

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 695

Introduced by Dover, 19.

Read first time January 22, 2025

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to natural resources; to state findings; and
- 2 to require the Lower Elkhorn Natural Resources District to construct
- 3 a dam, secure funding, and engage in flood control measures.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) The Legislature finds that:

2 (a) The community of Battle Creek, originally incorporated in 1873,
3 is an essential community of Legislative District No. 19. Battle Creek
4 provides for a high quality of life for its residents and employees for
5 local businesses and is essential for regional workforce housing;

6 (b) The existing road infrastructure in and around Battle Creek
7 requires protection from flooding. This infrastructure is vital for
8 public transportation using cars and buses and for businesses
9 transporting produce, raw materials, and finished products by truck; and

10 (c) Existing rail infrastructure in the area is critical to
11 supporting existing and future regional industries. These industries are
12 vital to the area and nation, and include essential agricultural and
13 metal industrial sites. These commercial taxpayers also lessen the
14 property tax burden on surrounding agricultural producers.

15 (2) In light of these findings, the Legislature declares that it is
16 essential to the people of Battle Creek, the surrounding region, and the
17 State of Nebraska that flood control improvements be made to protect
18 Battle Creek and downstream communities.

19 (3) The Lower Elkhorn Natural Resources District shall:

20 (a) Cause a dam to be built based upon the engineering design
21 reference number XXX of the XXX and take such other flood control
22 measures as are necessary;

23 (b) Not take any action or adopt an engineering design that will
24 accelerate the velocity or volume flow of the Elkhorn River downstream;

25 (c) Seek or secure any available local, state, and federal funds to
26 construct such dam and take such other flood control measures; and

27 (d) To the extent possible, by securing such other funding, reduce
28 or eliminate the need to raise the district's levy and thereby increase
29 taxes on district residents and businesses.