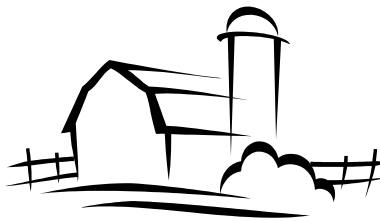

COMMITTEE ON AGRICULTURE

ONE HUNDRED NINTH LEGISLATURE

2025 - 2026



SUMMARY AND REPORT OF DISPOSITION OF LEGISLATION REFERRED TO THE COMMITTEE

Agriculture Committee Members

Senator Barry DeKay, Chair
Senator Teresa Ibach, Vice-Chair
Senator Ben Hansen
Senator Rick Holdcroft
Senator Kathleen Kauth
Senator Fred Meyer
Senator Jane Raybould
Senator Jared Storm

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STATUS REPORT BY BILL NUMBER
(Bills/Resolutions introduced in the 2025 session)

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 7	DeKay	Change provisions relating to real estate and the Foreign-owned Real Estate National Security Act	1/28/25	Enacted	AM77 AM310 ER22		
LB 145	Ibach	Require the Director of Agriculture to administer a grant program relating to noxious weeds and to state legislative intent regarding appropriations	1/28/25	Held			
LB 245	DeKay	Change provisions of the Nebraska Pure Food Act	2/4/25	Enacted	AM501 AM759. ER28		Agriculture Committee 2025 session priority bill.. Enacted version incorporates provisions / purposes of LB 394
LB 246	DeKay at request of Governor	Prohibit cultivated protein food products under the Pure Food Act and provide for a deceptive trade practice	2/18/25	Enacted	AM226 ER38		Agriculture Committee 2025 session priority bill
LB 372	McKeon	Eliminate the Agricultural Suppliers Lease Protection Act, provisions relating to grain inspections, the Nebraska Origin and Premium Quality Grain Cash Fund, and a labeling requirement for honey	2/28/25	Enacted	AM81 ER20		
LB 375	Ibach	Adopt the Grocers Reinvestment Option Act	2/4/25	Held			
LB 394	DeKay	Change provisions of the Weights & Measures Act	2/4/25	Held			Provisions/purposes of LB 394 enacted by incorporation in to LB 245 by AM501
LB 476	Guereca	Provide exemptions under the Foreign-owned Real Estate National Security Act	2/25/25	Held			
LB 502	G. Meyer	Provide a penalty under the Farm Labor Contractors Act	2/25/25	Held			

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 540	Holdcroft	Change provisions of the Nebraska Apiary Act and create the Apiary Advisory Board	2/25/25	Held			
LB 638	Ibach	Change provisions of the Nitrogen Reduction Incentive Act	2/25/25	Held			
LB 646	Ibach	Provide for exempt feedlots under the Livestock Brand Act	2/11/25	Final Reading	AM638 AM829 AM1558 FA271		Ibach 2025 session personal priority bill
LB 658	Andersen	Provide labeling and advertising requirements for manufactured protein food products	2/18/25	General File		AM568	
LB 665	Storer	Prohibit the use of certain electronic identification devices under the Animal Health and Disease Control Act	2/11/25	Held			

(Bills/Resolutions introduced in the 2026 session)

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 794	DeKay	Change and eliminate provisions relating to the Healthy Soils Task Force and provide powers to natural resources districts regarding soil and water practices	1/20/26	Enacted	AM2019 FA966		Provisions/purposes of LB 827 incorporated into enacted version by AM2019
LB 807	Ibach	Eliminate the Riparian Vegetation Management Task Force and provide for riparian vegetation management grants from the Water Resources Cash Fund	1/27/26	Enacted	AM1828 ER115		
LB 815	Brandt	Provide for a tax on diesel fuels, change provisions relating to refunds for motor fuel taxes, the petroleum release remedial action fee, and the Motor Fuel Tax Enforcement and Collection Cash Fund, change and eliminate provisions of the Ethanol Development Act, and eliminate the Ethanol Production Incentive Cash Fund	2/3/26	Enacted	AM2131 ER168		Ibach 2026 session priority bill.

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 894	DeKay	Change provisions of the Grain Dealer Act and the Grain Warehouse Act	2/3/26	Enacted	AM2004 AM2138 AM2467 ER129		Ag Committee 2026 session priority bill. Provisions/purposes of LB 895 enacted by incorporation into LB 894 by AM2004
LB 895	DeKay	Change provisions of the Grain Warehouse Act	2/3/26	Held			Provisions/purposes of LB 895 incorporated into LB 894 by AM2004
LB 947	Ag Comm	Change fees under the Plant Protection and Plant Pest Act and the Pesticide Act, change provisions relating to the Weeds of the Great Plains book, and change, eliminate, and terminate certain funds	1/27/26	Held			Provisions/purposes of LB 947 enacted by incorporation into LB 948 by AM1976
LB 948	Ag Comm	Change provisions of the Plant Protection and Plant Pest Act, change fees under the Pesticide Act, rename and change provisions of the Nebraska Commercial Fertilizer and Soil Conditioner Act, eliminate the Nebraska Poultry and Egg Resources Act, terminate a fund, and eliminate provisions relating to certain associations and societies	1/27/26	Enacted	AM1976 AM2169 ER127		Ag Committee 2026 session priority bill Provisions/purposes of LB 947 incorporated into LB 948 by AM1976
LB 1187	DeKay	Change provisions of the Livestock Brand Act	2/17/26	Enacted	AM2886 AM3037 AM3068 ER184		Dorn 2026 session priority bill
LB 1188	DeKay	Prohibit ownership of real estate in adversary nations by the state and any political subdivision thereof	2/10/2026	General File		AM2029	
LB 1258	Hansen	Rename the Livestock Brand Act, eliminate the Nebraska Brand Committee, and change, provide, and eliminate provisions relating to livestock brand inspection and livestock protection	2/17/26	Held			

BILLS ENACTED AND SIGNED BY THE GOVERNOR

LB 7 (DeKay) Change provisions of the Foreign-owned Real Estate National Security Act

Date of Public Hearing: 1/28/2025

Date Reported from Committee: 2/10/2025

Committee Amendment: AM77

Other Adopted Amendments: AM310, ER22

Effective Date: Sept. 3, 2025

LB 7 is a clean-up bill to clarify provisions of the Foreign-owned Real Estate National Security Act and to correct a reference in a separate but related provision regarding affidavits filed with certain transfers of real property.

