

AMENDMENTS TO LB406

Introduced by McDonnell, 5.

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

3 Section 1. The Legislature finds and declares as follows:

4 (1) The future vibrancy of the people, communities, and businesses
5 of Nebraska depends on reliable sources of water;

6 (2) While it is in the state's best interest to retain control over
7 its water supplies, much of the state's water resources are currently
8 underutilized;

9 (3) Well-planned flood control is critical to the future of the
10 people, communities, and businesses of Nebraska;

11 (4) The state's water resources provide economic benefit to the
12 people, communities, and businesses of Nebraska by helping to attract
13 visitors from other states and boost local economies;

14 (5) Nebraska has tremendous water resources across the state,
15 including, but not limited to, the Ogallala Aquifer, Lake McConaughy, the
16 Platte River, the Republican River, and the Missouri River. The state's
17 lakes and rivers help Nebraskans enjoy the water resources in our state
18 and make Nebraska an even more attractive place to live and raise a
19 family;

20 (6) In light of the disruption from the COVID-19 coronavirus
21 pandemic and the trend toward a remote workforce around the country,
22 people around the country are rethinking where they want to work, live,
23 and raise a family. As people consider where to live, access to
24 sustainable water resources and outdoor recreational opportunities will
25 be important considerations in making Nebraska a competitive choice for
26 the future;

27 (7) Studies should be conducted focusing on securing Nebraska's

1 future water supply and strengthening Nebraska's flood control
2 infrastructure, while also considering economic and recreational
3 opportunities, including opportunities from increased tourism, in finding
4 innovative solutions and winning opportunities for the State of Nebraska;

5 (8) Any such studies must not deter ongoing economic activity or
6 fail to protect current investment in the areas under study; and

7 (9) An investment in a one-time series of studies that take
8 advantage of previous studies while including innovative approaches and
9 new technologies is best positioned to find solutions for all Nebraskans,
10 especially Nebraskans living, working, and investing in the areas under
11 study.

12 Sec. 2. (1) The Statewide Tourism and Recreational Water Access and
13 Resource Sustainability Special Committee of the Legislature is hereby
14 established as a special legislative committee to exercise the powers and
15 perform the duties provided in this section. The special legislative
16 committee shall consist of no fewer than seven members of the Legislature
17 as determined by the Executive Board of the Legislative Council. The
18 special legislative committee shall consist of the Speaker of the
19 Legislature, who shall serve as chairperson of the special legislative
20 committee, the chairperson of the Natural Resources Committee of the
21 Legislature, one member of the Appropriations Committee of the
22 Legislature, and at least four other members of the Legislature appointed
23 by the executive board. The appointed members of the special legislative
24 committee shall be members who represent legislative districts comprising
25 portions of the areas under study or who otherwise have knowledge of such
26 areas.

27 (2) The Executive Board of the Legislative Council shall provide
28 staff as required by the special legislative committee from existing
29 legislative staff. In addition, the special legislative committee may
30 hire additional staff, make expenditures for travel, and enter into
31 contracts for consulting, engineering, and development studies. The

1 contracts shall be subject to approval by the executive board upon the
2 recommendation of a majority of the members of the special legislative
3 committee. It is the intent of the Legislature to appropriate two million
4 dollars for fiscal year 2021-22 to carry out the purposes of this
5 section.

6 (3)(a) Studies shall be conducted on:

7 (i) The need to protect public and private property, including use
8 of levee systems, enhance economic development, and promote private
9 investment and the creation of jobs along the Platte River and its
10 tributaries from Columbus, Nebraska, to Plattsmouth, Nebraska;

11 (ii) The need to provide for public safety, public infrastructure,
12 land-use planning, recreation, and economic development in the Lake
13 McConaughy region of Keith County, Nebraska; and

14 (iii) The socioeconomic conditions, recreational and tourism
15 opportunities, and public investment necessary to enhance economic
16 development and to catalyze private investment in the region in Knox
17 County, Nebraska, that lies north of State Highway 12 and extends to the
18 South Dakota border and includes Lewis and Clark Lake and Niobrara State
19 Park.

20 (b) The study of the Lower Platte River pursuant to subdivision (3)
21 (a)(i) of this section shall not include a study of any dam on a Platte
22 River channel, but may include infrastructure options that maintain the
23 integrity of the main channel of the Platte River. The committee may
24 study dams relating to tributaries of the Platte River and levees in such
25 area.

26 (c) The studies regarding Lake McConaughy in Keith County and Lewis
27 and Clark Lake and Niobrara State Park in Knox County shall evaluate the
28 outcomes and the economic benefits of proposed development and
29 improvements to residents, the local region, and state tourism.

30 (4) The special legislative committee may hold hearings and request
31 and receive reports from federal, state, county, city, and village

1 agencies and natural resources districts regarding matters pertaining to
2 such studies. The special legislative committee may hold one or more
3 closed sessions for the receipt of confidential information if at least
4 one-half of the members of the special legislative committee vote in open
5 session to hold a closed session. The special legislative committee may
6 appoint one or more subcommittees for the purpose of receiving public
7 input as it relates to the purposes described in section 1 of this act
8 and this section.

9 (5) The special legislative committee shall endeavor to complete
10 each study on or before December 31, 2021, but such studies shall be
11 completed no later than December 31, 2022.

12 Sec. 3. Since an emergency exists, this act takes effect when
13 passed and approved according to law.