

2016

LEGISLATIVE BILL SUMMARIES

NATURAL RESOURCES COMMITTEE

NEBRASKA LEGISLATURE

ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

NATURAL RESOURCES COMMITTEE MEMBERS

Senator Ken Schilz, Chairperson
Senator Curt Friesen, Vice-Chairperson
Senator Dan Hughes
Senator Jerry Johnson
Senators Rick Kolowski
Senator Brett Lindstrom
Senator John McCollister
Senator Dave Schnoor

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COMMITTEE STAFF

Laurie Lage, Legal Counsel
Barb Koehlmoos, Committee Clerk

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Natural Resources Committee 2016
104rd Legislature

BILL INDEX

- LB 672 (Krist) Eliminate fees on tires as prescribed. *Held in Committee* (p. 32)
- LB 711 (Hughes) Change provisions of the Noxious Weed Control Act and create the Riparian Vegetation Management Task Force. *Held in Committee, amended into LB 1038* (p. 32)
- LB 712 (Hughes) Change provisions relating to the regulation of above ground motor vehicle fuel storage tanks. *Signed by Governor* (p. 11)
- LB 714 (Stinner) Provide for and change a provisions relating to sufficient cause for nonuse of a water appropriation. *Held in Committee* (p. 33)
- LB 736 (Friesen) Change provisions relating to electric utilities and electric suppliers under the Rural Community-Based Energy Development Act. *Signed by Governor* (p. 11)
- LB 737 (Friesen) Change provisions of the Wastewater Treatment Facilities Construction Assistance Act. *Signed by Governor* (p. 12)
- LB 745 (McCollister) Change Game and Parks Commission fee and permit provisions. *Signed by Governor* (p. 13)
- LB 824 (McCollister) Exempt privately developed renewable energy generation facilities from regulation as prescribed. *Signed by Governor* (p. 19)
- LB 863 (Schilz) Adopt the Wind Energy Expansion Act. *Held in Committee* (p. 33)
- LB 881 (Schilz) Change provisions relating to energy financing contracts. *Signed by Governor* (p. 22)
- LB 887 (Schilz) Extend sunset of the Petroleum Release Remedial Action Cash Fund. *Signed by Governor* (p. 22)
- LB 897 (Lindstrom) Allow certain public power agencies to engage in hedging transactions. *Signed by Governor* (p. 23)
- LB 902 (Kolowski) Change the Nebraska Clean-burning Motor Fuel Development Act. *Signed by Governor* (p. 24)
- LB 914 (Schilz) Change compensation for certain members of the Nebraska Power Review Board as prescribed. *General File, amended into LB 824* (p. 30)

- LB 961 (Chambers) Eliminate provisions relating to hunting mountain lions. *Indefinitely Postponed* (p. 36)
- LB 1019 (Davis) Change provisions relating to support of the Niobrara Council by the Game and Parks Commission, require legislative confirmation of certain appointments to the council, and require an annual report. *General File, amended into LB 1038* (p. 30)
- LB 1038 (Davis) Change water appropriation application provisions. *Signed by Governor* (p. 25)
- LB 1070 (Haar) Change power and duties of the Nebraska Oil and Gas Conservation Commission to require liability insurance and restrict permits as prescribed. *Indefinitely Postponed* (p. 36)
- LB 1071 (Haar) Adopt the Solar Energy Economic Development Act. *Held in Committee* (p. 34)
- LB 1082 (Schilz) Change provisions relating to the Nebraska Oil and Gas Conservation Commission and provide for a periodic well fluid analysis, report, and notice as prescribed. *Signed by Governor* (p. 27)
- LB 1100 (Schilz) Adopt the Petroleum Education and Marketing Act. *Indefinitely Postponed* (p. 37)
- LB 1101 (Mello) Require the Department of Environmental Quality to examine the status of solid waste management programs. *Signed by Governor* (p. 28)

2016 NATURAL RESOURCES COMMITTEE BILLS

Bills by Hearing Date

3/21/2016

Hearing	Bill	Introducer	One-Liner	Status
BILLS BY HEARING DATE				
WED. 1-20-16				
	737	Friesen	Change provisions of the Wastewater Treatment Facilities Construction Assistance Act	Signed by Gov 2-24-16
THURS. 1-21-16				
	672	Krist	Eliminate fees on tires as prescribed	Held In Comm
FRI. 1-22-16				
	714	Stinner	Provide for and change a provision relating to sufficient cause for nonuse of a water appropriation	Held In Comm
WED. 1-27-16				
	824	McCollister	Exempt privately developed renewable energy generation facilities from regulation as prescribed Committee priority bill – original bill removed, replaced with LB 914	Signed by Gov 4-19-16
THURS. 1-28-16				
	881	Schilz	Change provisions relating to energy financing contracts	Signed by Gov 4-7-16
	914	Schilz	Change compensation for certain members of the Nebraska Power Review Board as prescribed – amended into LB 824	GF
WED. 2-3-16				
	902	Kolowski	Change the Nebraska Clean-burning Motor Fuel Development Act	Signed by Gov 4-7-16
	745	McCollister	Change Game and Parks Commission fee and permit provisions – Sen. McCollister PB	Signed by Gov 4-18-16
THURS. 2-4-16				

	736	Friesen	Change provisions relating to electric utilities and electric suppliers under the Rural Community-Based Energy Development Act	Signed by Gov 4-6-16
	863	Schilz	Adopt the Wind Energy Expansion Act	Held In Comm
FRI. 2-5-16				
	897	Lindstrom	Allow certain public power agencies to engage in hedging transactions – Sen. Friesen priority bill	Signed by Gov 3-30-16
	887	Schilz	Extend sunset of the Petroleum Release Remedial Action Cash Fund	Signed by Gov 4-7-16
WED. 2-10-16				
	1038	Davis	Change water appropriation application provisions Committee priority bill –includes LB 711, LB 1019, and LB 639	Signed by Gov 4-18-16
THURS. 2-11-16				
	1101	Mello	Require the Department of Environmental Quality to examine the status of solid waste management programs	Signed by Gov 4-7-16
	1071	Haar	Adopt the Solar Energy Economic Development Act	Held In Comm
WED. 2-17-16				
	1070	Haar	Change power and duties of the Nebraska Oil and Gas Conservation Commission to require liability insurance and restrict permits as prescribed	IPP
	1082	Schilz	Change provisions relating to the Nebraska Oil and Gas Conservation Commission and provide for a period well fluid analysis, report, and notice as prescribed – Sen. Stinner priority bill	Signed by Gov 3-30-16
	1100	Schilz	Adopt the Petroleum Education and Marketing Act	IPP

