy.

The office shall work with interested stakeholders in climate action, political subdivisions, and organizations supporting climate action across the state to enhance education and skills, provide technical support, and expand access to resources to support climate action. The office shall serve as a point of contact to assist with policies and programs dealing with climate action.

On or before July 1, 2026, the Office of Climate Action shall create a climate action plan that shall propose actions to:

(a) Manage the risks of climate change impacts on the state; and (b) Reduce the causes of climate change within the state.

On or before July 1 of each year, the Office of Climate Action shall file with the Clerk of the Legislature an annual report that details:

- (a) The extent to which state legislation enacted the prior year supports, hinders, or affects climate action;
- (b) The amount of federal dollars secured for climate action across this state;
- (c) Any technical assistance provided by the Office of Climate Action to stakeholders, political subdivisions, and organizations;
- (d) The number of times the Office of Climate Action collaborated with stakeholders, political subdivisions, and organizations;
- (e) A synopsis of localized climate action plans and programs; and
- (f) Any recommendation for additional climate action through investment or activities.

For purposes of the act, climate action is defined to mean any effort to combat climate change and its effects.

**Hearing Date:** 1/30/2025

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

## G. State Agency Operations

### LB 180 - Provide an exception for public lettings and biddings for the Department of Natural Resources. Clouse.

The bill proposes to add the Department of Natural Resources to the long list of entities that are exempt from the public bidding requirements. The contracts would still be subject to review by the Director of Administrative Services.

This bill clarifies legislation passed in 2023 to allow the Department of Natural Resources to use design build.

The Government Committee held the hearing for LB 180 on January 23<sup>rd</sup>.

Sen. Clouse opened by providing a summary of the bill and noting it was brought at the request of the Dept. of Natural Resources. Previously, LB 565 gave DNR authority to use alternative methods of contracting including design build and general contracting methods. Methods of contracting are common and modeled after DOT and NGPC with the goal of improving quality and speed of projects to save money.

Proponents

Isabella Peterson, Nebraska Department of Natural Resources, testified in support noting the purpose is to harmonize language. Previously LB 565 that was introduced at the request of Gov. Pillen and passed gave DNR the authority to utilize alternative methods of project contracting. While the authorities are already granted with LB 565, there was an oversight in the language and this measure fixes that conflicting law by harmonizing the act.

Opponents

Allie Bush, Nebraskans Against Government Overreach, testified in opposition. She did not want the NRDs to have this authority.

There was no neutral testimony.

Sen. Clouse closed by noting the bill is not for the NRDs, but strictly for DNR.

Letters were submitted by two proponents and no opponents. The committee reported no action on the bill.

**Hearing Date:** 1/23/2025

**Committee:** Government

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

**LB 565e - Provide and change requirements relating to agency guidance documents. Quick.**

The bill proposes that any guidance documents prepared by state agencies for regulations shall include a description, including an estimated quantification, of the fiscal impact on state agencies, political subdivisions, and regulated persons or businesses.

The bill also adds that an agency shall not issue guidance documents on or after July 1, 2025, and before July 1, 2027, unless specifically required by amendments to existing federal rules or to become compliant with new federal rules and regulations.

The guidance document shall not impose greater regulations on Nebraska residents or businesses than federal requirements.

Finally, the bill proposes that all guidance documents and provider bulletins issued on or after July 1, 2022, and before July 1, 2025, are revoked pending a formal rulemaking process as provided in the Administrative Procedure Act unless explicitly required for federal compliance.

**Hearing Date:**

**Committee:** Government

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor



To qualify for the property tax exemption the easement shall:

- (i) Be perpetual and recorded with the appropriate county register of deeds;
- (ii) Provide public access and connect to existing or planned regional trails or significant local attractions, such as parks, waterways, cultural sites, or residential areas; and
- (iii) Be held by an eligible holder, including nonprofit organizations that demonstrate:
  - (A) A primary mission of promoting public access, health, and wellness through recreational land use;
  - (B) A commitment to environmental conservation and land stewardship; and
  - (C) Capacity to oversee and manage trail easements independently or through partnerships with accredited entities, ensuring compliance with public access goals.

Taxpayers shall submit an application to the Department of Revenue, including proof of the recorded easement, and certification from the eligible holder confirming compliance with public access and connectivity requirements.

**Hearing Date:** 1/30/2025

**Committee:** Revenue **Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

**LB 175 - Provide duties for the successor in interest of a railroad. Hallstrom.**

The bill proposes to add the successor in interest to provide and keep in repair at least one adequate means for such landowner to cross the right-of-way when the landowner owns property on both sides of the right of way.

Under the proposal, successor of interest is defined as any agent, successor, assignee, trustee, receiver, or other person acquiring interests or rights in railroad land, including the owner or holder of any servient estate or right of reversion relating to railroad land.

The petition to the Department of Transportation for such access is also expanded to the successor of interest. Under this process, the department does an investigation, holds a hearing, and can issue an order. When a special crossing involves an expenditure of more than \$1,500, the landowner shall bear one-half the expenses more than \$1,500.

**Hearing Date:**

**Committee:** Transportation

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

## ***Noxious Weeds***

### **A. Vegetation Management**

**LB 145 - Require the Director of Agriculture to administer a grant program relating to noxious weeds and restate intent regarding appropriations for vegetation management. Ibach.**

The bill modifies the Noxious Weed and Invasive Plant Species Assistance Fund.

First, the bill eliminates the permissive language (may) and requires (shall) the Director of Ag to administer a grant program to assist local control authorities and other weed management entities in the cost of implementing and maintaining noxious weed control programs and in addressing special weed control problems as provided in law.

The bill also increases the intent language to appropriate funding from \$3 million a year to \$6 million annually beginning in FY 2025-26 for the management of vegetation within the banks or flood plain of a natural stream.