Section-by-section description (as introduced):

Sec. 1: Amends §76-2,141 which requires the filing of an affidavit upon the conveyance of real estate located within military sensitive locations in the state. The affidavit attests that the purchaser is not an agent for a foreign government or actor designated a foreign adversary by 15 CFR 7.4. LB 7 updates the CFR reference to its current location at 15 CFR 791.4

Sec. 2: Amends §76-3702 which defines terms utilized in the Foreign-owned Reals Estate National Security Act. LB 7 inserts three new defined terms:

- “Foreign government” defined to clarify that the term excludes tribal governments. The term is utilized throughout the Act to avoid repetitious listing of domestic governments excluded from various provisions
- “Indian tribe” defined to include tribes located in Nebraska recognized by federal law or state acknowledgement
- “Person” defined to include individuals and enumerated legal entities. This term is utilized throughout the act to avoid repetition of phrasing that the Act’s provisions apply to individuals and other entities.

Sec. 3: Amends §76-3703 with Revisor’s office changes to utilize the term “foreign government”

Secs 4 & 5: Amends §76-3704 & §76-3708 which provides for a general exemption on restrictions against foreign real estate holdings provided the real estate interest is used for gas or oil development, or operations of railroad, public utilities or common carriers. These sections currently provide that this exemption does not apply to restricted entities. LB 7 inserts Revisors office revisions to both sections for style and clarity.

Sec 6: Amends §76-3709 which provides for a general exemption on restrictions against foreign real estate holdings used for manufacturing, other industrial purpose, or gas and oil distribution and retailing unless the entity is a restricted entity. This section currently provides for a safe harbor shield from the divestment remedies of the Act for restricted entities provided the restricted entity’s acquisition and holding of property interests has been reviewed by the Committee on Foreign Investment in the U.S. (CFIUS) and the entity has entered and maintains compliance with a national security agreement with CFIUS, and annually certifies its compliance. LB 7 inserts citation to the federal regulation which provide for CFIUS determinations and would in effect expand the safe harbor provision to also include properties holdings CFIUS has determined are not a national security concern.

Sec. 7: Amends §76-3710 with a Revisor’s Office to add inadvertently omitted text

Sec.s 8 & 9: Amends §76-3712 and §76-3715 with Revisor’s Office revision for clarity. Section 9 would also add the Legislature as a recipient of notifications of court-ordered divestments pursuant to the Act.

Sec. 10: Inserts a severability clause

Sec. 11: Repealers

AM77 (Ag Committee Amendment as revised by AM310):

The Committee amendment (AM77) as amended by AM310 struck the original provisions and became the bill. The bill as revised retained the provisions of LB 7 as introduced but with additional clarifications as follows:

- Amended section 1 to provide that the citation to 31 CFR 802.211(b)(3). is that section as it existed on January 1, 2025 and to 15 CFR 791.4 as that section existed on February 7, 2025.
- Struck original section 2 but reinserted a new section 2 revising §76-3702 retaining new defined terms added by the original bill with two revisions. First, AM 77 inserted a new defined term for “foreign corporation”. The term is defined term to mean a business corporation formed under the laws of a jurisdiction outside of the U.S. and to expressly provide that entities incorporated under the laws of any state, territory or tribe are not a foreign corporation. Secondly, the term “resident alien” was revised to clarify that it refers to individuals.
- Amends section 3 of the bill by inserting a new subsection (3) to §76-3703 which provides that persons, governments or entities of countries designated by the Committee on Foreign Investment in the US as an “excepted real estate foreign state” pursuant to 31 C.F.R. 802.1001(a) and 802.21 (UK, Canada, Austrailia, New Zealand) are excluded from the Foreign-Owned Real Estate National Security Act unless a restricted entity.
- Specifies that notifications to the Legislature of court ordered divestments of real estate inserted by Section 8 of the bill be submitted to the Clerk of the Legislature

LB 245 (DeKay) Change provisions of the Nebraska Pure Food Act

Date of Public Hearing: 2/4/2025

Date Reported from Committee: 3/10/2025

Committee Amendment: AM501

Other Adopted Amendments: AM759

Effective Date: 4/30/2025

* Agriculture Committee 2025 session priority bill

** Enacted version contains provisions/purposes of LB 394

LB 245 is introduced at the request of the Department of Agriculture. It amends the Nebraska Pure Food Act to incorporate the 2022 recommendations of the Food Code, a publication of the Food and Drug Administration, which sets forth model regulations for sanitation, storage, preparation, serving and presentation of foods to mitigate risks of food borne illness from foods sold or served by commercial food establishments. Nebraska currently incorporates the 2017 edition of the Food Code. The bill also adopts the current Good Manufacturing regulation. LB 245 further revises the schedule of license and inspection fees with the intent to fully cash fund the Department’s licensure and

inspection program under the Act. Finally, LB 245 would enact series of clarifications to terms and procedures to aid in the administration of the Act as described in the section-by-section summary.

Section-by-section description (as introduced):

Sec. 1: Amends §81-2,239 correcting the title of a federal regulation reference

Sec. 2: Amends §81-2,244.01 defining the term “Food Code” incorporated by reference into the Pure Food Act to include the described FDA publication Food Code except for sections excluded. LB 245 would discontinue exclusions of a number of sections cited.

Sec. 3: Amends §81-2,245.01 which defines the term “food establishment” to exclude operations that deliver food.

Sec. 4: Amends §81-2,254 to expand the limitation of single event food vendors to serving only at one annual event lasting no more than 2 days. LB 245 increases the event duration to 4 days.

Sec. 5: Amends §81-2,257 to strike references to sections of the Pure Food Act that designate priority items. This section corresponds to sections outright repealed in Section 13 and would eliminate Pure Food Act variances from Food Code designation.