THURS. 2-18-16				
	711	Hughes	Change provisions the Noxious Weed Control Act and create the Riparian Vegetation Management Task Force – <i>amended into LB 1038</i>	Held In Comm
	712	Hughes	Change provisions relating to the regulation of aboveground motor vehicle fuel storage tanks	Signed by Gov 4-6-16
WED. 2-24-16				
	1019	Davis	Change provisions relating to support of the Niobrara Council by the Game and Parks Commission, require legislative confirmation of certain appointments to the council, and require an annual report – <i>amended into LB 1038</i>	GF
THURS. 2-25-16				
	961	Chambers	Eliminate provisions relating to hunting mountain lions	IPP

- In Comm:** Bill is held in committee
- GF:** The committee has advanced the bill to General File
- GF w/AM:** The committee has advanced the bill to General File with a committee amendment
- SF:** The Legislature has voted to advance the bill from the first stage of debate (GF) to Select File
- FR:** The Legislature has voted to advance the bill from the second stage of debate (SF) to Final Reading. If the bill advances from Final Reading it will be sent to the Governor for his signature or veto.
- IPP:** A bill that the committee has killed – indefinitely postponed
- CC:** Consent Calendar
- PB:** Priority bills

2015 NATURAL RESOURCES COMMITTEE BILLS
Carry-Over Bills

LB	Introducer	One-Liner	Status
174	Schilz	Redefine nonpoint source control systems under the Wastewater Treatment Facilities Construction Assistance Act	IPP
86	Davis	Change number of districts and members of Game and Parks Commission	IPP
143	Schilz	Provide training cost reimbursement relating to underground storage tanks	IPP
328	Schilz	Change provisions of the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act	Approved by Gov 3-3-16
585	Schilz	Change provisions relating to director qualifications and employment of personnel at the Department of Natural Resources	IPP
337	Harr	Provide powers and duties to the Department of Environmental Quality relating to the development of a state plan for regulating carbon dioxide emissions.	IPP
536	Haar	Provide for the filing of an annual report by the public power suppliers with the Nebraska Power Review Board	IPP
583	Schilz	Require a state energy plan	IPP – portions amended into LB 469 (2015)
622	Larson	Change provisions relating to the Niobrara Scenic River Act	IPP
208	Schilz	Provide an exemption to water storage reservoir permit requirements as prescribed	IPP
394	Schilz	Prohibit interference with hunting, trapping or fishing by intimidation using a telephone or other communication device	IPP
475	Davis	Change a provision relating to the construction or acquisition of certain electric generation facilities	IPP
130	Watermeier	Change provisions relating to the Water Sustainability Fund	IPP

127	Chambers	Eliminate provisions relating to hunting mountain lions	IPP by committee 1-12-16
404	Davis	Provide for evidentiary hearings relating to certain water-use applications	IPP
117	Haar	Change provisions relating to energy financing contracts	IPP
407	Haar	Change and eliminate provisions relating to certified renewable export facilities as prescribed	IPP
344	Kolowski	Provide natural resources districts with the power to issue general obligation bonds	GF, bracketed IPP
512	Stinner	Provide powers and duties to the Nebraska to the Nebraska Oil and Gas Conservation Commission regarding certain wastewater and charge an assessment of certain costs	IPP
634	Garrett	Provide for issuance of permits under the Game Law	GF w/AM
636	Garrett	Provide for a discounted permit under the Game Law for deployed military members and spouses on leave	IPP
637	Garrett	Provide for resident permits under the Game Law for spouses of military personnel as prescribed	IPP
664	Chambers	Provide duties for the Nebraska Oil and Gas Conservation Commission relating to disposal of wastewater	IPP

SUMMARIES OF ENACTED BILLS

LB 712

LB 712 repeals statutes that require the State Fire Marshal to register all permanently located above-ground storage tanks used for the storage or dispensing of hazardous substances. The registration program is no longer needed because the federal Emergency Planning and Community Right-To-Know Act requires the same information to be provided to the Nebraska Department of Environmental Quality. The bill also makes a clarification to the statute authorizing the State Fire Marshal to permit motor vehicle fuel storage tanks and allowing the agency to permit tanks according to rule and regulation.

Final Bill

Section 1 amends 25-21,255, in the statutes on civil procedure, in actions and proceedings related to environmental audits, by eliminating from the definition of “environmental requirement” the language requiring the registration of all permanently located aboveground storage tanks used for storage and dispensing hazardous substances.

Section 2 amends 81-1577.01, the State Environmental Protection Act statute on motor vehicle fuel storage above ground tanks, by eliminating language allowing such storage tanks to remain aboveground if they were in place in 1959, and by eliminating the size limitation of the cities and tank capacity, leaving the State Fire Marshal to permit these tanks according to rule and regulation.

Section 3 repeals the original sections.

Section 4 repeals outright 81-1575, 81-1576, and 81-1577. These statutes provide for the registration system for hazardous substances storage tanks.

LB 736

LB 736 clarifies the Community-Based Energy Development (C-BED) Act to ensure all Nebraska electric utilities have the option of negotiating a contract for energy output from a C-BED project. The bill does this by replacing the more limited definition of “electric utility” with the more inclusive definition of “electric supplier.”

Final Bill

Section 1 amends 70-1903, which provides definitions for the Rural Community-Based Energy Development Act, by eliminating the definition of “electric utility” and adding a definition of

“electric supplier.” Electric supplier means a public power district, a public power and irrigation districts, an individual municipality, a registered group of municipalities, an electric membership association, or a cooperative.

Section 2 amends 70-1904, which lists the requirements for participating in a C-BED project, by clarifying that it is an electric supplier, rather than an electric utility, that is authorized to enter into a power purchase agreement.

Section 3 amends 70-1905, which lists the electric utility duties under the C-BED law, by clarifying that it is an electric supplier rather than an electric utility that has duties, and by eliminating the requirement that utilities post information on their websites about their participation in C-BED projects.

Sections 4 and 5 amend 70-1906, which requires a utility needing to construct a new renewable generation facility to consider C-BED projects, and 70-1908, which states that a utility is not obligated to enter into a power purchase agreement, by removing reference to an electric utility and replacing it with electric supplier.

Section 6 amends 77-2704.57, which provides for the taxation of personal property used in C-BED projects, by harmonizing the updated definition of “electric supplier.”

Section 7 repeals the original sections.

LB 737

The Clean Water State Revolving Fund (CWSRF) is a federal-state partnership that provides low-cost financing for water quality infrastructure projects. A federal infrastructure reform bill passed in 2014 that expanded eligibility for water resources projects, extended financing terms for loans, and increased the amount of funds that could be used by the state for administration. LB 737 expands eligible funded activities for public entities seeking low-interest loans through the Nebraska CWSRF.