**Hearing Date:**

**Committee:** Agriculture

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

## ***Solid Waste***

### **A. Existing Programs**

**LB 167e - Change the sunset date for the Nebraska Litter Reduction and Recycling Act. Clouse.**

The bill proposes to change the sunset date for the Nebraska Litter Reduction and Recycling Act from September 30, 2025, to September 30, 2030.

The Natural Resources Committee held the hearing for LB 167e on January 23<sup>rd</sup>.

Sen. Clouse opened on the bill noting it's an extension of the act originally established in 1979. The bill would extend the sunset date another five years, and the bill has an emergency clause, so it would take effect immediately.

Proponents

Kimberly Carroll Steward, executive director with the Nebraska Recycling Council, testified in support. She explained the purpose of the Act and its importance throughout Nebraska. She noted the Nebraska Recycling Council gathered data from 2020-2024, which showed that \$165.6 million was distributed across 330 grants statewide. Of that, \$4.6 million was awarded to constituents in the districts of the senators who serve on the Natural Resources committee.

Blair MacDonald testified in support on behalf of the Nebraska Beverage Association. She noted that in 1978, there was a ballot initiative to make Nebraska a bottle recycling state like Iowa. It did not pass but groups vowed to work together to recycle, which is how the Act came into law. Every five years the bill comes up to continue that sunset date. In 2024, there were 51 grants totaling \$2.6 million. She noted the



grant funds have been swept many times by various Governors and partners are trying to get the funds distributed faster to draw down the account.

Christie Abdul-Greene, Keep Omaha Beautiful executive director, testified in support. In 2025, Keep Omaha Beautiful received a \$190,000 grant. She explained how the funds are being used by their organization in their communities.

Ansley Fellers testified in support on behalf of the Nebraska Grocery Industry Association. She noted it's important that funds are pushed out and used for their intended purpose.

Lash Chaffin testified in support on behalf of the League of Nebraska Municipalities. He noted the Act has been great and funded a lot of projects in communities including many educational programs.

Opponents

There were no opponents and no neutral testimony.

There were seven proponent letters submitted. The Committee reported no action on the measure.

**Hearing Date:** 1/23/2025

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

**LB 247e - Change provisions relating to fees and distribution of proceeds under the Integrated Solid Waste Management Act and uses of and transfers from the Petroleum Release Remedial Action Cash Fund. DeKay.**

The bill increases the state disposal fees at landfills regulated by the department or transported for disposal out of state from a solid waste processing facility holding a permit under the Integrated Solid Waste Management Act as follows:

- Increases from \$1.25 to \$2.34 for each 6 cubic yards of uncompacted solid waste.
- Increase from \$1.25 to \$2.34 for each 3 cubic yards of compacted solid waste.
- Increase from \$1.25 to \$2.34 per ton of solid waste (a) disposed of at landfills regulated by the department or (b) transported for disposal out of state from a solid waste processing facility holding a permit under the Integrated Solid Waste Management Act.

The bill also proposes changing the distribution of the funds as follows:

- Increase from 50% to 65% of the fees credited to the Integrated Solid Waste Management Cash Fund.
- Decrease from 50% to 35% of the fees credited to the Waste Reduction and Recycling Incentive Fund.

The use of the fund would also be expanded to providing cost share, operation, and maintenance for remediation of superfund sites to pay for nonfederal costs, including costs for in-kind services.

The current uses of the fund would remain which includes:

- a) responding to spills or other environmental emergencies,
- b) regulating, investigating, remediating, and monitoring facilities during and after operation of facilities, or

- c) performance of regulated activities under the Integrated Solid Waste Management Act, the Nebraska Litter Reduction and Recycling Act, and the Waste Reduction and Recycling Incentive Act.

Finally, the bill eliminates the transfer of \$1.5 million from the Petroleum Release Remedial Action cash fund for providing cost share, operation, and maintenance for remediation of superfund sites in order to pay for nonfederal costs, including costs for in-kind services.

**Hearing Date:**

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

## B. New Programs

### LB 309 - Adopt the Safe Battery Collection and Recycling Act. Hughes

The bill proposes to create the Safe Battery Collection and Recycling Act.

Beginning January 1, 2028, no producer or retailer may sell, offer for sale, or distribute for sale in or into this state any covered battery or battery containing product unless the producer of the covered battery or battery containing product is a member of a battery stewardship organization operating under a battery stewardship plan approved by the NDEE.

The batteries would also have to be marked with the identification of the producer and is marked to ensure proper collection and recycling.

The battery stewardship plan must have performance goals and shall include target collection rates for rechargeable batteries and for batteries that are not capable of being recharged. A target recycling efficiency rate is outlined of at least 60% for rechargeable batteries and 70% for batteries that are not capable of being recharged.

A battery stewardship organization shall:

1. Pay a \$100,000 fee to NDEE upon approval of a plan and a fee of \$100,000 annually thereafter.
2. Be responsible for all costs associated with implementing the plan.
3. Reimburse local governmental units for demonstrable costs incurred as a result of a local government facility or solid waste facility serving as a collection site under the plan.
4. Collect charges from participating producers sufficient to cover the costs of implementation, including battery collection, transportation, and processing, education and outreach, program evaluation and payment of the annual fee.

A battery subject to this act includes a product that contains or is packaged with a covered battery. A covered battery means a portable battery or a medium format battery.

A covered battery does not include:

1. A battery designed to power a motor vehicle, part of a motor, or a component part of a motor vehicle.
2. A battery in a product that is not intended or designed to be easily removable from the product.
3. A battery or battery containing product that is being recalled for safety reasons

**Hearing Date:**

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

**LB 607 - Adopt the Environmental Stewardship of Batteries Act, the Extended Producer Responsibility Data Collection Act, and the Minimum Recycled Content Act, and change provisions relating to the Integrated Solid Waste Management Act, the Environmental Protection Act, and the Waste Reduction and Recycling Incentive Fund. Bostar.**

The bill creates the Environmental Stewardship of Batteries Act to create a dedicated battery stewardship program. The bill proposes to provide a recycling program for certain batteries.