Sec. 6: Amends §81-2,259 to correct a reference to federal regulations establishing sanitary standards in food manufacturing operation titled Current Good Manufacturing Practice

Sec. 7: Amends §81-2,268. This section provides that facilities and equipment utilized by regulated entities that were in place prior to Sept. 13, 1997 must meet current food temperature requirements.

Sec. 8: Amends §81-2,270 which requires a valid permit to operate a food establishment, processing plant or salvage operation and establishes a schedule of permit and annual inspection fees. LB 245 revises this section as follows:

- Increase the statutory maximum fees that may be charged across all permit categories and changes the designation of the annual “inspection” fee to an “annual “fee
- Provides that commercial food service providers utilized by institutional entities to provide food service to residents and or patrons are subject to the permit and fee requirements of this section even though the institutional entity is exempt.

Sec. 9: Amends §81-2271 to strike a requirement a permit holder to return the permit if the food establishment for which the permit is issued is permanently closed.

Sec. 10: Amends §81-2,274 to strike certain parties designated for serving notices or orders

Sec. 11: Corrects a reference to federal regulations establishing sanitary standards in food manufacturing operation titled Current Good Manufacturing Practice

Sec. 12: Repealers

Sec 13: Outright repealed sections.

Sec 14: E-clause

AM501 (Ag Committee Amendment as revised by AM759):

The Committee Amendment (AM501) adopted on general file is a white copy amendment which becomes the bill. AM501 retains the provisions of LB 245 unchanged except for two revisions described below. The amendment also incorporates revised provisions of LB 394 which, similarly to LB 245, incorporates current editions of model publications utilized as standards for purposes of the Weights and Measures Act and revises the schedule of permit and inspection fees paid by weighing and measuring establishments which partially support the Department of Agriculture's inspection program.

LB 245 revisions:

Sections 1 – 11 of AM501 contain provisions of LB 245 as introduced with the following revisions:

- Replaces the new statutory maximum food establishment fees in the bill as introduced with a revised fee schedule found in section 8 of AM501. The revised fee authority contained in the amendment would be sufficient to continue funding the Pure Food Act inspection program at the current policy of approximately 50% cash funds and 50% general funds.
- inserts a revision in subsection (11) of §81-2,244.01 found in section 3 of AM 501, which currently excludes pharmacies that sell only non-potentially hazardous pharmaceutical, medicinal or health supplement foods from the definition of a food establishment. The revision would expand the exemption to facilities similar to existing pharmacies.

LB 394 provisions:

AM 501 sections 12 – 15 incorporate revised provisions of LB 394. LB 394 adopts current publications of the National Conference on Weights and Measures utilized as standards enforced under the Act and revises the schedule of permit and inspection fees which support the Department of Agriculture's permitting and inspection duties assigned by the Weights and Measures Act. Any differences between LB 394 as introduced and as contained in AM 501 are noted in the following summary of sections 12 – 15 of AM501:

Sec. 12: Amends §89-186 to incorporate current publications (2025 editions) of the National Institute of Standards and Technology (Handbook 44 –Specifications, Tolerances and other Technical Requirements for Weighing and Measuring Devices; Handbook 130 –Uniform Regulation for the Method of Sale of Commodities, Uniform Packaging and Labeling Regulation, and Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality; and Handbook 133 – Checking the Net Contents of Packaged Goods). Current law incorporates the 2019 versions of these publications.

Sec. 13: Amends §89-187 which assigns duties and authorities to the Department of Agriculture under the Act. Subsection (19) authorizes the Department to require a permit to operate a weighing and measuring establishment and to collect a permit application fee of \$5. Subsection (20) authorizes the assessment and collection of annual inspection fees for various categories of devices, designating an initial fee and annual adjustments to the fee within prescribed fee setting limitations, up to a maximum fee amount.

This section eliminates the permit application fee and prescribes a new schedule of beginning year and maximum inspection fees. LB 394 as introduced proposed a schedule of fees providing sufficient fee

authority to fully cash fund the Department of Agriculture’s permitting and inspection activities assigned by the Weights and Measures Act. The fee revisions contained in AM501 provide only sufficient fee authority to continue funding the inspection program at current policy of approximately 50% cash and 50% general funds. LB 394 as introduced and as contained in AM501 inserted an instruction that the fees charged be rounded to the nearest dollar. AM759 to AM 501 adopted on select file amended this provision to provide that the fee be rounded to the nearest half-dollar. Section 13 further provides that a delinquency in paying the annual fee voids the device permit.

As introduced, LB 394 would have created a new fee category for EV vehicle chargers which are now included as regulated devices under current editions of Handbooks 44 and 130 adopted in section 11. This new fee category is omitted from AM501.

Sec. 14: Amends §89-187.02 to eliminate a permit application fee

Sec. 15: Amends §89-187.05 to strike a duty of establishment permit holders to return the permit if the establishment is permanently closed.

The remaining sections of AM 501 correlate repealed and outright repealed sections to accommodate the incorporation of LB 394. The Amendment retains the emergency clause to enable the new fee authorities to be in effect for the annual fees that are due August 1, 2025.

LB 246 (DeKay at request of the Governor) Prohibit cultivated-protein food products

Date of Public Hearing: 2/18/2025

Date Reported from Committee: 3/17/2025

Committee Amendment: AM226

Other Adopted Amendments: ER38

Effective Date: September 3, 2025

* Agriculture Committee 2025 session priority bill

LB 246 defines cultivated protein foods and declares foods that are or contain cultivated food proteins as adulterated for purposes of the Nebraska Pure Food Act. Acts of commercial sale or distribution of cultivated protein food products would be enforceable as a deceptive trade practice.

Sec. 1: Amends §81-2,239 to incorporate new section 3 of the bill within the Nebraska Pure Food Act

Sec. 2: Amends §81-2,240 to incorporate the definition of “cultivated protein food product” in section 3 as a defined term for purposes of the Pure Food Act.

Sec. 3: Inserts a new section defining “cultivated protein food product as a product having sensory resemblance to tissues of harvested food animals but are derived from a manufacturing process involving the isolation and propagation of stem cells or other non animal source.