Final Bill

Section 1 amends 81-15,149, which provides definitions for the Wastewater Treatment Facilities Construction Assistance Act, by adding “land” to the wastewater treatment works definition so that the fund can be used for acquisition of land for wastewater treatment works.

Section 2 amends 81-15,150, which states the purposes for which the fund may be used, by deleting the narrowly stated purposes and inserting that the fund may be used pursuant to the Wastewater Treatment Facilities Construction Assistance Act, in addition to the Clean Water

Act.

Section 3 amends 81-15,151, which states the manner in which a state may use funds for administration of the program, by adding that, in addition to up to four percent of the EPA capitalization grants, the state may choose \$400,000 per year, or the equivalent of 1/5 (.20) percent per year of the current valuation of the fund for administration.

Section 4 amends 81-15,154, which lists the categories of loan eligible items, by expanding the funding categories to public entities, including acquisition of land and interests in land necessary for construction, water conservation and efficiency, development and implementation of watershed projects, and measures to increase the security of treatment works.

Section 5 amends 81-15,155, which lists the loan terms, by adding that capacity for domestic and industrial growth must be provided up to the term of the loan, but no less than 20 years.

Section 6 amends 81-15,156, which provides the loan term, by allowing at least 30 year loan terms or for the useful life of the project, whichever is less. Further makes reference to the changed loan term.

Section 7 repeals the original sections.

LB 745

LB 745 increases specific fees, increases the caps on user fees, and increases the allowed growth rate for a variety of fees that the Nebraska Game and Parks Commission is authorized to charge for permits, stamps, and licenses. The proposed increases will fund the commission's duties and activities related to hunting and fishing, and maintaining and operating Nebraska's park and recreation activities

Final Bill

Sen. McCollister provided a detailed chart explaining the content of the bill.

Sec.	Statute(s) Effected	Description	Change From Existing Law
1	37-327 (1) Amended	Empowers Game and Parks Commission to establish fees for licenses, stamps, bands, registrations	Changes the look-back period that limits the percentage amount of fee increases. The current limit only takes

		and certificates that are issued under the Game Law and Boat Act. The Commission's authority to increase these fees is limited to 6% per year. If a fee is not increased by 6% in a given year, then in the next year the Commission can take the difference between that year's increase and 6% and add it to the 6% increase it is allowed in the current year. The fees are set following a formal process with public notice.	into account fee increases adopted in the year preceding the year in question. The amendment would take into account the cumulative increases in the preceding two years. The Commission's authority to increase fees would be limited to 6% for each of three years – the year in question plus each of the two preceding years.
2	37-405 (1) Amended	Prescribes terms for applications for permits to hunt, fish or harvest fur.	Eliminates the requirement that applicants include complete Social Security numbers on applications for permits to harvest fur and replaces it with the requirement that the last four digits of all applicants' Social Security numbers are included on all applications.
3	37-406(1) Amended	Empowers Game and Parks Commission to issue licenses, permits and stamps required under the Game Law and establishes a fee to cover clerical processing expenses that is charged to the applicant by the Commission or by the shops and businesses that the Commission authorizes to issue them.	Eliminates the minimum of fifty cents for these fees and increases the maximum (cap) from two dollars to three dollars.
4	37-407 (3) Amended	Limits the amount of the fees for hunting, fishing and fur harvesting for Nebraska residents.	The maximum fee for an annual hunting permit is increased from thirteen dollars to eighteen dollars. The maximum fee for an annual fishing permit is increased from seventeen dollars and fifty cents to twenty-four dollars. The maximum fee for a three-day fishing permit is increased from eleven dollars and fifty cents to fifteen dollars. The maximum for a one-day fishing permit is increased from eight dollars to nine dollars. The maximum fee for an annual combined hunting and fishing permit

			is increased from twenty-nine dollars to thirty-nine dollars.
4	37-407 (4) Amended	Limits the amount of fees for hunting, fishing and fur harvesting for non-residents of Nebraska.	<p>The maximum fee for an annual hunting permit for a non-resident age 16 or older is increased from eighty dollars to one-hundred and six dollars.</p> <p>The maximum fee for a two-day hunting permit is increased from fifty-five dollars to seventy-three dollars.</p> <p>The maximum fee for a one-day fishing permit is increased from nine dollars to twelve dollars.</p> <p>The maximum fee for a three-day fishing permit is increased from sixteen dollars and fifty cents to twenty-two dollars.</p> <p>The maximum fee for an annual fishing permit is increased from forty-nine dollars and fifty cents to sixty-six dollars.</p> <p>The maximum fee for an annual combined hunting and fishing permit for a person aged 16 or older is increased from one-hundred and fifty dollars to one hundred and fifty-nine dollars.</p>
5	37-415 (1) Amended	Limits the amount of fees to Nebraska residents for lifetime fur-harvesting, fishing, hunting or combination hunting and fishing permits.	<p>The maximum fee for a lifetime hunting permit is increased from two hundred, ninety-nine dollars to three hundred ninety-six dollars.</p> <p>The maximum fee for a lifetime fishing permit is increased from three hundred forty-five dollars to four hundred fifty-seven dollars.</p> <p>The maximum fee for a lifetime combination hunting and fishing permit is increased from five hundred ninety-eight dollars to seven hundred ninety-two dollars.</p>
5	37-415 (3) Amended	Limits the amount of fees to non-residents of Nebraska for lifetime fishing, hunting or combination hunting and fishing permits.	The maximum fee for a lifetime hunting permit is increased from twelve hundred fifty dollars to one

			<p>thousand five hundred sixty-two dollars.</p> <p>The maximum fee for a lifetime fishing permit is increased from eight hundred fifty dollars to one thousand one hundred twenty-five dollars.</p> <p>The maximum fee for a combination hunting and fishing permit is increased from two thousand dollars to two thousand three hundred and forty-two dollars.</p>
5	37-415 (4) Amended	Limits the fee charged to replace a lost or destroyed lifetime permit.	The minimum of one dollar and fifty cents is eliminated.
6	37-420 (1) Amended	Allows issuance of permits and stamps at no fee to disabled veterans who are Nebraska residents and meet stated qualifications.	Permits for fur harvesting are added to the list of free permits and stamps.
7	37-421 (1) Amended	Allows issuance of annual permits and stamps for a fee of five dollars to veterans and to residents age sixty-nine or older.	Permits for fur harvesting are added to the list of five dollar fee permits and stamps.
8	37-421.01 (1) Amended	Allows a one-time combination of annual permits and stamps to be issued to a Nebraska resident deployed out of state with a branch of the United States military for a fee of five dollars.	Permits for fur harvesting are added to the list of one-time annual permits.
9	37-426 (2)(c) Amended	Allows issuance of lifetime aquatic habitat stamps upon application and payment of the fee.	The maximum fee of two hundred dollars is eliminated and a new fee maximum equal to twenty times the fee for an annual aquatic habitat stamp is established.
9	37-426 (5)(b) Amended	Allows issuance of annual and multi-year habitat stamps for set fees.	The fee for an annual habitat stamp is increased from twenty dollars to twenty-five dollars. The fee for a multi-year habitat stamp is increased to twenty-five dollars times the number of years the multi-year hunting permit is valid.
9	37-426 (5)(c) Amended	Allows issuance of aquatic habitat stamps issued in conjunction with fishing permits upon payment of stated fees.	The fee for an aquatic habitat stamp for an annual or three-day fishing permit or combination hunting and fishing permits is increased from ten dollars to fifteen dollars.