The bill allows a Battery Stewardship Organization to coordinate the battery recycling program. The organization is defined to mean a producer that directly implements a battery stewardship plan required under the Environmental Stewardship of Batteries Act or a nonprofit organization designated by a producer or group of producers to implement a battery stewardship plan required under the act.

Covered battery means a portable battery or, beginning January 1, 2029, a medium format battery.

A covered battery does not include:

1. A battery contained within a medical device that is not designed and marketed for sale or resale principally to consumers for personal use;
2. A battery that contains an electrolyte as a free liquid;
3. A lead acid battery weighing greater than eleven pounds; and
4. A battery in a battery-containing product that is not intended or designed to be easily removable from the battery-containing product

Large format battery – Defined as a rechargeable battery that weighs more than 25 pounds or has a rating of more than 2,000 watt-hours.

Medium format battery – Defined as a rechargeable battery, weighing more than 11 pounds or having a rating of more than 300 watt-hours. The definition also includes primary batteries weighing more than 4.4 pounds, but not more than 25 pounds.

Primary battery -- Defined as a battery that is not capable of being recharged.

Beginning January 1, 2027, each producer selling, making available for sale, or distributing covered batteries or battery-containing products in or into the State of Nebraska shall participate in an approved Nebraska state battery stewardship plan through participation in and appropriate funding of a battery stewardship organization; and

A producer that does not participate in a battery stewardship organization and battery stewardship plan may not sell covered batteries or battery-containing products covered by the Environmental Stewardship of Batteries Act in or into Nebraska.

Beginning July 1, 2027, for portable batteries, and July 1, 2029, for medium format batteries, a retailer may not sell, offer for sale, distribute, or otherwise make available for sale a covered battery or battery-containing product unless the producer of the covered battery or battery-containing product certifies to the retailer that the producer participates in a battery stewardship organization whose plan has been approved by the department.

Retailers of covered batteries or battery-containing products are not required to make retail locations available to serve as collection sites for a stewardship program operated by a battery stewardship organization.

A retailer may not sell, offer for sale, distribute, or otherwise make available for sale covered batteries, unless those batteries are marked consistently with the requirements of this act. A producer of a battery-containing product containing a covered battery shall certify to the retailers of their product that the

battery contained in the battery-containing product is marked consistently with the requirements of this act.

The bill also expands grants from the Waste Reduction and Recycling Incentive Fund to private businesses for the purposes of planning and implementing facilities to further the goals of the Integrated Solid Waste Management Act. Current grants can only go to counties, municipalities and agencies.

**Hearing Date:**                      **Committee:** Natural Resources                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

## ***Water Quality***

### **A. Wellhead Protection**

**LB 36 - Provide for notification of certain regulations and permits to controlling entities by counties, cities, and villages under the Wellhead Protection Area Act. Brandt.**

The bill proposes to amend the Wellhead Protection Act.

First, the bill provides that any county, city, or village with zoning, land-use, planning, or permit-granting authority over any wellhead protection area shall notify the controlling entity of such wellhead protection area of any proposed land-use or zoning regulation or building permit within such wellhead protection area.

The notification shall be made no less than thirty days prior to any public hearing or anticipated legal action to consider authorization of any land-use or zoning regulation or building permit within the wellhead protection area.

In addition, the county, city, or village shall take into consideration the ability of a controlling entity to provide the public with an adequate supply of potable water when making any determinations regarding the authorization of a proposed land-use or zoning regulation or building permit within a wellhead protection area.

**Hearing Date:** 1/29/2025                      **Committee:** Natural Resources                      **Bill Status:** Committee

**Manager Recommendation:** Support  
**NARD Legislative Committee Recommendation:** Support  
**NARD Position:** Support

### **B. Nitrogen Reduction**

**LB 638e - Change provisions of the Nitrogen Reduction Incentive Act. Ibach.**

The bill changes funding for the Nitrogen Reduction Incentive Act that was passed last year. The act makes payments to producers who reduce nitrogen applied to their fields by the lesser of 40 pounds per acre for nitrogen or 15 percent.

The bill proposes that prior to the application deadline for fiscal year 2025-26, the Department of Natural Resources shall apply for a grant of \$25 million from the Nebraska Environmental Trust Fund, to be paid out in five annual installments of \$5 million.

The purposes listed in the grant application shall be consistent with the uses of the Nitrogen Reduction Incentive Cash Fund.

The Department of Natural Resources shall establish a subaccount within the Nitrogen Reduction Incentive Cash Fund for the accounting of all money received as a grant from the Nebraska Environmental Trust Fund. Interest earned in the subaccount at the end of each month shall be transferred to the NET Fund.

**Hearing Date:**

**Committee:** Agriculture

**Bill Status:** Committee

**Manager Recommendation:** Support with Compensation for Administration

**NARD Legislative Committee Recommendation:** Support with Compensation for Administration

**NARD Position:** Support with Compensation for Administration

## ***Water & Wetlands***

### **A. Ground Water**

#### **LB 344 - Change provisions relating to ground water allocation. Brandt.**

The bill proposes to update language that is set to expire on January 1, 2026, regarding allocations and limits placed on municipal water use in fully and over appropriated areas.

The old law allowed municipal water use greater than 25 million gallons that commences prior to January 1, 2026, be subject to controls may be subject to controls under integrated management plans.

The proposed changes are as follows:

On and after January 1, 2026, any new or expanded commercial or industrial user served by a municipal water source that commences water use at a rate in excess of 25 million gallons annually, expands water use to a rate in excess of 25 million gallons annually, or at any time exceeds water use of 25 million gallons annually shall be subject to the controls of an integrated management plan, rule, or order and provide a mitigation report to the natural resources district within which such user is located.