Sec. 4: Amends §81-2,282 which prohibits adulterating food, and the manufacture and sale of adulterated

Food, and lists conditions under which food is deemed adulterated. LB 246 expands prohibited acts to include additional activities associated with marketing of adulterated products and deems cultivated protein food products to be adulterated. LB 246 further declares violation of this section shall additionally and separately constitute a Deceptive Trade Practices Act violation and that this section does not limit deceptive trade practices liability.

Sec. 5: Amends §87-302 by inserting violation of the adulteration provisions of the Pure Food Act as amended by section 3 among deceptive trade practices enumerated in this section.

Sec. 6: Repealer

AM226 (Ag Committee):

AM226 adopted on general file debate struck original section 3 containing the definition of “cultivated protein” and inserted a new section 3 containing a revised definition. The amendment strikes the phrase “or other nonanimal source” referring to sourcing of cellular material utilized in the cell-culturing process to avoid interpretation that the bill could apply to plant-based foods.

LB 372 (McKeon) Eliminate the Agricultural Suppliers Lease Protection Act, provisions relating to Nebraska origin and grain quality certifications, and labeling requirements for honey

Date of Public Hearing: 1/28/2025

Date Reported from Committee: 2/10/2025

Committee Amendment: AM81

Other Adopted Amendments: ER20

Effective Date: September 3, 2025

LB 372 outright repeals the Agricultural Suppliers Lease Protection Act, a statute providing for an identity standard for honey, and statutes authorizing the Department of Agriculture to provide grain quality and origin certification services.

Section-by-Section Description (as introduced):

Sec. 1: Amends §75-190 to strike what becomes an obsolete reference the Agricultural Suppliers Lease Protection Act which is outright repealed by section 3

Sec. 2: Repealer

Sec. 3: Outright repeals the following statutes: §§2-3813 & 2-3814, §§2-5501 – 2-5508, and §81-2-181

AM 81 (Ag Committee):

The Committee amendment (AM81) struck §2-5501 to §2-5508 (Agricultural Suppliers Lease Protection Act) from the listing of outright repealed statutes in section 3 as introduced. With the retention of the Ag Suppliers Lease Protection Act, section’s 1 and 2 of LB 372 as introduced become obsolete and are also stricken by the committee amendment.

LB 794 (DeKay) Change and eliminate provisions relating to the Healthy Soils Task Force, require the Department of Agriculture to submit related documentation, and provide powers to natural resources districts regarding soil and water practices

Date of Public Hearing: 1/20/2026

Date Reported from Committee: 1/21/2026

Committee Amendment: none

Other Adopted Amendments: AM2019, FA966

Effective Date: July 18, 2026

* Enacted version contains provisions/purposes of LB 827

LB 794 as introduced outright repeals sections of statute creating a Healthy Soils Task Force, including its membership and assigned tasks. The task force completed its work in December, 2020 and its existence was terminated on January 1, 2021 by current law. LB 794 merely deletes sections of statute that are now obsolete. The bill further directs the Department of Agriculture to submit report documents and minutes and other documentation of the proceedings of the task force to the Clerk of the Legislature.

AM2019 (DeKay):

The final reading version of LB 794 included the provisions of LB 827 which were added by the adoption of AM2019 (as revised by FA966) during select file debate. LB827 introduced by Senator DeKay and heard before the Natural Resources Committee clarifies and affirms that natural resources districts have the power and authority through research, demonstration and educational outreach to inform producers and the public regarding about or stewardship practices to conserve natural resources. The provisions of LB 827 added by AM2019 are contained in section 2 of LB 794 as enacted.

Section-by-Section Description (as enacted):

Sec. 1: Corrects an internal reference in §2-406 of the Resilient Soils and Water Quality Act to be consistent with the repeal of a cited section.

Sec. 2: Amends §2-3232 which lists duties and authorities of natural resource districts (NRDs). LB 794 inserts a new subsection providing express statutory authority for NRDs to research and demonstrate, and to educate producers and the general public regarding stewardship practices to protect and conserve water and other natural resources. NRDs are authorized to enter agreements with third parties to carry the purposes of this authority.

Sec. 3: Amends §81-201 which enumerates duties and authorities of the Department of Agriculture. LB 794 renumbers existing duties within a subsection (1) and inserts a new subsection (2) directing the Department to submit report documents and documents relating to proceedings of the Healthy Soils Task Force to the Clerk of the Legislature on or before January 1, 2027.

Sec. 4: Amends §81-2,162.27 which creates the Fertilizers and Soil Conditioners Administrative Fund. LB 794 strikes an obsolete authorization to utilize the fund for expenses of the Department of Agriculture to support the work of the Healthy Soils Task Force and to strike an additional expired transfer from the fund.

Sec. 5: Corrects an internal reference due to the reorganization of §81-201 in section 2 of the bill.

Sec. 6: Repealer section

Sec. 7: Outright repeals §§2-401 through 2-404. These sections created the Healthy Soils Task Force and assigned its duties.

LB 807 (Ibach) Eliminate the Riparian Vegetation Management Task Force and provisions relating to riparian vegetation management grants within the Noxious Weed Act and provide for grants relating to riparian vegetation management from the Water Resources Cash Fund

Date of Public Hearing: 1/27/2026

Date Reported from Committee: 1/29/2026

Committee Amendment: AM1828

Other Adopted Amendments: ER115

Effective Date: July 18, 2026

As introduced, LB 807 would have transferred administration of the Noxious Weed Act from the Department of Agriculture to the Department of Water, Energy & Environment and stated intent to increase funding to a riparian vegetation management state aid grant program.

Section-by-section description (as introduced)

Sec. 1: Amends §2-945.02 on the Noxious Weed Control Act which contains legislative findings and declarations. LB 807 replaces a reference to the Department of Agriculture to instead reference the Department of Water, Energy and Environment (DWEE)

Sec. 2: Amends §2-953 which defines terms for purposes of the Noxious Weed Control Act including the term “director” currently defined to mean the Director of Agriculture. This term is redefined to mean the Director of DWEE. Multiple provisions throughout the Act assign duties and authorities to the “director” to carry out its purposes. This section LB 807 in effect reassigns those duties and authorities to the director of DWEE.