			<p>The fee for an aquatic habitat stamp for a multiple-year fishing or combination hunting and fishing permit is increased from ten dollars to fifteen dollars times the number of years the permit is valid.</p> <p>The maximum two hundred dollar fee for an aquatic habitat stamp for lifetime fishing or combination hunting and fishing permits is eliminated and replaced by a new fee of not more than twenty times the fee for an annual aquatic habitat stamp.</p>
9	37-426 (5)(d) Amended	Allows issuance of annual and multi-year migratory waterfowl stamps upon payment of stated fees.	<p>The minimum fee for an annual migratory waterfowl stamp is established at ten dollars.</p> <p>The fee for a multi-year migratory waterfowl stamp is increased to a maximum equal to the annual fee times the number of years the multi-year hunting permit or combination hunting and fishing permit is valid.</p>
10	37-438 (2) Amended	Allows issuance of annual motor vehicle park permits for residents and non-residents.	<p>The fee for an annual resident motor vehicle park permit is increased from a maximum of twenty-five dollars to a minimum of thirty dollars and a maximum of thirty-five dollars.</p> <p>The fee for an annual nonresident motor vehicle permit is increased from a maximum of thirty dollars to a minimum equal to the resident fee and a maximum of forty-five dollars.</p>
10	37-438 (3) Amended	Allows issuance of temporary motor vehicle park permits valid until noon of the next day upon payment of the stated fees.	<p>The fee for a temporary permit for a resident vehicle is increased from a maximum of five dollars to a minimum of six dollars and a maximum of seven dollars.</p> <p>The fee for a temporary permit for a nonresident vehicle is increased from a maximum of six dollars to a minimum equal to the fee for a resident vehicle and a maximum of eight dollars.</p>

11	37-447 (4)(a) Amended	Establishes maximum fees for certain resident and nonresident deer hunting permits.	Allows the Commission to charge a nonrefundable application fee of not more than seven dollars for certain deer permits. Increases the maximum fee for certain resident deer permits from twenty-nine dollars to thirty-nine dollars. Increases the maximum fee for certain nonresident deer permits from two hundred fourteen dollars to two hundred eighty-four dollars.
11	37-447 (4)(b) Amended	Establishes the fee for statewide buck-only deer hunting permits at a maximum of two and one-half times the fee for a regular deer permit, and allows different fees for different species.	Allows the issuance of the statewide buck-only deer permit limited to white-tailed deer at an unchanged maximum fee. Allows a statewide buck-only permit for mule deer for a maximum fee of five times the regular deer permit. The general authority to provide different fees for different species is eliminated.
12	37-449 (2) Amended	Establishes maximum fees for permits for hunting antelope.	The maximum fee for a resident antelope hunting permit is increased from twenty-nine dollars to thirty-nine dollars. The maximum fee for a nonresident antelope hunting permit is increased from one hundred forty-nine dollars and fifty cents to one hundred ninety-eight dollars.
13	37-450 (2)	Establishes maximum fees for permits for hunting elk.	The maximum nonrefundable application fee for a resident elk permit is increased from eight dollars and fifty cents to twelve dollars. The maximum resident fee to hunt elk is increased from one hundred forty-nine dollars to one hundred ninety-eight dollars. The nonresident fee to hunt elk is made equal to three times the amount of the resident elk permit.
14	37-451 (2) Amended	Establishes a nonrefundable application fee for resident permits to hunt mountain sheep.	The maximum nonrefundable resident fee is increased from twenty-five dollars to thirty-four dollars.

15	37-457 (2) Amended	Establishes fees for permits to hunt wild turkey.	The maximum fee for a resident turkey hunting permit is increased from twenty-three dollars to thirty-one dollars. The maximum fee for a nonresident turkey hunting permit is increased from ninety-five dollars to one hundred twenty-six dollars.
16	37-484 Amended	Authorizes licenses to establish game breeding and controlled shooting areas to propagate, preserve and shoot game birds.	The maximum fee for a license is increased from one hundred forty-nine dollars and fifty cents to one hundred ninety-eight dollars.
17	37-490 Amended	Establishes hunting season for upland game birds and mallard ducks on game breeding and controlled shooting areas.	The last day of the hunting season is changed from April 1 to April 15 each year.
18	37-497 (2) Amended	Authorizes issuance of falconry permits upon stated conditions.	The maximum fee for a falconry permit issued to a person aged twelve to seventeen is increased from seventeen dollars to twenty-three dollars. The maximum fee for a falconry permit issued to a person eighteen years of age or older is increased from forty-six to sixty-one dollars.
18	37-497(3) Amended	Authorizes permits for captive propagation of raptors.	The maximum fee for a captive propagation permit is increased from two hundred thirty dollars to three hundred five dollars.
18	37-497 (4) Amended	Authorizes raptor collecting permits issued to nonresidents upon stated conditions.	The maximum fee for a nonresident raptor collecting permit is increased from two hundred dollars to two hundred sixty-five dollars.
19	37-4,111 Amended	Authorizes permits for taking of paddlefish.	A nonrefundable application fee in the amount of seven dollars is authorized in addition to the stated permit fees.
20	Repealer	Original sections amended by the bill are repealed.	

LB 824

LB 824 exempts privately developed renewable energy generation facilities from regulation as

prescribed. The bill simplifies the regulatory process for expanding wind power in Nebraska and gives private enterprise the right to build wind energy facilities and to compete in the regional marketplace. Privately developed renewable energy generation facilities (private facilities) are exempt from NPRB application requirements IF:

- Written notice is provided to the NPRB of intention to construct a facility;
- NPRB has received certification that all statutory requirements for a facility will be met, local decommissioning requirements will be complied with, and that a decommissioning plan will be submitted obligating facility to bear all decommissioning costs and that a security bond at the 10th year of operation will be provided to the NPRB;
- NPRB has received certification that the private facility will enter into a joint transmission development agreement with the transmission facility with which it will interconnect;
- NPRB has received certification that the Game and Parks Commission has been consulted on the project.