The mitigation report shall include (i) annual water use, (ii) annual volume of water returned to the municipal system or discharged to another location, (iii) source of water used to mitigate the new or expanded consumptive use, and (iv) any other information deemed necessary by the applicable natural resources district or the Department of Natural Resources.

The mitigation report shall be approved by the applicable natural resources district and the Department of Natural Resources prior to January 1, 2026, or prior to commencement of the new or expanded use.

Each integrated management plan, rule, or order within an area determined by the Department of Natural Resources to be fully appropriated pursuant to section 46-714 or designated as overappropriated pursuant to section 46-713 may require annual water use and water consumption reporting from municipalities.

**Hearing Date:**

**Committee:** Natural Resources

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support





## **Other**

### **A. One-Call Notification**

**LB 191 - Change provisions relating to unlawful interference with telecommunications under the One-Call Notification System Act. Bosn.**

The bill adds broadband and communications to the list of utilities under the One Call Notification System. Specifically, it adds them to the list to fine any person who willfully and maliciously breaks, injures, destroys, or otherwise interferes with such utility.

**Hearing Date:**

**Committee:** Transportation

**Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

### **B. Endangered Species**

**LB 590 - Provide for a mitigation bank or an in-lieu fee program relating to the incidental taking of threatened or endangered species. Moser.**

Proposes that the Department of Transportation may establish, use, and operate a mitigation bank or an in-lieu fee program for the purpose of providing compensatory mitigation for the incidental take of threatened or endangered species and such species' suitable habitat arising out of permitted activities, and restoring, creating, enhancing, preserving, or any combination thereof, habitats or resources where the Department of Transportation or other individual or entity is required to provide compensatory mitigation for permitted activities.

State regulatory agencies shall make a good faith effort to use and give priority to the mitigation bank and in-lieu fee program established by the Department of Transportation when consulting on or reviewing mitigation plans for the impacts of permitted state transportation projects.

The Department of Transportation may:

- (a) Enter into one or many cooperative agreements with a state or local public agency or private party for the establishment, use, operation, and maintenance of the mitigation bank or in-lieu fee program;
- (b) Acquire title to real property through purchase, bequest, donation, or eminent domain for use with the mitigation bank or in-lieu fee program to mitigate the impacts of permitted projects;
- (c) Establish or restore suitable habitat and natural resources for threatened and endangered species and impacts to the environment and natural resources across Nebraska;
- (d) Provide a consistent and simplified approach to address mitigation requirements associated with permits or authorizations issued by federal and state agencies;
- (e) Streamline the permitting process, minimize delays in permit decisions, and decrease the burden of permit applicants of planning and performing compensatory mitigation for suitable habitat losses and adverse environmental and natural resources effects of permitted projects;
- (f) Increase the ecological efficiency and effectiveness of compensatory mitigation;



(g) Achieve replacement of impacted acres of land by providing for the establishment of a net increase in suitable habitat acres, functions, and values for endangered and threatened species and other natural resources through using a fair, reasonable, and practicable ratio of compensatory mitigation acres to offset the impacts of a permitted project; and

(h) Achieve a net increase in conservation land functions and values for endangered and threatened species and other natural resources impacted by permitted projects.

A state or local agency or private party that owns the mitigation bank shall also pay a sum in lieu of ad valorem taxes lost by the county.

**Hearing Date:**                      **Committee:** Natural Resources                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

### C. License Plates

**LB 568 - Provides Arbor Day Plates and the Home of Arbor Day Plate Cash Fund and change provisions relating to license plates. Fredrickson.**

The bill creates Arbor Day specialty license plates to represent the history and importance of Arbor Day in Nebraska.

The additional license plate fees, beyond what is distributed to the road funds, would go to the Home of Arbor Day Plate Cash Fund and be administered by the Board of Regents of the University of Nebraska.

The University of Nebraska Board of Regents shall use the funds to award grants to the Nebraska Statewide Arboretum, for purposes of tree planting, garden making, community building, and environmental education and outreach.

The specialty plates would follow the existing law, where the Department of Motor Vehicles would have to receive at least 250 prepaid requests for the plates before they could become available.

**Hearing Date:**                      **Committee:** Transportation                      **Bill Status:** Committee

**Manager Recommendation:** Monitor  
**NARD Legislative Committee Recommendation:** Monitor  
**NARD Position:** Monitor

### D. Disaster Proclamation

**LB 546e - Change provisions relating to emergency proclamations for disasters, emergencies, and civil defense emergencies made by the Governor. Rountree.**

The bill allows the Governor to issue an emergency proclamation for multiple counties when requested by any political subdivision of the state that supplies electricity, natural gas, water, or sewer service.

The request would be for any disaster, emergency, or civil defense emergency. The request may be made directly to the Governor without first requesting such an emergency proclamation from a county or any other governmental entity.

**Hearing Date:**

**Committee:** Government

**Bill Status:** Committee

**Manager Recommendation:** Support

**NARD Legislative Committee Recommendation:** Support

**NARD Position:** Support

## **E. Data Privacy**

### **LB 525 - Adopt the Agricultural Data Privacy Act. Jacobson At the request of the Governor.**

The bill proposes to adopt the Agricultural Data Privacy Act for the purposes of protecting the privacy of agricultural producers in Nebraska; and protecting the agriculture industry in Nebraska.

In basic terms, the bill requires the individual (person) to sign off on releasing any data to anyone. The person could also rescind the release. There is no exception for NRD data requests for water management purposes.