Sec. 3: Amends §2-958, which creates the Noxious Weed Cash Fund, by striking an expired authorization for uses of the fund.

Sec. 4: Amends §2-958.02 which creates a grant program providing state aid support for projects led by local weed management entities to address noxious and invasive species problems. This section of LB 807 changes from permissive to mandatory the authority to award grants authorized by this section. The bill also reassigns rule and reg authority to implement this section to DWEE.

Subsection (4) of §2-958.02 creates a subcategory of grants exclusively for riparian vegetation management projects and currently states legislative intent to appropriate \$3 million annually for that purpose. LB 807 increases the level of intended appropriation to \$6 million annually beginning in FY 2026-27.

Sec. 5: Amends §2-969 with a harmonizing revision to changes elsewhere in the bill.

Sec. 6: Amends §61-218 which creates the Water Resources Cash Fund and authorizes state aid assistance for projects related to integrated water management plans. Currently, this section prohibits fund proceeds to be used by political subdivision for administrative expenses or salaries. LB 807 expands this prohibition to state agencies.

Sec. 7: Repealer

AM1828 (Ag Committee):

The committee amendment (AM1828) adopted on general file strikes the original sections and becomes the bill. The enacted version of LB 807 in effect terminated only an authorization to provide state aid assistance to locally-led projects for riparian vegetation management projects within the Noxious Weed Act and instead authorizes riparian vegetation management projects to be eligible for grant funding from the Water Resources Cash Fund administered by the Department of Water, Energy and Environment.

Section-by-Section description (as enacted with adoption of AM1828):

Sec. 1: Harmonizes §2-945.01 to the outright repeal of sections §2-969 and §2-970 in section 6. §2-969 and §2-970 create the Riparian Vegetation Management Task Force and assign its duties.

Sec. 2: Strikes subsection (4) of section §2-958.02 which creates the riparian management grant subprogram within the Noxious Weed Act.

Sec. 3: Amends §61-218, and section 4 inserts a new section, that in combination establish riparian vegetation management projects as eligible activities for state aid grant assistance provided through the Water Resources Cash Fund administered by DWEE.

Sec. 4: Prescribes eligible uses of grant funds to include riparian vegetation removal that improves streamflow conveyance and related equipment acquisition. Eligible entities include natural resources districts, weed control authorities, and other weed management entities. Priority in awarding grants under this program is given to be given to applicants for projects within streams subject to an interstate compact or decree. Section 4 also delegates rule and regulation authority to carry out this section to DWEE.

LB 815 (Brandt) Provide for a tax on diesel fuels, change provisions relating to refunds for motor fuel taxes, the petroleum release remedial action fee, and the Motor Fuel Tax Enforcement and Collection Cash Fund, change and eliminate provisions of the Ethanol Development Act, and eliminate the Ethanol Production Incentive Cash Fund

Date of Public Hearing: 2/3/2026

Date Reported from Committee: 2/25/2026

Committee Amendment: AM2131

Other Adopted Amendments: ER168

Effective Date: July 18, 2026

* Ibach 2026 session priority bill

LB 815 changes membership on the Ethanol Board, updates statutes defining the mission of the Board and the ethanol market development authorities it administers, and changes provisions for revenue streams supporting the Board's activities. The bill also exempts dyed diesel from the petroleum remedial release assessment but increases the assessment against clear diesel. Additionally, LB 815 strikes and repeals expired and obsolete provisions of the Ethanol Development Act.

Section-0by-section description as introduced

Sec. 1: Amends §66-489 to impose an excise tax of ¼ cent per gallon on diesel fuel dyed and chemically marked for off-road use and directs proceeds of the tax be remitted to the Agricultural Alcohol Fuel Tax Fund.

Sec. 2: Amends §66-726 which provides a mechanism for fuel users to claim a refund of motor fuel taxes collected on motor fuels used for an exempt, off-road purpose. Current law provides that 3.5 cents per gallon of motor fuel taxes and 1 cent per gallon of diesel fuel tax are deducted from the refund paid and retained in the Highway Trust Fund. LB 815 strikes transfers of retained refund amounts to the EPIC Fund and the Agricultural Alcohol Fuel Tax Fund.

Sec. 3: Amends §66-1331 of the Ethanol Development Act which states legislative findings and declarations. LB 815 revises this section to align with contemporary conditions of the ethanol industry and related purposes of the Act.

Sec. 4: Amends §66-1332 which declares the public policy objectives of the Ethanol Development Act. LB 815 revises this section to restate policy objectives in a contemporary context.

Sec. 5: Amends §66-1333 which defines terms for purposes of the Ethanol Development Act. LB 815 revises the terms "agricultural production facility" and "name-plate capacity", inserts a new defined term for "ethanol producer" and strikes the term "related parties."

Sec. 6: Amends §66-1334 which creates the Agricultural Alcohol Fuel Tax Fund and lists permitted uses of the fund. LB 815 designates the fund to receive proceeds of the excise tax imposed by section 1 of the bill and deletes designation of the fund as the repository of certain retained motor fuel tax refunds credited to the fund that is stricken in section 2. LB 815 also revises permitted uses of the fund with contemporary objectives.

Sec. 7: Amends §66-1335 which creates the Nebraska Ethanol Board and designates its membership. LB 815 expands the current seven-member board to 9 members, with two new seats designated to be held by ethanol producers appointed to staggered terms. Beginning Sept. 1, 2026, the qualification of the existing business member is changed to require that seat is also held by an ethanol producer.

Sec. 8: Amends §66-1337, which assigns administrative authorities to the Ethanol Board, to remove an authority to acquire title to commodities.

Sec. 9: Amends §66-1338 to authorize the Ethanol Board to become a member of any trade organization that facilitates the Board in carrying out its duties.

Sec. 10: Amends §66-1340 to strike provisions authorizing the Ethanol Board to accept title to grain or commodities from federal agencies.

Sec. 11: Amends §66-1521 to remove a 3/10th cent / gallon fee on dyed diesel paid to the petroleum release remedial action fund and increases the motor fuel fee paid to that fund to 6/10th cent / gallon.