LB 914 was amended into LB 824.

Final Bill

Section 1 amends 70-670, which provides for the eminent domain procedures for public power and irrigation districts, by limiting the use of eminent domain against privately developed renewable energy generation facilities by consumer-owned electric suppliers in Nebraska.

Section 2 amends 70-1001, which provides a declaration of policy for the Nebraska Power Review Board (NPRB), by declaring that it's the state's policy to encourage and allow private development of renewable energy facilities when the product is intended for sale at wholesale.

Section 3 amends 70-1001.01, which provides definitions related to the NPRB, by eliminating the definitions of "certified renewable export facility" and "stranded asset," which are no longer needed in this section of law, and providing definitions for "private electric supplier" and "privately developed renewable energy generation facility."

Section 4 amends 70-1003, which creates for the membership of the Nebraska Power Review Board, by adding that members designated to represent the board on the Southwest Power Pool Regional State Committee is to receive \$250 each day actually and necessarily engaged in the performance of his or her duties. Any such compensation is not to exceed \$20,000 in any one year. Proxies fulfilling such duties are to receive the same benefit, but total payments to board members are not to exceed \$25,000 in any one year.

Sections 5 through 9 amend 70-1012, 70-1012.01, 70-1013, 70-1014, which provide application procedures for electric generation facilities and transmission lines, and 70-1014.01, which

provides for special generation applications, by exempting privately developed renewable energy generation facilities from each section if the provisions in 70-1014.02 are met.

Section 10 amends 70-1014.02, which contains the certified renewable export facilities (or “wind for export”) procedures, by eliminating those provisions and replacing them with provisions authorizing privately developed renewable energy generation facilities. These provisions:

- Exempt privately developed renewable energy generation facilities from having to get NPRB approval if the facility owner meets certain conditions, including:
 - Providing written notification to the NPRB of its intention to construct a facility;
 - Certifying to the NPRB that it will meet the requirements for such a facility;
 - Certifying to the NPRB that the private electric supplier will comply with local decommissioning requirements and submit a decommissioning plan obligating the supplier to bear all decommissioning costs and requiring that a security bond at the 10th year of operation be provided to the NPRB – a local government decommissioning plan preempts NPRB’s decommissioning plan jurisdiction;
 - Certifying that the private electric supplier has or will enter into a joint transmission development agreement with the owner of the transmission facilities with which it will interconnect; and
 - Certifying that the Game and Parks Commission has been consulted.
- Allow the NPRB to bring an action for failure to comply with these provisions, with limited exceptions; and
- Require the joint transmission development agreement to contain certain provisions.

If the facility meets these requirements, the NPRB is to provide written acknowledgement that the facility is exempt from NPRB application procedures.

Clarifies that: eminent domain may not be used against the private facility’s property, only consumer-owned electric suppliers have eminent domain authority, private facilities do not have the power of eminent domain, but a consumer-owned electric supplier using eminent domain for transmission for a private facility is a public use.

Further clarifies that a private electric supplier may not sell or deliver electricity at retail in Nebraska, and that a Nebraska consumer-owned electric supplier may decide whether to enter into a joint agreement with a private electric supplier.

Section 11 amends 70-1015, which prohibits unauthorized construction, by clarifying that the NPRB may enjoin attempts to construct or finalize acquisition of facilities, or serve customers in violation of the Chapter 70, article 10 statutes.

Sections 12, 13 and 14 clean-up language in statutes that address electric transmission line approval, C-BED, and the renewable energy generation facility nameplate capacity tax.

Section 15 adds new language that corrects the amount to be appropriated for the salary change.

Section 16 repeals the original sections.

LB 881

LB 881 expands the use of energy financing contracts for participating governmental units to finance new equipment in new facilities that reduce wastewater, energy or consumption and to allow an engineer's review to be based on operational savings, capital savings or revenue enhancement outcomes. The bill also clarifies that a performance bond cover the cost of implementation, installation, or construction of the energy conservation measures under the contract.

Final Bill

Section 1 amends 66-1062, which contains definitions for the energy financing contracts statutes, by adding to the definitions of "energy conservation measure" and "energy financing contract." The new language adds equipment and measures designed to reduce consumption, enhance revenue, or reduce costs.

Section 2 amends 66-1064, which lists the powers and duties of the participating governmental unit, by providing that the review done by the professional engineer may be based on revenue enhancement outcomes, not just financial savings, and that operational or capital savings or revenue enhancements may be considered in addition to reducing energy consumption.

Section 3 amends 66-1065, which lists the required content of energy financing contracts, by adding that utility, wastewater or water cost savings or revenue enhancements are to be described, allowing surplus savings to be applied to future years, and requiring that a performance bond cover the cost of implementation, installation or construction of the energy conservation measures under the contract. Design, modification, commissioning, maintenance, and financing of conservation measures are removed from coverage under the performance bond.

Section 4 repeals the original sections.

LB 887

LB 887 extends the date for eligible reimbursement claims under the Petroleum Release Remedial Action Act from June 30, 2016 to June 30, 2020. The Petroleum Release Remedial Action Reimbursement Fund was established to help pay remediation costs of owners and operators of facilities that have leaking petroleum tanks.

Final Bill

Section 1 amends 66-1519, which creates the Petroleum Release Remedial Action Cash Fund, by allowing reimbursement from the fund for the costs of remedial action taken by a responsible party of the department in response to a release reported before June 30, 2020.

Section 2 amends 66-1523, which provides the reimbursement terms under the fund, by allowing reimbursement for remedial action costs for releases reported before June 30, 2020.

Section 3 amends 66-1525, which provides reimbursement application procedures, by allowing for applications based on releases reported before June 30, 2020.

Section 4 amends 66-1529.02, which describes remedial actions by the department, by allowing action using the fund in response to releases reported before June 30, 2020, as long as certain other conditions exist.

Section 5 repeals the original sections.

Section 6 contains an emergency clause.

LB 897

LB 897 authorizes generating public power districts buying or selling within a regional transmission organization to engage in commodity futures financial hedging transactions with products regulated under the federal Commodity Futures Trading Commission for fuel, power, or energy. Further limits the authority to granting a security interest in and a lien on future account contracts or funds designated for such commodity futures financial hedging transactions.

Final Bill

Section 1 amends 10-1103, which provides definitions for the Nebraska Governmental Unit Security Interest Act, by adding reference to the bonds described in this act under the definition of "bond."