The bill establishes the following definitions for purposes of the Act:

- (1) Acquisitions data means data related to the acquisition of capital, land, equipment, inputs, livestock or any other acquisition of agricultural property;
- (2) Agricultural data means acquisitions data, care data, crop production data, cultivation data, field usage data, financial standings data, GPS data, historical yield data, irrigation data, maintenance data, marketing strategy and decisions data, purchase sell information, usage data, and yield data;
- (3) Care data means data related to the acquisition or selling of livestock and metrics associated with such a transaction;
- (4) Controller means an individual or other person that, alone or jointly with others, determines the purpose and means of processing agricultural data;
- (5) Crop production data means data related to the practice of protecting the crop yields from different agents including pests, weeds, plant diseases, and other organisms that may cause damage to agricultural crops;
- (6) Cultivation data means data related to the practice of planting, harvesting, cultivating, or other related practices and the data such as dates operation occurred, metrics regarding method of the practice, and other personally identifiable related practices;
- (7) Field usage data means data related to commodities planted, land care, irrigation, and land management practices;
- (8) Financial standings data means data related to financial standings of agricultural production operations including assets and liabilities, and other related identifiable information;
- (9) GPS data means data related to Global Positioning Systems (GPS) in farm machinery, decision making software, and all other related systems utilizing GPS in agricultural practices;
- (10) Historical yield data means data connected to individual parcels of land, including yield metrics related to the success of crops cultivated in individual parcels;
- (11) Irrigation data means data related to the method, timing, and usage of irrigation resources and equipment;

- (12) Maintenance data means data related to maintenance actions of equipment, including services, service intervals, and other related personally identifiable data;
- (13) Marketing strategy and decisions data means data related to transactions of commodities, livestock, and land, including marketing plans, marketing actions, and related metrics;
- (14) Process or processing means an operation or set of operations performed, whether by manual or automated means, on agricultural data or on sets of agricultural data, such as the collection, use, storage, disclosure, analysis, deletion, or modification of agricultural data;
- (15) Processor means a person that processes agricultural data on behalf of a controller;
- (16) Purchase sell information means data related to the acquisition or selling of livestock and metrics associated with the transaction;
- (17) Usage data means data concerning the operation of machinery related to common agricultural practices; and
- (18) Yield data means data connected to the harvest of commodities, including yield and production metrics, as well as date of harvest and other personally identifiable data.

A person may provide written consent to any potential controller of such person's agricultural data that authorizes:

- (a) The potential controller to process such person's agricultural data; or
- (b) A third party to process such person's agricultural data on behalf of the potential controller.

A person that has provided written consent may rescind such consent by providing a written notice of such rescission to the controller of the agricultural data.

A controller shall not:

- (a) Require any person to submit to any processing of such person's agricultural data without the written consent of such person;
- (b) Provide any difference in any service, good, benefit, or reward provided to any person who does not consent to the collection or possession of agricultural data; or
- (c) Sell, provide, or use the agricultural data of any person without such person's authorization.

A controller shall delete the agricultural data relating to a person that has provided a written notice rescinding the authorization pursuant to section of this act within thirty days after receiving such written notice. A processor shall not process, sell to any person, provide to any person, or use the agricultural data of a person without such person providing written consent that authorizes such processing to the controller of the agricultural data.

The Agricultural Data Privacy Act does not apply to the processing of agricultural data by a person if such person is the owner of the agricultural data.

Any provision of a contract or agreement that waives or limits in any way any requirement for a controller or processor as described in this act is contrary to public policy and is void and unenforceable.

The Attorney General has exclusive authority to enforce the Agricultural Data Privacy Act and may bring an action against any controller or processor to:

- (1) Seek injunctive relief; or

(2) Recover a civil penalty in the amount of [XXXX] dollars for each separate violation of the Agricultural Data Privacy Act. All such civil penalties shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

The Attorney General shall post on the Attorney General's website:

- (1) Information relating to:
  - (a) The responsibilities of a controller under the Agricultural Data Privacy Act;
  - (b) The responsibilities of a processor under the Agricultural Data Privacy Act; and
  - (c) A consumer's rights under the Agricultural Data Privacy Act; and
- (2) An online mechanism through which a person may submit a complaint under the Agricultural Data Privacy Act to the Attorney General.

The Agricultural Data Privacy Act shall not be construed as providing a basis for, or being subject to, a private right of action for a violation of the Agricultural Data Privacy Act or any other law.

**Hearing Date:**                                **Committee:** Banking, Commerce & Insurance    **Bill Status:** Committee

**Manager Recommendation:** Oppose

**NARD Legislative Committee Recommendation:** Oppose – See Statement 2025-3 (page 38)

**NARD Position:** Oppose – See Statement 2025-3 (page 38)

## F. Recreation

### **LB 480 - Change provisions relating to the Water Recreation Enhancement Act. DeKay.**

The bill proposes to amend existing laws to expand water access or recreational opportunities to other projects identified for projects that were approved in 2022. These include the following:

- Lake McConaughy – New marina construction projects.
- Lewis & Clark State Recreation Area – New marina construction projects.
- Niobrara State Park - Construction of an event center and lodge.

Funding was provided for these existing projects, but it is proposed to be taken away under the budget proposed by Governor Pillen.

**Hearing Date:**                                **Committee:** Natural Resources                                **Bill Status:** Committee

**Manager Recommendation:** Monitor

**NARD Legislative Committee Recommendation:** Monitor

**NARD Position:** Monitor

## G. Environmental Rights

### **LR 22CA - Constitutional amendment to provide the right to a clean and healthy natural environment and that the state and political subdivisions serve as trustee of the natural resources of Nebraska. Dungan.**

A constitutional amendment to require that all people have a right to a clean and healthy environment, including pure water, clean air, healthy soils, balanced ecosystems, a safe climate, and diverse and abundant native flora and fauna and to the preservation of the natural, cultural, scenic, recreational, and