Sec. 12: Provides an operative date of October 1, 2026 for sections 1, 2, 6, 11 and 14. All other sections are operative on the effective date of the bill.

Secs 13 & 14: Repealers

Sec: 15: Outright repeals §§66-1342, 66-1344.01, 66-1345, 66-1345.05 and 66-1348. These sections are remaining provisions of obsolete or expired ethanol production incentive programs.

AM2131 (Ag Committee):

The committee amendment (AM2131) adopted on general file directs that the first \$140,000 annually of the proceeds of the ¼ cent excise tax imposed under section 1 of the bill be remitted to the Motor Fuel Tax Enforcement and Collection Cash Fund and the remainder to the Agricultural Alcohol Fuel Tax Fund. A new section that becomes section 3 of the bill as enacted is inserted to make a harmonizing revision in §66-739 and the remaining sections of the bill are renumbered accordingly in the enacted version of the bill. AM2131 also revises the definition of “ethanol producer” in section 5 of the bill as introduced. “Ethanol producer is defined as introduced to mean a person who owns or operates an ethanol facility or a person who devotes 50% of profession time to ethanal facility operations. The revision omits the owner/operator portion of the definition and provides that the term is defined as a person who devotes at least 50% of professional time to ethanol facility operations or business management.

LB 894 (DeKay) Change provisions relating to the Grain Dealer Act and Grain Warehouse Act

Date of Public Hearing: 2/3/2026

Date Reported from Committee: 2/18/2026

Committee Amendment: AM2004

Other Adopted Amendments: AM2138, AM2138, AM2467, ER129

Effective Date: July 18, 2026

* Ag Committee 2026 session priority bill

** Enacted bill contains provisions/purposes of LB 895

LB 894 is brought at the request of the Public Service Commission. The bill would replace prescribed grain dealer license fees with delegation of fee setting authority within a statutory cap. The bill further narrows an exemption of grain warehouses from the requirement to be licensed as a grain dealer. LB 894 also simplifies rules for grain sellers to claim against the dealer’s security, establishes deadlines for dealers to pay for delivered grain if payment terms are not otherwise specified by contract, and imposes an obligation of dealers to pay interest from the date a payment obligation occurs.

Section-by-section description (as introduced):

Sec. 1: Amends §75-902 which defines terms for purposes of the Grain Dealer Act. LB 984 revises the definition of “grain dealer” by removing an exclusion for warehouses who do not engage in grain transactions outside of grain received at its warehouse.

Sec. 2: Amends §75-903 which prescribes requirements for obtaining a grain dealer license. LB 894 application and annual license fee from a fee of \$100 prescribed by statute to a fee to be established by the Public Service Commission not to exceed a statutory maximum of \$1500. LB 894 also inserts a new requirement that dealers satisfy a demand for payment within 2 business days after final delivery, and to tender payment within 30 days of the final delivery if no demand is made, unless other payment terms are specified by contract. Dealers would be liable for interest on any unpaid obligation after the date of the payment obligation established by this section. Finally LB 894 provides that sellers indemnified under the Act would have recourse to the dealer security if they have transferred grain and are unpaid at the time of the Commission's adjudication of claims against the dealer, although the revisions explicitly continue to exclude payment obligations that have not matured under deferred payment and similar contracts. This rule would replace current requirements of producer to preserve and perfect a claim against the dealer bond contained in 74-905 which is repealed by section 5.

Sec. 3: Amends §75-904 to delete a requirement that grain dealers include a “notice to seller” on contract documents or other transaction documentation of the requirements of 75-905 for a seller to preserve the seller’s right to claim against the dealer bond. This is made obsolete by the repeal of 54-905 in section 5.

Sec. 4: Repealer

Sec. 5: Outright repeals §75-905. This section currently provides that to preserve and perfect the right to claim against a dealer bond in the event of Public Service Commission adjudication of claims, unpaid seller must meet certain payment demand and notification deadlines

AM2004 (Ag Committee amendment as revised by AM2138 & AM2467)

The Committee Amendment (AM2004) adopted on general file is a white copy amendment which becomes the bill. AM2004 revised provisions of LB894 as described below and also adds revised provisions of LB895, also heard before the Agriculture Committee, which amends the Grain Warehouse Act. Similarly to LB 894, LB 895 replaced statutorily defined annual grain warehouse license fees with a delegation of fee authority allowing the Public Service Commission to set the fee within a statutory cap and modifies an exemption to state licensure for federally licensed grain warehouses.

LB 894 revisions:

The provisions of LB 894 are contained in sections 1 – 5 and 11 of AM2004 with the following changes from LB 894 as introduced:

- The start date of revisions delegating grain dealer license fee setting authority to the Commission are delayed to begin July 1, 2027, with the current prescribed fee schedule remaining in place until then. AM2138 additionally requires the Commission to submit a report to the Legislature regarding its intentions for implementing fee authority on or before December 1, 2026.
- A new section is inserted into the Grain Dealer Act to create the Grain Dealer and Grain Warehouse Cash Fund as a repository of both the grain dealer and grain warehouse annual license fees beginning July 1, 2027. AM 2467 adopted on select file inserted legislative intent that any money in the fund shall

not be diverted to the general fund and that the license fees be set not exceed 25% of the costs of administered the grain dealer and grain warehouse acts.

- AM2004 also narrows the provision from LB 894 as introduced pertaining to when a payment obligation occurs and clarifies when interest begins to accrue for late payment. As introduced, LB 894 amends §75-903 to insert a new requirement that the security filed with the dealer license application obligate the dealer to satisfy a demand for payment within 2 business, or to tender payment no later than 30 days after the date final delivery if no demand is made, unless other payment terms are specified by contract. LB 894 as introduced also requires that the dealer would be liable for interest on any unpaid obligation beginning on the date of the payment obligation established by this section. AM2004 removes the 30-day requirement for payment after final delivery if no demand for payment is made and requires payment to be made within 10 business days if a written demand for payment, accompanied by proof of delivery, is made unless other payment terms are specified by contract. AM2004 also changes the interest provision contained in LB 894 as introduced to clarify that interest begins to accrue thirty days after a payment obligation matures under this section.