Section 2 creates new language that:

- Provides that the definition of “generating power agency” is the same as in Ch. 70, art. 6, where it is described as a district, individual municipality, or group of municipalities registered with the Nebraska Power Review Board and engaged in the generation and transmission of electrical energy;
- Provides that the definition of “regional transmission organization” is the same as in 70-1001.01, which is an entity independent from those entities generating or marketing electricity at wholesale or retail, which has operational control over the electric transmission lines in a designated geographic area in order to reduce constraints in the flow of electricity and ensure that all power suppliers have open access to transmission lines for the transmission of electricity;
- Authorizes a generating power agency buying or selling within a regional transmission organization to engage in commodity futures financial hedging transactions with products regulated under the federal Commodity Futures Trading Commission for fuel, power or energy;
- Authorizes the generating power agency to grant a security interest in and lien on its commodity futures account contracts or funds used for transactions in an amount not to exceed 5% of its annual gross revenue averaged over the preceding three calendar years;
- Requires the generating power agency’s board to authorize the use of such transactions by resolution or other approved agreement;
- Clarifies that this bill does not authorize granting a security interest in or lien on any other funds, assets, facilities, or property of a generating power agency, only what is specifically authorized in the language;
- Clarifies that this bonds authorized in this section are bonds as defined in 10-1103.

Section 3 Requires assignment of this new language to Chapter 70, Article 6, the statutes covering public power and irrigation districts.

Section 4 repeals the original section.

LB 902

LB 902 clarifies language in the Nebraska Clean-burning Motor Fuel Development Act, passed in 2015, which provides rebates and incentives for qualified clean alternative fuel vehicles and for the conversion of vehicles to clean alternative fuels using certified or approved conversion

systems. The bill clarifies that rebates are for ethanol flex fuel dispensers, not ethanol vehicles; eligible vehicles only qualify for one rebate that follows the vehicle rather than the owner; and that up to 10 percent of the funds may be used for administrative costs of the program.

Final Bill

Section 1 amends 66-202, which provides definitions for the Nebraska Clean-burning Motor Fuel Development Act, by adding to the definition of “qualified clean-burning motor vehicle fuel property” that rebates for conversions to dual fuel or bi-fuel systems utilizing ethanol are eligible for rebates, and clarifying that new vehicles that are designed to use an ethanol blend are not eligible for rebates.

Section 2 amends 66-203, which provides for the rebate for qualified clean-burning motor vehicle fuel property, by adding that no such property shall qualify for more than one rebate.

Section 3 amends 66-204, which creates the Clean-burning Motor Fuel Development Fund, by adding that the State Energy Office may use the fund for necessary administrative costs not to exceed 10 percent of the fund annually, and ensuring that funds are available only for rebates for flex-fuel dispensers, rather than the more broadly stated conversion of vehicles to allow the use of gasoline with at least 15% by volume ethanol.

Section 4 repeals the original sections.

LB 1038

LB 1038 allows an appropriation for the manufacturing of hydropower to be changed to an instream basin-management appropriation if certain conditions are met.

LB 1019, LB 711 and LB 639 were amended into LB 1038 and are described below.

Final Bill

(LB 711)

Section 1 amends 2-945.01, which cites the Noxious Weed Control Act, by placing the new provisions within that act.

Section 2 amends 2-958.02, which provides for the use of funds in the Noxious Weed and Invasive Plant Species Assistance Fund, by adding reference to invasive plant species, removing the sunset date provisions, removing the fully or overappropriated status requirement, removing obsolete language, and authorizing the director to annually apply for conservation funding.

Section 3 creates new language that creates the Riparian Vegetation Management Task Force, requires the Governor to make appointments, provides new member requirements, allows any Legislative member to serve as nonvoting, ex officio, and houses the task force within the Department of Agriculture.

Section 4 creates new language that requires the task force to develop and prioritize vegetation management goals and objectives, analyze cost effectiveness of treatment, and develop policies to achieve the goals and objectives. Requires an annual report to the Governor and Legislature, and states Legislative intent that expenses not exceed \$25,000 of the total appropriation to the program per fiscal year.

Section 19 repeals outright 2-967 and 2-968.

(LB 639)

Sections 5 through Section 11 and Section 17 amend Chapter 39 sections relating to the Interstate Bridge Act of 1959 and state highways, by adding new language that directs the Department of Roads to create a vegetation control program and to establish a procedure that will allow for the issuance of permits to third parties that authorize the cutting or trimming of vegetation that obstructs or obscures lawfully placed advertising signs or devices. The permit, valid for thirty days, is applicable to only one sign, device, or display location, and shall be issued upon payment of a fee to be determined by the Department, not to exceed \$50.

Any applicant for a permit shall provide to the Department, in an amount to be determined by the Department, a deposit, check, or bond that shall be forfeited if the permittee violates the permit or any requirement established by the Department. Additionally the permittee shall provide proof of a liability policy of insurance of at least \$1 million along with a signed release agreeing that the permittee assumes all risk and liability for any accident or damage that may result from the work to be performed.

(LB 1038)

Section 12 amends 46-290, which provides the procedure for changing or transferring a surface water appropriation, by allowing an appropriation for manufacturing of hydropower to be changed in the full amount to an instream basin-management appropriation if jointly held by the Game and Parks Commission and any NRDs, to maintain the functional stream flow for conservation of fish and wildlife and for recreation that existed by the manufacturing of hydropower and to assist in the implementation of integrated management of ground water and surface water resources. Further adds that maintenance is a purpose for which a transfer or change may be approved.

States that a transfer or change allowed under this act shall maintain the priority date and preference category of the original appropriation, shall be subject to condemnation and subordination just like the hydropower right, and allows a subordination agreement holder to be allowed to enter into a new agreement for the original terms and at no additional cost.

Section 13 amends 70-668, which states the priority of water rights under the public power statutes, by adding that using water for agricultural purposes has preference over use for instream basin-management purposes.

Section 14 amends 70-669, which provides for just compensation paid to users of water for power purposes, by adding that just compensation paid to a holder of an instream basin-management appropriation is the cost per acre-foot of water subordinated for the hydropower right at the time of the transfer. The compensation must be adjusted annually per the Consumer Price Index or a comparable index.

(LB 1019)

Section 15 amends 72-2007, which creates the Niobrara Council, by requiring appointments to the council to be confirmed by the Legislature.

Section 16 amends 72-2008, which lists the mission and duties of the Niobrara Council, by allowing the Game and Parks Commission to provide budgetary, operational, and programmatic support to the council, eliminating the cap on support of \$50,000 per year, and requiring the council to make an annual report to the Legislature describing expenditures.

