



Hundredth Legislature - First Session - 2007
Committee Statement
LB 458

Hearing Date: February 28, 2007
Committee On: Natural Resources

Introducer(s): (Carlson)
Title: Require vegetation management in certain streams

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

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

Proponents:

Senator Tom Carlson
Tom Schwarz
Russell Schultz
Levi Whipps
John Thorburn

Bruce Rumsey
Dan Smith
Ed Schrock
Jasper Fanning
Steve Nelson

Nelson Trambly
Frank Albrecht
Gale Lush
Mike Delka
Ken Winston

Representing:

Introducer
Self
Nebraska Weed Control Association
Nebraska Cattlemen; Lazy Y Cattle Company
Tri-Basin Natural Resources District; Nebraska Association of Resources Districts
Twin Valley Weed Management Area
Middle Republican Natural Resources District
South Platte United Chambers of Commerce
Upper Republican Natural Resources District
Nebraska Farm Bureau; Nebraska Water Resources Association; Nebraska State Irrigation Association
Lower Republican Natural Resources District
Game and Parks Commission
Nebraska Farmers Union
Bostwick Irrigation
Nebraska Chapter, Sierra Club

Opponents:
None

Representing:

Neutral:
Ann Bleed

Representing:
Department of Natural Resources

Summary of purpose and/or changes:

LB 458 does the following:

Section 1 Adds reference change.

Section 2 Requires that any integrated management plan in river basins that have been declared fully appropriated or overappropriated include a provision regarding the removal of vegetation, including nonnative invasive species, within the banks of the natural stream which has a negative impact on the basin.

Within six months of the date of the act, any integrated management plan in existence as of the date of the act must be amended to include a provision regarding vegetation removal.

Section 3 Repealer.

Explanation of amendments, if any:

The Committee amendment becomes the bill.

Section 1 Creates a 13-member Riparian Vegetation Task Force consisting of: a representative of the Department of Agriculture, the Department of Natural Resources, the office of the Governor, the office of the State Forester, the Game and Parks Commission, the University of Nebraska, two representatives of the Natural Resources Association; and one riparian landowner from each of the state's congressional districts.

The task force sunsets on June 30, 2009.

Section 2 The task force is to consult with appropriate federal agencies and develop and prioritize vegetation management goals and plans to accomplish them. The task force is to convene within thirty days after the appointment process is complete to elect a chairperson and conduct its business. The primary focus of the task force shall be in river basins that are fully appropriated or overappropriated, and requires the meetings be held in communities within the Platte River and Republican River Basins. A preliminary report to the Governor and the Legislature is to be made by December 15, 2007, and each year thereafter, with the final report due prior to June 30, 2009. The expenses of the task force are to be paid out of the appropriated funds, not to exceed \$25,000 per fiscal year.

Section 3 Statutory reference change.

Section 4 (adds a new subsection (4) Specifies that an appropriation in the amount of \$2 million annually is to be made to the Noxious Weed and Invasive Plant Species Assistance Fund for the management of vegetation within the banks of a natural stream or within one hundred feet of the banks of the channel of any natural stream. These funds are to be used only for activities and equipment as part of a vegetation program to improve streamflow. Preference is to be given to local weed control authorities or natural resources districts whose territory includes one or more fully appropriated or overappropriated river basins as designated by the Department of Natural Resources, with priority for the first year being given to fully appropriated basins that are the subject of an interstate compact or decree. Requires the Game and Parks Commission to assist grant recipients in implementing grant projects.

This subsection sunsets on June 30, 2009.

Section 5 Repealer.

Section 6 Emergency clause.

Senator LeRoy Loudon, Chairperson