

AMENDMENTS TO LB243

Introduced by Agriculture.

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

3 Section 1. The Legislature finds that:

4 (1) Healthy soils are a limited natural resource and fundamental for
5 healthy and sustainable food production. Improving soil health means
6 increasing soil's organic matter and diversifying its microbial activity
7 to enhance agricultural productivity and environmental resilience. A
8 commitment to healthy and productive soils and clean water is critical as
9 world population and food production demands rise;

10 (2) Nebraska is a powerhouse agricultural state because of its
11 productive soils and abundant water. However, through the years there has
12 been a depletion of organic matter and trace minerals, making the soil
13 less fertile than it was;

14 (3) There is a significant opportunity for Nebraska farmers and
15 ranchers to capitalize on the economic and production benefits of
16 improved soil health, while simultaneously improving surface and ground
17 water quality;

18 (4) Improving the health of Nebraska's soil is the most effective
19 way for agricultural producers to increase crop and forage productivity
20 and profitability while also protecting the environment;

21 (5) Appropriate planning and coordination is needed to speed up and
22 coordinate the adoption of conservation practices that rebuild and
23 protect soil carbon to increase water holding capacity and enhance the
24 vitality of the subsurface microbiome for landowners to capitalize on the
25 economic and production benefits of soil health, while simultaneously
26 enhancing water quality, capturing carbon, building resilience to drought
27 and pests, reducing greenhouse gas emissions, expanding pollinator and

1 other wildlife habitat, and protecting fragile ecosystems for a more
2 sustainable future; and

3 (6) A number of states have initiated formal soil health programs
4 either through the establishment of new entities or collaborations
5 between existing entities.

6 Sec. 2. (1) The Healthy Soils Task Force is created.

7 (2) The task force shall consist of the following voting members:

8 (a) The Director of Agriculture or his or her designee;

9 (b) Two representatives of natural resources districts in Nebraska,
10 appointed by the Governor;

11 (c) Two academic experts in agriculture and natural resources in
12 Nebraska, appointed by the Governor;

13 (d) Six representatives from production agriculture, including at
14 least two producers that are using healthy soil practices, appointed by
15 the Governor;

16 (e) Two representatives from agribusiness, appointed by the
17 Governor; and

18 (f) Two representatives from environmental organizations in
19 Nebraska, appointed by the Governor.

20 (3) The task force shall consist of the following nonvoting members:

21 (a) The chairperson of the Natural Resources Committee of the
22 Legislature; and

23 (b) The chairperson of the Agriculture Committee of the Legislature.

24 (4) In selecting membership for appointment to the task force, the
25 Governor shall seek to appoint members with relevant expertise regarding
26 methods for incorporating healthy soil stewardship practices into working
27 agricultural operations and for optimizing environmental services
28 provided through such practices. Appointments to the task force shall be
29 made within sixty days after the effective date of this act and appointed
30 members shall begin serving immediately following notice of appointment.

31 Members shall be reimbursed for their actual and necessary expenses

1 incurred in carrying out their duties as members, as provided in sections
2 81-1174 to 81-1177.

3 (5) The task force shall hold its first meeting no later than
4 September 1, 2019. At its first meeting, the members shall elect a
5 chairperson. Subsequent to the initial meeting, the task force may meet
6 as necessary at the call of the chairperson.

7 (6) For administrative and budgetary purposes, the task force shall
8 be housed within the Department of Agriculture. Additional support to
9 facilitate the work of the task force may be requested from appropriate
10 federal and state agencies.

11 Sec. 3. (1) The Healthy Soils Task Force shall:

12 (a) Develop a comprehensive healthy soils initiative for the State
13 of Nebraska;

14 (b) Develop a comprehensive action plan to coordinate efforts to
15 carry out such healthy soils initiative using standards for organic
16 matter, biological activity, biological diversity, and soil structure as
17 measures to assess improved soil health. The action plan shall set goals,
18 formulate timelines for task completion, and determine resources required
19 and resource availability. In developing the action plan, the task force
20 shall examine:

21 (i) Issues related to providing farmers and ranchers with research,
22 education, technical assistance, and demonstration projects;

23 (ii) Options for financial incentives to improve soil health; and

24 (iii) The contribution of livestock to soil health;

25 (c) Identify realistic and achievable goals and timelines for
26 improvement of soil health in Nebraska through voluntary partnerships
27 among agricultural producers and relevant state and local agencies and
28 other public and private entities; and

29 (d) Review provisions of the federal Agriculture Improvement Act of
30 2018, Public Law 115-334, and any implementing rules, regulations, and
31 guidelines of the United States Department of Agriculture and identify

1 opportunities to leverage state, local, or private funds under the
2 Regional Conservation Partnership Program of the United States Department
3 of Agriculture and other conservation programs for the purposes of the
4 healthy soils initiative. Such information shall be included in the
5 annual report issued pursuant to section 4 of this act.

6 (2) To carry out its duties, the Healthy Soils Task Force may
7 consult other agencies or organizations, including, but not limited to,
8 the University of Nebraska, the Natural Resources Conservation Service,
9 the Farm Service Agency, and the Agricultural Research Service of the
10 United States Department of Agriculture, the Soil Health Institute, the
11 Soil Health Partnership, and other state and federal agencies or public
12 or private organizations with responsibility or expertise in research,
13 demonstration, education, advising, funding, or promotion relating to
14 agronomic and other agricultural land management practices consistent
15 with the purpose of the task force.

16 Sec. 4. On or before January 1, 2021, the Healthy Soils Task Force
17 shall submit the comprehensive action plan and report its findings and
18 recommendations to the Governor and electronically to the Agriculture
19 Committee of the Legislature. The task force shall terminate on January
20 1, 2021.

21 Sec. 5. Section 81-2,162.27, Revised Statutes Cumulative Supplement,
22 2018, is amended to read:

23 81-2,162.27 (1) All money received under the Nebraska Commercial
24 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials
25 Act shall be remitted to the State Treasurer for credit to the
26 Fertilizers and Soil Conditioners Administrative Fund, which fund is
27 hereby created. Money All—money so received shall be used by the
28 department for defraying the expenses of administering the Nebraska
29 Commercial Fertilizer and Soil Conditioner Act and the Agricultural
30 Liming Materials Act. The fund may also be used to defray costs incurred
31 by the department directly related to administrative and budgetary

1 support of the Healthy Soils Task Force pursuant to sections 1 to 4 of
2 this act, except that no more than ten thousand dollars each fiscal year
3 may be expended by the department from the fund for such purpose.

4 Transfers may be made from the fund to the General Fund at the direction
5 of the Legislature. The State Treasurer shall transfer two hundred
6 seventy-five thousand dollars from the Fertilizers and Soil Conditioners
7 Administrative Fund to the General Fund on or before June 30, 2019, on
8 such dates and in such amounts as directed by the budget administrator of
9 the budget division of the Department of Administrative Services.

10 (2) Any unexpended balance in the Fertilizers and Soil Conditioners
11 Administrative Fund at the close of any biennium shall, when
12 reappropriated, be available for the uses and purposes of the fund for
13 the succeeding biennium. Any money in the fund available for investment
14 shall be invested by the state investment officer pursuant to the
15 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
16 Act.

17 Sec. 6. Original section 81-2,162.27, Revised Statutes Cumulative
18 Supplement, 2018, is repealed.

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