Section 18 repeals the original sections.

LB 1082

1082 was introduced in response to recommendations made in an interim study on the Nebraska Oil and Gas Conservation Commission's permitting practices on Class II underground injection wells. The bill changes the policy and purpose statement of the commission, eliminating the encouragement that it promote the industry and replacing it with language that supports development of the industry in a responsible manner while promoting health, safety and environment of Nebraska residents.

The bill requires that notice of an application for a commercial injection well be provided to the affected local governing body where the well would be located and that operators of Class II injection wells sample and analyze fluids injected into wells at least once annually and provide the data to the commission. The bill authorizes the commission to conduct periodic sampling

and reporting of injection fluids; monitor produced water transporters, conduct periodic evaluations of financial assurance requirements, and conduct public informational meetings and forums for public interaction on permit applications.

Section 1 eliminates the original language found in 57-901, which provides the purpose of the Oil and Gas Conservation Commission, and replaces it with a policy and purpose statement for the commission; eliminates the encouragement that the commission promote the industry and replaces it with language that supports development of the industry in a responsible manner while promoting health, safety and environment of Nebraska residents; and provides that open communication with the public be facilitated.

Section 3 amends 57-905, which provides the authorities and duties of the Oil and Gas Conservation Commission, by adding that the commission is authorized to require periodic sampling and reporting of injection fluids, to monitor produced water transporters, and to require periodic evaluation of financial assurance requirements on Class II commercial underground injection wells. Further authorizes the commission to conduct public informational meetings on permit applications, and requires the commission, when it receives a commercial underground injection well permit application, to notify and provide application copies to the county, city or village and the natural resources district where the well would be located.

Section 4 creates new language that requires a Class II underground injection well to sample and analyze the fluids injected into each disposal well no less than once annually and to report findings to the commission.

Sections 2, and 5 through 16 amend various statutes related to the responsibilities of the Oil and Gas Conservation Commission by adding reference to the new language in this bill.

Section 17 amends 81-1531.01, which describes application of the Nebraska Environmental Protection Act, by adding that wells covered under this bill are not subject to the act.

Section 18 repeals the original sections.

LB 1101

LB 1101 requires the Department of Environmental Quality to conduct a comprehensive review of the state's solid waste management programs, to create an advisory committee, hire consultants, and to make recommendations for program updates. The bill authorizes the use of the Waste Reduction and Recycling Incentive Fund to cover the cost of the review.

Details of Final Bill

Section 1 amends 81-15,158.01, which cites the statutes that are to be known as the Waste Reduction and Recycling Incentive Act, by adding reference to the new language.

Section 2 creates new language requiring the Department of Environmental Quality to conduct a study of the status of solid waste management programs operated by the DEQ and make recommendations for updates. Further requires the DEQ to create an advisory committee, submission of a report, and authorizes the hiring of consultants for the study.

Section 3 amends 81-15,160, which creates the Waste Reduction and Recycling Incentive fund, by deleting obsolete language, and authorizing the use of the fund for the study required in this bill.

Section 4 repeals the original sections.

SUMMARIES OF BILLS ADVANCED, INDEFINITELY POSTPONED AT END OF SESSION

LB 914

LB 914 sought to establish compensation for the member of the Power Review Board chosen to represent Nebraska on the Southwest Power Pool Regional State Committee, which required additional duties and hours of service.

LB 914 was amended into LB 824 by AM 2611.

Details of bill advanced

Section 1 amends 70-1003, which creates for the membership of the Nebraska Power Review Board, by adding that members designated to represent the board on the Southwest Power Pool Regional State Committee is to receive \$250 each day actually and necessarily engaged in the performance of his or her duties. Any such compensation is not to exceed \$20,000 in any one year. Proxies fulfilling such duties are to receive the same benefit, but total payments to board members are not to exceed \$25,000 in any one year.

Section 2 repeals the original section.

LB 1019

LB 1019 sought to require appointments to the Niobrara Council to be confirmed by the Legislature; allow the Game and Parks Commission to provide budgetary, operational, and programmatic support to the council; eliminate the \$50,000 cap on support from the Game and Parks Commission to the council; and require the council to submit an annual report to the Legislature describing expenditures.

LB 1019 was amended into LB 1038 by AM 2675.

Details of bill advanced

Section 1 amends 72-2007, which creates the Niobrara Council, by requiring appointments to the council to be confirmed by the Legislature.

Section 2 amends 72-2008, which lists the mission and duties of the Niobrara Council, by

allowing the Game and Parks Commission to provide budgetary, operational, and programmatic support to the council, eliminating the cap on support of \$50,000 per year, and requiring the council to make an annual report to the Legislature describing expenditures.

Section 3 repeals the original sections.

SUMMARIES OF BILLS HELD IN COMMITTEE, INDEFINITELY POSTPONED AT END OF SESSION

LB 672

LB 672, introduced by Sen. Krist, would have eliminated the \$1 fee per tire after October 1, 2016, thus eliminating the fees used for scrap tire grants.

Section-by-section description

Section 1 amends 81-15,159.02, which provides the definitions for the Waste Reduction and Recycling Incentive Act, by adding to the definition of "tire retailer" that this subdivision terminates on January 1, 2017.

Section 2 amends 81-15,162, which provides for the fee on tires, by only imposing the fee on tires if they were sold at retail before October 1, 2016. Further states that this section terminates on January 1, 2017.

Section 3 amends 81-15,164, which provides the manner in which fees are to be collected under the act, by imposing a termination date of January 1, 2017 for the Waste Reduction and Recycling Incentive Act.

Section 4 amends repeals the original sections.

LB 711

LB 711, introduced by Sen. Hughes, proposed that the Riparian Vegetation Management Task Force be put back into effect.

Section-by-section description:

Section 1 amends 2-945.01, which cites the Noxious Weed Control Act, by placing the new provisions within that act.

Section 2 amends 2-958.02, which provides for the use of funds in the Noxious Weed and Invasive Plant Species Assistance Fund, by adding reference to invasive plant species, removing the sunset date provisions, and requiring the director of the Department of Agriculture to make annual grant applications for conservation funding.

Section 3 creates new language that creates the Riparian Vegetation Management Task Force,

requires the Governor to make appointments, allows a Legislative member to serve as nonvoting, ex officio, and houses the task force within the Department of Agriculture.

Section 4 creates new language that requires the task force to develop and prioritize vegetation management goals and objectives, analyze cost effectiveness of treatment, and develop policies to achieve the goals and objectives. Also requires efforts to initially be directed towards basins that are fully or overappropriated and requires an annual report to the Governor and Legislature.

