

AMENDMENTS TO LB 517

Introduced by Natural Resources

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. The Legislature finds that:

4           (1) Nebraska's water resources are finite and must  
5 be wisely managed to ensure their continued availability for  
6 beneficial use;

7           (2) The state must invest in: (a) Research and data  
8 gathering; (b) further integrating the management of Nebraska's  
9 water supplies; (c) improving the state's aging and antiquated  
10 water supply infrastructure; (d) building new water supply  
11 infrastructure; (e) promoting coordination and collaboration among  
12 all water users; and (f) providing information to policymakers to  
13 justify a stable source of project funds;

14           (3) To determine the costs of effective conservation,  
15 sustainability, and management of Nebraska's water resources, the  
16 state's identified water needs must be compiled and organized and a  
17 process must be established in order to identify statewide projects  
18 and research recommendations; and

19           (4) To facilitate the creation of a funding process, a  
20 collaborative effort of experts representing all water interests  
21 and areas of the state is important to ensure fair and balanced  
22 water funding.

23           Sec. 2. (1) The Water Funding Task Force is created. The

1 task force shall consist of Nebraska Natural Resources Commission,  
2 the Director of Natural Resources or his or her designee, the  
3 chairperson of the Natural Resources Committee of the Legislature  
4 or his or her designee, and ten additional members to be appointed  
5 by the Governor. In appointing members to the task force, the  
6 Governor:

7 (a) Shall seek to create a broad-based task force with  
8 knowledge of and experience with and representative of Nebraska's  
9 water use and economy;

10 (b) Shall give equal recognition to the importance of  
11 both water quantity and water quality;

12 (c) Appoint members representing public power,  
13 public power and irrigation districts, irrigation districts,  
14 municipalities, agriculture, wildlife conservation, livestock  
15 producers, agribusiness, manufacturing, and outdoor recreation  
16 users; and

17 (d) May solicit and accept nominations for appointments  
18 to the task force from recognized water interest groups in  
19 Nebraska.

20 (2) The members of the task force appointed by the  
21 Governor shall represent diverse geographic regions of the state,  
22 including urban and rural areas. Such members shall be appointed  
23 within thirty days after the effective date of this act. Members  
24 shall begin serving immediately following notice of appointment.  
25 Members shall be reimbursed for their actual and necessary expenses  
26 incurred in carrying out their duties as members as provided in  
27 sections 81-1174 to 81-1177.

1           Sec. 3. (1) The Water Funding Task Force may consult  
2 with other groups in its work, including, but not limited to, the  
3 University of Nebraska, the Department of Environmental Quality,  
4 the Game and Parks Commission, the Corps of Engineers of the United  
5 States Army, the United States Geological Survey, the United States  
6 Fish and Wildlife Service, the United States Bureau of Reclamation,  
7 and the Natural Resources Conservation Service of the United States  
8 Department of Agriculture.

9           (2) For administrative and budgetary purposes, the task  
10 force shall be housed within the Department of Natural Resources.  
11 Additional advisory support may be requested from appropriate  
12 federal and state agencies.

13           (3) The task force may meet as necessary and may hire a  
14 consultant or consultants to facilitate the work and meetings of  
15 the task force and enter into agreements to achieve the objectives  
16 of the task force. The task force may create and use working  
17 groups or subcommittees as it deems necessary. Any contracts  
18 or agreements entered into under this subsection shall not be  
19 subject to the Nebraska Consultants' Competitive Negotiation Act or  
20 sections 73-301 to 73-306 or 73-501 to 73-510.

21           (4) The Water Funding Task Force terminates on February  
22 1, 2014.

23           Sec. 4. (1) On or before January 31, 2014, the  
24 Water Funding Task Force shall develop and provide a report  
25 electronically to the Legislature which contains the following:

26           (a) Recommendations for the prioritization of programs,  
27 projects, and activities which are in need of funding and which

1 meet the long-term water funding goals, provide increased water  
2 use productivity, and otherwise maximize the beneficial use of  
3 Nebraska's water resources for the benefit of its citizens. The  
4 recommendations shall give equal consideration to and be classified  
5 into the following categories:

6 (i) Research, data, and modeling needed to assist the  
7 state in meeting its water management goals;

8 (ii) Rehabilitation or restoration of water supply  
9 infrastructure, new water supply infrastructure, or water supply  
10 infrastructure maintenance;

11 (iii) Conjunctive management, storage, and integrated  
12 management of groundwater and surface water; and

13 (iv) Compliance with interstate compacts or agreements or  
14 other formal state contracts for agreements;

15 (b) Ranking criteria established by the task force to  
16 identify recommendations for funding priorities, which criteria are  
17 based on, but not limited to, the following factors:

18 (i) The extent to which the program, project, or activity  
19 assists the state in meeting its obligations under interstate  
20 compacts or decrees or other formal state contracts or agreements;

21 (ii) The extent to which the program, project, or  
22 activity utilizes objectives described in the Annual Report and  
23 Plan of Work for the Nebraska State Water Planning and Review  
24 Process issued by the Department of Natural Resources;

25 (iii) The extent to which the program, project, or  
26 activity has been approved for, but has not received, funding  
27 through an established state program;

1           (iv) The cost effectiveness of the program, project, or  
2 activity relative to achieving the state's water management goals;

3           (v) The extent to which the program, project, or activity  
4 contributes to the state's ability to leverage state dollars with  
5 local or federal government partners or other partners to maximize  
6 the use of its resources; and

7           (vi) The extent to which the program, project, or  
8 activity contributes to multiple water supply management goals,  
9 including, but not limited to, flood control, agricultural  
10 uses, recreation benefits, wildlife habitat, conservation of  
11 water resources, and preservation of water resources for future  
12 generations; and

13           (c) Recommendations for legislation on a permanent  
14 structure and process through which the programs, projects, or  
15 activities described in this section will be provided with funding,  
16 including:

17           (i) A permanent governing board structure and membership;

18           (ii) An application process;

19           (iii) A statewide project distribution mechanism; and

20           (iv) A time frame for funding allocations based on the  
21 list of programs, projects, and activities provided for in this  
22 section; and

23           (d) Recommendations for the annual funding amount and the  
24 start date for distribution of funds.

25           (2) The task force shall make every effort to identify  
26 and consult with all water use stakeholder groups in Nebraska on  
27 the development of the recommendations required under subsection

1 (1) of this section.

2 (3) The task force shall create and distribute a  
3 statewide map that identifies the location of the programs,  
4 projects, and activities identified for funding pursuant to this  
5 section.

6 Sec. 5. Since an emergency exists, this act takes effect  
7 when passed and approved according to law.