**Budget Summary**

1/17/2025		Governor Proposed Budget (LB 261)		Proposed Governors Budget (LB 261) Change From FY24-25 Baseline	
		FY 25-26	FY 26-27	FY 25-26	FY 26-27
<b>Agency 84 - Department Environmental &amp; Energy</b>					
General Fund		\$ 5,593,323	\$ 5,593,323	\$ (1,855,233)	\$ (1,855,233)
Cash Fund		\$ 39,988,699	\$ 40,271,997	\$ (107,192)	\$ 176,106
Federal Fund est.		\$ 45,762,396	\$ 46,118,927	\$ 24,906,264	\$ 25,262,795
Program Total		\$ 91,344,418	\$ 91,984,247	\$ 22,943,839	\$ 23,583,668
Salary Limit		\$ 18,766,522	\$ 19,129,105	\$ (882,813)	\$ (520,230)
Cash Fund		\$ -	\$ -	\$ (1,200,000)	\$ (1,200,000)
Federal Fund est.		\$ 9,089,000	\$ 9,089,000	\$ 980,000	\$ 980,000
Program Total		\$ 9,089,000	\$ 9,089,000	\$ (220,000)	\$ (220,000)
<b>*Grants to small communities shall not be commingled with funds deposited in the Wastewater Treatment Facilities Construction Loan Fund</b>					
Cash Fund		\$ -	\$ -	\$ (800,000)	\$ (800,000)
Federal Fund est.		\$ 12,990,000	\$ 12,990,000	\$ 980,000	\$ 980,000
Program Total		\$ 12,990,000	\$ 12,990,000	\$ 180,000	\$ 180,000
1/17/2025		Governor Proposed Budget (LB 261)		Proposed Governors Budget (LB 261) Change From FY24-25 Baseline	
		FY 25-26	FY 26-27	FY 25-26	FY 26-27
<b>Agency 33 - Game &amp; Parks Commission</b>					
Cash Fund		\$ 26,584,483	\$ 26,587,415	\$ 5,002,817	\$ 5,005,749
Program Total		\$ 26,584,483	\$ 26,587,415	\$ 5,002,817	\$ 5,005,749
Salary Limit		\$ 349,379	\$ 349,379	\$ -	\$ -
<b>Includes \$5 M transfer in FY 25-26 &amp; 26-27 to Water Sustainability Fund; \$2.5 M transfer in FY 25-26 &amp; 26-27 to Nebraska Soil and Water Conservation Fund; and 25% transfer to Water Resources Cash Fund.</b>					
Cash Fund		\$ 9,058,142	\$ 9,142,061	\$ 569,460	\$ 653,379
Federal Fund est.		\$ 3,902,555	\$ 3,904,505	\$ 1,882	\$ 3,832
Program Total		\$ 12,960,697	\$ 13,046,566	\$ 571,342	\$ 657,211
Salary Limit		\$ 2,162,492	\$ 2,213,933	\$ 114,258	\$ 165,699
General Fund		\$ 2,072,461	\$ 2,072,461	\$ -	\$ -
Cash Fund		\$ 34,599,480	\$ 34,724,393	\$ (1,088,596)	\$ (963,683)
Federal Fund est.		\$ 4,336,114	\$ 4,407,304	\$ 68,808	\$ 139,998
Program Total		\$ 41,008,055	\$ 41,204,158	\$ (1,019,788)	\$ (823,685)
Salary Limit		\$ 19,610,744	\$ 20,085,216	\$ 807,868	\$ 1,282,340
General Fund		\$ 52,500	\$ 52,500	\$ -	\$ -
Cash Fund		\$ 1,000	\$ 1,000	\$ -	\$ -
Federal Fund est.		\$ 125,000	\$ 125,000	\$ -	\$ -
Program Total		\$ 178,500	\$ 178,500	\$ -	\$ -
<b>The unexpended Cash Fund appropriation balance existing on June 30, 2025, is reappropriated.</b>					
General Fund		\$ 559,668	\$ 559,668	\$ -	\$ -
Cash Fund		\$ 2,327,625	\$ 2,367,878	\$ 916,704	\$ 956,957
Federal Fund est.		\$ 113,261	\$ 115,418	\$ 2,089	\$ 4,246
Program Total		\$ 3,000,554	\$ 3,042,964	\$ 918,793	\$ 961,203
Salary Limit		\$ 1,210,715	\$ 1,255,966	\$ 22,265	\$ 67,516
<b>*Development &amp; maintenance of boundary fences along Cowboy Trail limited to \$64,000 CF each FY. Unexpended Cash Fund balance is reappropriated up to \$8.3 M to fund MOPCA trail.</b>					
<b>Agency 51 - University of Nebraska</b>					
Robert B. Daugherty Water*					
General Fund		\$ 500,000	\$ 500,000	\$ -	\$ -
General Fund		\$ 2,804,862	\$ 2,804,862	\$ -	\$ -
<b>*To support water and agricultural research and existing collaborative initiatives to implement best practices in water conservation.</b>					
<b>Agency 11 - Attorney General</b>					
General Fund		\$ 300,000	\$ 300,000	\$ -	\$ -
Cash Fund		\$ 200,000	\$ 200,000	\$ -	\$ -
Program Total		\$ 500,000	\$ 500,000	\$ -	\$ -

