

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION
2008**

COMMITTEE STATEMENT

LB1094

Hearing Date: February 13, 2008

Committee On: Natural Resources

Introducer(s): (Carlson)

Title: Change allocation provisions relating to the Nebraska Resources Development Fund

Roll Call Vote - Final Committee Action:

Placed on General File with Amendments

Vote Results:

8 Yes	Senators Carlson, Christensen, Dubas, Fischer, Hudkins, Kopplin, Loudon, Wallman
0 No	
0 Absent	
0 Present, not voting	

Proponents:

Senator Tom Carlson
Mike Clements
Steve Henry
Glenn Johnson

Representing:

Introducer
Lower Republican Natural Resources District
Frenchman Cambridge Irrigation District
Nebraska Water Resources Association
Nebraska State Irrigation Association

Jay Rempe
Bob Hallstrom

Nebraska Farm Bureau
Nebraska Bankers Association

Opponents:
None

Representing:

Neutral:
Jasper Fanning
Dan Smith

Representing:
Upper Republican Natural Resources District
Middle Republican Natural Resources District

**ADDITIONAL TESTIFIERS FOR AM1808
TO LB1094 (February 20, 2008 hearing)**

Proponents:
Senator Tom Carlson
Jay Rempe
Ed Schrock
Duane Gangwish

Representing:
Introducer
Nebraska Farm Bureau
Self
Nebraska Cattlemen

Opponents:
None

Representing:

Neutral:
None

Representing:

Summary of purpose and/or change:

LB 1094 does the following:

- Section 1 Changes the intent language for the Nebraska Resources Development Fund to include provisions for drought relief assistance and for the augmentation of river flows as an incentive program.
- Section 2 Requires the Natural Resources Development Commission to make an allocation from the fund at the recommendation of the director.
- Section 3 Repealer.
- Section 4 Emergency clause.

Explanation of amendments, if any:

The Committee amendment becomes the bill.

- Section 1 Findings. The Legislature finds that water right holders who agreed to lease and forgo water use to assist in the management, protection, and conservation of the water resources of river basins, but remain unpaid due to litigation must be paid.
Requires repayment by the natural resources districts receiving said funds either through use of existing law or such other means as provided by the Legislature once the litigation is resolved.
- Section 2 Creates the Water Contingency Cash Fund.
Requires the affected natural resources districts to certify to the Department of Natural Resources the amount of funding being requested; and requires the department to provide financial assistance to those natural resources districts in the amount requested.
Requires the natural resources districts receiving the funds to compensate water right holders who agree or agreed to lease and forgo the use of water. It also requires that any financial assistance provided under this section and not used for the stated purpose must be returned within sixty days after it is received by such district.
- Section 3 Requires the State Treasurer to transfer nine million dollars from the Cash Reserve Fund to the Water Contingency Cash Fund.
- Section 4 Repealer.
- Section 5 Emergency clause.

Senator LeRoy Loudon, Chairperson