Section 5 repeals the original sections

Section 6 repeals outright 2-967 and 2-968.

The content of LB 711 was amended into LB 1038 via AM2472.

LB 714

LB 714, introduced by Sen. Stinner, sought to clarify and ensure that leasing of surface water rights by surface water appropriators to natural resources districts, for depletion offsets, recharge, stream augmentation or maintenance of instream flows for more than five years would not subject the right to cancellation for nonuse. The intention is to ensure that leasing surface water rights to NRDs will not result in cancellation of the right for nonuse if the lease period is longer than five years.

Section-by-section description:

Section 1 amends 46-229.04, which describes the hearing process for a determination of nonuse, by adding that sufficient cause for nonuse is deemed to exist for up to 15 consecutive years if nonuse was the result of a federal, state or local program (such as an acreage reserve program or a production quota). Also adds that a temporary appropriation transfer to a natural resources district (or other competent authority) for depletion offsets, recharge, stream augmentation or maintenance of an instream flow is a sufficient cause for nonuse deemed to exist for up to 15 consecutive years.

Section 2 repeals the original section.

LB 863

LB 863, introduced by Sen. Schilz, would have provided counties assistance with promoting wind energy within their boundaries.

Section-by-section description:

Sections 1 through 4 create new language that would:

- Create the Wind Energy Expansion Act;
- Declare legislative findings that wind energy production contributes to the state’s economy, the wind energy industry should be assisted to help preserve rural communities, and that reasonable means should be sought to nurture and support wind energy production in Nebraska;
- Require the State Energy Office director to create a program to help counties create, maintain and expand their wind energy sectors;
- Allow a county to be designated as wind energy friendly by the director by meeting certain criteria;
- List criteria, including, but not limited to, diversity of energy development underway in the county, a resolution expressing interest from the county board, an assurance from county to work with local government to develop wind energy, and flexibility to design a wind energy development program;
- State that nothing in this act prohibits a county from declaring itself as wind friendly, and not seeking the designation does not indicate that a county is not wind friendly;
- Require the State Energy Office to create a resource data base to provide counties with information helpful towards evaluating and crafting use permits.

Section 5 through 11 amend 81-1601, 81-1602, 81-1603, 81-1605, 81-1606, 81-1607, and 81-1607.01, the statutes that create and provide duties for the State Energy Office, by adding reference to the Wind Energy Expansion Act.

Section 12 repeals the original sections.

LB1071

LB 1071, introduced by Sen. Haar, would have created the Solar Energy Economic Development Act which would have authorized community solar programs and provided incentives.

Section-by-section description:

Sections 1 through 6 create new language that would:

- Create the Solar Energy Economic Development Act;
- Create legislative findings on the benefits of and interests of the state for solar energy;
- State legislative intent that \$4 million be appropriated in FY 2016-17 to the State Energy Office Cash Fund for grants supporting solar energy development;
- Provide that grants be allocated to electric utilities with established solar energy incentive programs, local governments, or businesses, tax exempt organizations and individuals;
- List the levels of solar energy incentive programs that would be authorized, including net metering, business solar, and community solar (definitions of each included);
- Require that grants be allocated equally across the state to the greatest extent possible;
- Require that grants to electric utilities be used to support solar energy incentive programs and to help cover the cost of development;
- State that preference be given to projects that provide local governments or electric utilities with an option to purchase the project;
- State that businesses, tax exempt organizations, local governments and individuals may apply for grants to help cover the cost of solar energy development, with preference given to those whose utilities do not offer incentive programs;
- Limit grants to 15% of the total cost of the solar energy project or to \$150,000;
- Authorize the State Energy Office to create grant application criteria and adopt rules and regulations to carry out this act.

Sections 7 through 12 amend 81-1601, 81-1602, 81-1603, 81-1605, 81-1607, and 81-1607.01, which create and provide duties for the Nebraska State Energy Office, by adding duties relating to the Solar Energy Economic Development Act as provided in the first six sections.

Section 13 repeals the original sections.

Section 14 contains an emergency clause.

BILLS INDEFINITELY POSTPONED

LB 961

LB 961 would have eliminated the Game and Parks Commission's authority to establish a hunting season for mountain lions.

Section-by-Section Description

Section 1 amends 37-452, which list the age limits for hunting permits, by removing reference to mountain lions.

Section 2 repeals the original section.

Section 3 contains an emergency clause.

LB 1070

LB 1070, introduced by Sen. Haar, would have required \$1 million in liability insurance for oil injection wells and disposal wells and \$5 million in liability insurance for commercial disposal wells, and would have placed prohibitions on certain permits for underground enhanced recovery injection wells.

Section-by-section description:

Section 1 amends 57-905, which provides the duties and authorities granted to the Oil and Gas Conservation Commission, by adding that the commission is authorized to require proof of liability insurance as provided in this bill.

Section 2 amends 57-906, which provides the drilling permit procedures, by adding that a permit may not be issued for drilling an underground enhanced recover injection well or disposal well before the applicant has provided proof of liability insurance in an amount no less than \$1,000,000. Also requires a commercial disposal facility disposing more than 500 barrels per day of produced water to provide proof of liability insurance for no less than \$5,000,000 before a permit is issued. Further prohibits permits for underground enhanced recovery injection wells if the depth of the drinking water aquifer begins less than 50 feet below the surface of the ground or if the saturated depth of the drinking water aquifer extends more than 100 feet below the surface of the ground.

Section 3 repeals the original sections.

LB 1100

LB 1100, introduced by Sen. Schilz, would have created the Petroleum Education and Marketing Act and authorize a board to educate on and market the oil and gas industry.

Section-by-Section Description

Sections 1 through 11 create new language that would:

- Create the Petroleum Education and Marketing Act;
- Provide definitions;
- Allow any group of qualified producer associations to create, fund, administer, operate, manage and select representatives to serve on a board to administer a petroleum education and marketing program and provide duties for such board;
- Provide for the makeup and terms of the board;
- State administrative powers and duties of the board;
- Require an annual meeting, report and budget;
- Authorize the levying of assessments on the production of oil and natural gas in Nebraska for a petroleum education and marketing program and allow creation of a fund;
- Set the voluntary assessment on oil and gas revenues that would be charged for the program and set procedures for collection of the assessment;
- Set procedures for refunds of the assessment;
- Prohibit funds from being used for lobbying;
- Allow part of the assessment to be used for national and regional programs; and
- Insert a severability clause.

INTERIM STUDY RESOLUTIONS

<u>Resolution No.</u>	<u>Subject</u>
406	Interim study to examine issues surrounding the blending of various fuels in Nebraska and the impact of right to blend laws in other states
579	Interim study to examine issues relating to solar energy development