LB 895 provisions:

AM2004 sections 6-9 incorporate revised provisions of LB 895 which amends the Grain Warehouse Act to remove the exemption of federally-licensed warehouses from licensure and regulation under the Act and to replace statutorily prescribed grain dealer license fees with the delegation of fee setting authority within a statutory cap. Any differences between LB 895 as introduced and as contained in AM 2004 are noted in the following summary of sections 6 – 9 of AM2004:

Sec. 6: Amends §88-527 of the Grain Warehouse Act to remove an exemption of federally-licensed grain warehouses from the licensure and regulatory oversight provisions of the Act. As revised by AM2004, this section provides that federally-licensed warehouses shall be issued a state license, but excludes such warehouses from the bonding and license fees, and regulatory filings applicable to state-only licensees. A dually licensed warehouse is required to only submit copies of regulatory filings under the United States Warehouse Act, and administrative actions of the PSC are limited to only those performed with the written consent of the USDA.

Sec. 7: Amends §88-529 which currently prescribes annual grain warehouse license fees. AM2004 continues the current prescribed fee schedule through July 1, 2027, and delegates authority for the PSC to establish the license fee after that date within the limitation that any fees assessed do not exceed the fees charged federal warehouses as set by the USDA's Agricultural Marketing Service under a referenced publication. This section of AM2004 further requires that on or before December 1, 2026, the PSC shall submit a report to the Legislature of the schedule of warehouse license fees to become effective starting July 1, 2027. Grain warehouse license fees would continue to be remitted to the General Fund until July 1, 2027, when the license fees would be remitted to the new Grain Dealer and Grain Warehouse Cash Fund created in section 5 of AM2004. As revised by AM2467 adopted on select file, AM2004 also provides that any fees collected by the Commission under the Grain Warehouse Act, not just limited to annual license fees, be remitted to the Grain Dealer and Grain Warehouse Cash fund created by section 5 of AM2004.

Sec. 8: Amends §88-548 with a harmonizing revision to remove an exemption of federally-licensed warehouses from the Grain Warehouse Act except for certain reporting requirements.

Sec. 9: Amends §88-551 to harmonize that section with the placement of grain warehouse license fees in the Grain Dealer and Grain Warehouse Cash Fund.

LB 948 (Ag Committee) Change provisions of the Plant Protection and Plant Pest Act, change fees under the Pesticide Act, rename and change provisions of the Nebraska Commercial Fertilizer and Soil Conditioner Act, eliminate the Nebraska Poultry and Egg Resources Act, terminate a fund, and eliminate provisions relating to certain associations and societies

Date of Public Hearing: 1/27/2026

Date Reported from Committee: 2/18/2026

Committee Amendment: AM1976

Other Adopted Amendments: AM2169, AM2368, ER127

Effective Date: March 18, 2026

* Ag Committee 2026 session priority bill

** Enacted version contains provisions/purposes of LB 947

LB 948 was brought at the request of the Department of Agriculture. It renames the Fertilizers and Soil Conditioners Act and incorporates “beneficial substances” as regulated products under the Act. The bill also changes fees collected under the Act. LB 948, as introduced, outright repeals the Poultry and Egg Resources Act and directs a transfer of funds remaining in an associated cash fund, and repeals largely dormant statutes pertaining to the support of certain agricultural associations.

Section-by-section description (as introduced):

Sec. 1: Amends §2-3414 which creates the Nebraska Poultry and Egg Development and Marketing Fund. LB 948 terminates this section on January 1, 2027 and directs the transfer of any money remaining in the fund to the Nebraska Agricultural Products Marketing Fund. All other sections of the Poultry and Egg Resources Act are outright repealed in section 28.

Secs. 2 & 3: Amends §2-4323 and §2-4324 of the Ag Liming Materials Act to correct an external reference to conform with the change of the name of the Commercial Fertilizer and Soil Conditioners Act to the Commercial Fertilizer and Beneficial Substances Act in section 21.

Sec. 4: Amends §81-2,162.01 to conform this section to the change of the name of the Commercial Fertilizer and Soil Conditioners Act to the Commercial Fertilizer and Soil Conditioners Act in section 21.

Sec. 5: Amends §81-2,162.01 which defines terms for purposes of the Commercial Fertilizer and Soil Conditioners Act. LB 948 revises this section to conform with the change of the name of the Act. The term “soil conditioners” is stricken and new defined terms for “beneficial substances” and “microorganism” are inserted. The term “beneficial substances” would include soil conditioners and additional products of agronomic value.

Sec. 6: Amends §81-2,162.03 which requires fertilizers and soil conditioner products distributed in the state to be registered and sets out the process of application for registration and information to be provided by the applicant.

LB 948 would impose a new application fee of \$50 and clarify product content documentation to be provided with the application

Sec. 7: Amends §81-2,162.04 which prescribes product labeling disclosures for soil conditioners. LB 948 conforms this section to apply its requirements to beneficial substances and inserts a new requirement that products claiming microorganism content include an expiration date and recommended storage conditions.

Sec. 8: Amends §81-2,162.05 which prescribes nutrient content disclosures and guarantees for fertilizer products. LB 948 currently allows labeling claims of other beneficial substances present only if permitted. Since beneficial substances labeling is made mandatory under section 7, permissive beneficial substance labeling contained in this section is omitted

Sec. 9: Amends §81-2,162.06 which establishes an inspection fee based upon the tonnage of fertilizer and soil conditioner products distributed in the state. The minimum fee is 5 cents / ton but authorizes the Director to adjust the fee within a statutory maximum of 15 cents / ton. LB 948 revises the section to incorporate all beneficial substances and increases the minimum tonnage fee to 10 cents.

Secs. 10- 20: Amend sections of the Commercial Fertilizer and Soil Conditioners Act to conform to the change in the name of the Act to the Commercial Fertilizers and Soil Conditioners Act in section 21 and the incorporation of all beneficial substances as regulated products.

Sec. 21: Amends §81-2,162.22 to change the name of statutes designated as the Commercial Fertilizer and Soil Conditioners Act to the Commercial Fertilizer and Beneficial Substances Act.

