

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 493**

Introduced by Langemeier, 23

Read first time January 17, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to irrigation; to amend sections 46-2,131,  
2 46-2,134, and 46-2,135, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to the Water  
4 Policy Task Force; to harmonize provisions; and to repeal  
5 the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 46-2,131, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           46-2,131 The Legislature finds that there are significant  
4 issues relating to the laws of Nebraska governing the management  
5 and use of Nebraska surface water and ground water. The issues to  
6 be examined are: (1) A review of Laws 1996, LB 108, to determine  
7 what, if any, changes are needed to adequately address Nebraska's  
8 conjunctive use management issues; (2) an evaluation of the utility  
9 of allowing temporary water transfers and, if deemed useful,  
10 development of draft legislation and procedures for authorizing  
11 and implementing a temporary water transfer law; (3) an evaluation  
12 of the utility of authorizing additional types of permanent water  
13 transfers and, if deemed useful, development of draft legislation  
14 and procedures for authorizing and implementing additional types of  
15 permanent water transfers; (4) a determination as to the usefulness  
16 of water leasing or transfers and development of a potential water  
17 banking system that would facilitate the temporary or permanent  
18 transfer of water uses; and (5) a determination as to what other  
19 ways, if any, inequities between surface water users and ground  
20 water users need to be addressed and potential actions the state  
21 could take to address any such inequities; and (6) a review  
22 of the research done at the University of Nebraska relating to  
23 implementation of Laws 2004, LB 962, and a recommendation with  
24 respect to necessary research for continued implementation thereof.  
25 To address such issues, the Governor shall appoint a Water Policy

1 Task Force as provided in section 46-2,132.

2           Sec. 2. Section 46-2,134, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           46-2,134 The Water Policy Task Force shall select an  
5 executive committee. The executive committee shall consist of  
6 three representatives from irrigation interests; one representative  
7 from an agricultural organization; one representative from an  
8 environmental organization; one representative from a recreational  
9 organization; one representative of the state at large; one  
10 representative of natural resources districts; one representative  
11 of the Nebraska Power Association; one representative of  
12 municipalities; one representative of the Department of Natural  
13 Resources; one representative of the Attorney General's office;  
14 and the chairperson and vice-chairperson of the Natural Resources  
15 Committee of the Legislature. Each executive committee member shall  
16 be responsible for representing the rest of his or her interest  
17 group on the executive committee. ~~The executive committee shall be~~  
18 ~~responsible for developing the operating rules of the task force~~  
19 ~~and for developing proposals and recommendations to be considered~~  
20 ~~by the entire task force. The executive committee shall apply for a~~  
21 ~~grant of a minimum of three hundred fifty thousand dollars from the~~  
22 ~~Nebraska Environmental Trust Fund prior to the application deadline~~  
23 ~~of September 9, 2002, for grants to be awarded and funded in 2003.~~

24           Sec. 3. Section 46-2,135, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

1                   46-2,135 The Water Policy Task Force shall meet at least  
2 ~~twice~~ once each year to consider the proposals and recommendations  
3 of the executive committee and any other additional times as the  
4 executive committee determines to be necessary to accomplish the  
5 objectives established in section 46-2,131.

6                   Sec. 4. Original sections 46-2,131, 46-2,134, and  
7 46-2,135, Reissue Revised Statutes of Nebraska, are repealed.