1/17/2025		Governor Proposed Budget (LB 261)		Proposed Governors Budget (LB 261)	
		FY 25-26	FY 26-27	Change From FY24-25 Baseline	
Agency 29 - Department of Natural Resources		FY 25-26	FY 26-27	FY 25-26	FY 26-27
Program 303 - Small Watersheds - Fund exists but has remained inactive for several years.					
Program 304 - Nebraska Soil & Water Conservation Fund*	General Fund	\$ -	\$ -	\$ (1,806,112)	\$ (1,806,112)
	Cash Fund	\$ 2,550,000	\$ 2,550,000	\$ 2,500,000	\$ 2,500,000
	Program Total	\$ 2,550,000	\$ 2,550,000	\$ 693,888	\$ 693,888
Includes Transfer from NET. The unexpended General Fund appropriation balance existing on June 30, 2025, is reappropriated.					
Program 306 - Water Well Decommissioning	Cash Fund	\$ 70,000	\$ 70,000	\$ -	\$ -
	Program Total	\$ 70,000	\$ 70,000	\$ -	\$ -
The unexpended General Fund appropriation balance existing on June 30, 2025, is reappropriated.					
Program 307 - Nebraska Resources Development Fund - The unexpended General Fund & Cash Fund appropriation balances existing on June 30, 2025, 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 General Fund appropriation balance existing on June 30, 2025, is reappropriated.					
Program 313 - Water Sustainability Fund*	Cash Fund	\$ 10,865,033	\$ 10,865,033	\$ -	\$ -
	Program Total	\$ 10,865,033	\$ 10,865,033	\$ -	\$ -
*Only Includes \$5 Million Transfer, resulting in \$5.8 Million decrease in available cash funds. The unexpended General Fund appropriation balance existing on June 30, 2025, is reappropriated.					
Program 314 - Critical Infrastructure Facilities	Cash Fund	\$ -	\$ -	\$ -	\$ -
	General Fund Transfer	\$ -	\$ -	\$ -	\$ -
The unexpended General Fund appropriation balance existing on June 30, 2025, is reappropriated.					
Program 319 - Water Projects *	Cash Fund	\$ 67,800,000	\$ 67,800,000	\$ (20,000,000)	\$ (20,000,000)
	Federal Fund	\$ -	\$ -	\$ -	\$ -
	Program Total	\$ 67,800,000	\$ 67,800,000	\$ (20,000,000)	\$ (20,000,000)
*\$67,800,000 CF Perkins County Canal Project Fund FY25-26 & 26-27. \$5,000,000 CF JEDI Fund FY 25-26 & 26-27.					
Water Resources Cash Fund - Under Program 334	General Fund	\$ -	\$ -	\$ -	\$ -
	NET Fund Transfer	25% of NET Fund	25% of NET Fund	\$ (7,000,000)	\$ (7,000,000)
*Transfer 25% of Fund Total from the Nebraska Environmental Trust Fund to Water Resources Cash Fund					
Program 334 - Soil & Water Conservation (General Operations)	General Fund	\$ 10,708,426	\$ 10,758,426	\$ (1,515,440)	\$ (1,465,440)
	Cash Fund	\$ 9,573,143	\$ 9,595,886	\$ 1,021,871	\$ 1,044,614
	Federal Fund est.	\$ 2,207,789	\$ 2,238,087	\$ 63,067	\$ 93,365
	Program Total	\$ 22,489,358	\$ 22,592,399	\$ (430,502)	\$ (327,461)
	Salary Limit	\$ 8,618,258	\$ 8,639,456	\$ 115,116	\$ 136,314
The unexpended General Fund and Cash Fund appropriation balances existing on June 30, 2025, that are allocated in budget subprograms 19, 20, 21, and 24 of Program 334 are reappropriated.					

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**NARD Policy Statement 2025-2** - We support the elimination of the licensed professional engineer requirement for Chief Water Officer and merging of the water quality and quantity responsibilities under the directive of the Chief Water Officer.

**NARD Policy Statement 2025-3** – We support with an amendment to exclude NRD data request for water quality and quantity management.

Nebraska's 109th Legislature (2025 & 2026)  
(NRD Issue Related Bills)

BILL	INTRODUCER	DESCRIPTION	COMM.	HEARING	ACTION	POSITION		GENERAL FILE	SELECT FILE	FINAL READING	GOVERNOR SIGN
						NRD	NARD				
<b>2025 BILLS (OF INTEREST)</b>											
36	Brandt	Provide for notification of certain regulations and permits to controlling entities by counties, cities, and villages under the Wellhead Protection Area Act	NR	1/29/2025		S	S				
50	DeKay	Change provisions relating to the distribution of the nameplate capacity tax	RV			S	S				
59	Sanders	Provide for the disbursement of funds of a natural resources district by electronic payment systems	NR	1/23/2025		S	S	1/30/2025 2/5/2025	2/11/25		
86	Dorn	Appropriate funds to the Department of Natural Resources	AP	3/18/2025		S	S				
123	Sanders	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions	GM	1/29/2025		M	M	2/7/2025			
145	Ibach	Require the Director of Agriculture to administer a grant program relating to noxious weeds and restate intent regarding appropriations for vegetation management	AG	1/28/2025		S	S				
147	Hansen	Change provisions relating to approval and regulation of adding fluoride to the water supply of certain political subdivisions	HH			M	M				
163	Spivey	Create the Office of Climate Action	NR	1/30/2025		M	M				
167	Clouse	Change the sunset date for the Nebraska Litter Reduction and Recycling Act	NR	1/23/2025		S	S	1/28/2025 1/30/2025	2/4/2025 2/7/2025		
175	Hallstrom	Provide duties for the successor of interest of a railroad	TR			M	M				
180	Clouse	Provide an exception for public lettings and biddings for the Department of Natural Resources	GM	1/23/2025		S	S	1/30/2025 2/5/2025	2/11/25		
191	Bosn	Change provisions relating to unlawful interference with telecommunications under the One-Call Notification System Act	TR	2/10/2025		M	M				
242	Riepe	Change the Property Tax Growth Limitation Act and the School District Property Tax Relief Act and change provisions relating to budget limitations, municipal occupation taxes, and property tax statements	RV			M	M				
247	DeKay	Change provisions relating to fees and distribution of proceeds under the Integrated Solid Waste Management Act and uses of and transfers from the Petroleum Release Remedial Action Cash Fund	NR	2/6/2025		M	M	2/7/2025			



BILL	INTRODUCER	DESCRIPTION	COMM.	HEARING	ACTION	POSITION		GENERAL FILE	SELECT FILE	FINAL READING	GOVERNOR SIGN
						NRD	NARD				
260	Arch at request of the Gov.	Provide, change, and eliminate provisions relating to appropriations	AP	2/18/2025		M	M				
261	Arch at request of the Gov.	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2027, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021	AP	2/18/2025		M	M				
264	Arch at request of the Gov.	Provide, change, and eliminate transfers from the Cash Reserve Fund and various other funds and change, terminate, and eliminate various statutory programs	AP	2/18/2025		M	M				
309	Hughes	Adopt the Safe Battery Collection and Recycle Act	NR	2/18/2025		M	M				
317	Brand at request of the Gov.	Merge the Department of Natural Resources with the Department of Environment and Energy and change the name to the Department of Water, Energy, and Environment and provide, change, and eliminate powers and duties	NR	2/13/2025		O w/ Policy Stmt. 2025-2	O w/ Policy Stmt. 2025-2				
331	Hardin	Adopt the Nebraska EPIC Option Consumption Tax Act and terminate tax provisions	RV			O	O				
344	Brandt	Change provisions relating to ground water allocation	NR	2/13/2025		S	S				
346	Arch at the request of the Governor	Change qualifications of the State Capitol Administrator, provide for termination of boards, commissions, committees, councils, funds, panels, task forces, the Conservation Corporation Act, and the Nebraska Potato Development Act, and change and eliminate funds and powers and duties of departments and agencies	GM	2/13/2025		M	M				
384	Storer	Require a majority of the elected members of the governing bodies of participating political subdivisions to attend joint public hearings under the Property Tax Request Act	RV	2/13/2025		M	M				
393	Clements	Eliminate obsolete transfers relating to the cash Reserve Fund	AP	3/12/2025		M	M				
403	Spivey	Create the Office of Grants and provide duties	GM	2/13/2025		M	M				
424	Andersen	Limit increases in property tax bills	RV			M w/ Policy Stmt. 2025-1	M w/ Policy Stmt. 2025-1				
480	DeKay	Change provisions relating to the Water Recreation Enhancement Act	NR			M	M				
525	Jacobson at request of the Governor	Adopt the Agricultural Data Privacy Act	BC	2/3/2025		O w/ Policy Stmt. 2025-3	O w/ Policy Stmt. 2025-3				
546	Roundtree	Change provisions relating to proclamations for disasters, emergencies, and civil defense emergencies made by the Governor	GM			S	S				

BILL	INTRODUCER	DESCRIPTION	COMM.	HEARING	ACTION	POSITION		GENERAL FILE	SELECT FILE	FINAL READING	GOVERNOR SIGN
						NRD	NARD				
565	Quick	Provide and change requirements relating to agency guidance documents	GM	2/12/2025		M	M				
568	Fredrickson	Provide for Arbor Day Plates and the Home of Arbor Day Plate Cast Fund and change provisions relating to license plates	TR	2/4/2025		M	M				
575	Hallstrom	Change provisions relating to the Property Tax Request Act and property tax levy limits	RV			O w/ Policy Stmt. 2025-1	O w/ Policy Stmt. 2025-1				
579	Cavanaugh, M	Prohibit charging a fee for public records requests by members of the Legislature	EX	2/18/2025		M	M				
590	Moser	Provide for a mitigation bank or an in-lieu fee program relating to the incidental taking of threatened or endangered species habitat	NR	2/12/2025		M	M				
595	Prokop	Create the Research Excellence Cash Fund	NR			S	S				
596	Sanders	Change requirements for legal publications and notices required by law	GM			S	S				
607	Bostar	Adopt the Environmental Stewardship of Batteries Act, the Extended Producer Responsibility Data Collection Act, and the Minimum Recycled Content Act, and change provisions relating to the Integrated Solid Waste Management Act, the Environmental Protection Act, and the Waste Reduction and Recycling Incentive Fund	NR			M	M				
628	Dover	Adopt the Recreational Trail Easement Property Tax Exemption Act and change provisions relating to the filing of statements of recorded easements and property tax exemptions	RV			M	M				
638	Ibach	Change provisions of the Nitrogen Reduction Incentive Act	AG	2/25/2025		S w/ Comp. for Admin.	S w/ Comp. for Admin.				
673	Raybould	Change provisions relating to the Perkins County Canal Project and provide for a transfer from the Perkins County Canal Project Fund	AP	3/18/2025		O	O				
674	Raybould	Change provisions relating to the Perkins County Canal Project and provide for a transfer from the Perkins County Canal Project Fund	AP	3/18/2025		O	O				
683	Raybould	Change provisions relating to duties of county assessors regarding notification of real property assessments and eliminate and change provisions of the Property Tax Request Act	RV			M	M				
695	Dover	Require the Lower Elkhorn Natural Resources District to construct a dam and provide flood control measures	NR			O	O				

BILL	INTRODUCER	DESCRIPTION	COMM.	HEARING	ACTION	POSITION		GENERAL FILE	SELECT FILE	FINAL READING	GOVERNOR SIGN
						NRD	NARD				
<b>LEGISLATIVE RESOLUTIONS (OF INTEREST)</b>											
LR10CA	Hardin	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items	RV			O	O				
LR11CA	Hardin	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes	RV			O	O				
LR12CA	Kauth	Constitutional amendment to impose a limit on ad valorem taxes for real property, provide a new method of valuing real property for tax purposes, provide certain exceptions and eliminate conflicting constitutional provisions	RV			O	O				
LR16CA	Urban Affairs Committee	Constitutional amendment to require the Legislature to reimburse political subdivisions	GM			S	S				
LR18CA	Government Committee	Constitutional amendment to require the Legislature to reimburse political subdivisions	GM			S	S				
LR19CA	Dover	Constitutional amendment to change legislative term limits to three consecutive terms	EX	2/27/2025		S	S				
LR22CA	Dugan	Constitutional amendment to provide the right to a clean and healthy natural environment to the state and political subdivisions as trustees of the natural resources of Nebraska	NR			M	O				
LR27CA	Hunt	Constitutional amendment to change legislative term limits to three consecutive terms	EX	2/27/25		S	S				

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