Secs 22: Amends §81-2,162.23 which prohibits distribution of products regulated under the Act without a license and imposes a license application fee of \$15 annually. LB 948 amends this section to conform to the renaming of the Act and increases the license application fee to \$25 annually.

Secs. 23 - 24: Amend sections of the Commercial Fertilizer and Soil Conditioners Act to conform to the change in the name of the Act to the Commercial Fertilizers and Beneficial Substances Act in section 21.

Sec. 25: Amends §81-2,162.27 which creates the Nebraska Commercial Fertilizer and Soil Conditioner Administrative Fund. LB 948 renames the fund the Nebraska Commercial Fertilizer and Beneficial Substances Administrative Fund and strikes obsolete or expired authorized transfers from the fund or use of the fund. LB 948 further authorizes the fund to be used for any plant health program administered by the Department.

Sec. 26: Repealer section

Sec. 27: Outright repeals §2-2801 through §2-2812 except for §2-2808. These sections provide for the organization and/or support of qualifying agricultural organizations formed to improve agriculture and communities. Retained section §2-2808 names the Nebraska Crop Improvement Association as a qualifying organization. This provision is retained since it is the only active association among those named in the repealed sections.

LB 948 also outright repeals the Poultry and Egg Resources Act (§§2-3401 through 2-3416) except for §2-3414 which is amended by section 1 of the bill.

AM1976 (Ag Committee amendment as revised by AM2169 and AM2368):

The committee amendment (AM1976) replaces the original sections and becomes the bill. The amendment retains the provisions of LB 948 as introduced without revision and adds the provisions of LB 947.

LB 948 provisions:

Sections 7 - 9 and 11 - 33 of AM1976 retain the original provisions of LB 948 as introduced unchanged.

LB 947 provisions:

Sections 1-6 and section 10 of AM1976 contain the provisions of LB 947 also introduced by the Agriculture Committee. LB 947, introduced by the Agriculture Committee, revises the schedule of fees under the Plant Protection and Plant Pest Act and the Nebraska Pesticide Act, terminates certain cash funds and directs transfers of funds, removes obsolete and expired fund transfers and authorizations for use of certain cash funds, and removes a duty to publish a weed book. The provisions of LB947 added to the bill are described in the following section-by-section summary of those sections of AM1976 containing the LB 947 provisions.

Sec. 1: Amends §2-958 which creates the Noxious Weed Cash Fund. AM1976 eliminates an expired authorized use of the fund to carry out the Hemp Farming Act. (LB 947)

Sec. 2: Amends §2-1091 which enumerates duties and authorities of the Department of Agriculture to carry out the Plant Protection and Plant Pest Act. Currently this section authorizes the Department to assess fees set forth under §2-1091.02 by rule and regulation. AM1976 strikes the requirement to follow a rule and reg process to avoid conflict with revisions to §2-1091.02 that prescribe by statute fees beginning January 1, 2027, and that authorize the director to adjust fees annually thereafter within a statutory cap. This section as amended by AM1976 also clarifies the calculation of the hourly charge component of fees charged.

Sec. 3: Amends §2-1091.02 which sets out a new schedule of fees for nursery stock distributor license fees and inspection fees and various certificate issuance fees charged under the Plant Protection and Plant Pest Act. The amendment combines all fees under one table and reorganizes the section for readability and clarity.

Sec. 4: Amends §2-1095 which sets out procedures for annual certification inspections for growers of nursery stock. AM1976 provides that an application for inspection is included in the annual license application and clarifies that the hourly charge component of the inspection fee is based on the whole or partial hour.

Sec. 5: Amends §81-10,117 which creates the Plant Protection and Plant Pest Cash Fund. AM1976 deletes what becomes an obsolete transfer of funds from sales of the "Weeds of the Great Plains" publication due to outright repeal of §81-201.05 which currently assigns a duty to publish that book. This section also provides that any money remaining in the Nebraska Potato Development Fund when that fund is terminated be transferred to the Plant Protection and Plant Pest Cash Fund.

Sec. 6: Amends §2-2634 of the Pesticide Act which sets out fees for initial and annual registration of pesticide products distributed in the state. The registration fee would increase from \$160 to \$200 and raise the cap of the registration fee to \$250. This section increases the allocation of the registration fee to the Noxious Weed Cash Fund from \$30 to \$50, and to the Pesticide Administrative Cash Fund from \$25 to \$45.

Sec. 10: Amends §81-201 which enumerates duties and authorities of the Department of Agriculture. This section currently directs the Department to publish a weed reference book entitled “Weeds of the Great Plains”. AM1976 changes this duty to an authority to dispose of any remaining publications and directs any proceeds of the sale of the book be placed in the Noxious Weed Cash Fund. This section also directs that any funds in the Weed Book Cash Fund be transferred to the Noxious Weed Cash Fund by January 1, 2027.

AM2169 (DeKay)

AM2169 was an amendment to the committee amendment brought by Senator DeKay and adopted on general file. LB 947 as introduced contained the emergency clause and this was carried over in the committee amendment to LB 948 when adding the provisions of LB 947. AM2169 clarified operative dates for various provisions of the bill. While the amendment retained the emergency clause, various provisions of the Commercial Fertilizers and Beneficial Substances Act were rewritten so that the application of the Act’s regulation to beneficial substances did not begin until January 1, 2027. Additionally, the outright repeal of the Poultry and Egg Resources Act was modified by the AM2169 so that those provisions of the Act authorizing the collection of checkoff assessments of the Act were terminated on the effective date with the emergency clause but remaining provision authorizing the expenditure of checkoff assessments already collected remained in effect until January 1, 2027.

AM2368 (DeKay)

AM2368 brought by Senator DeKay and adopted on select file replaced the outright repeal of the Poultry and Egg Resources Act with a termination of the Act on December 31, 2027. The amendment retains the provisions of the Act in statute but would require legislative action to continue the Act in force after its termination date.

LB 1187 (DeKay) Change provisions of the Livestock Brand Act

Date of Public Hearing: 2/17/2026

Date Reported from Committee: 3/25/2026

Committee Amendment: AM2866

Other Adopted Amendments: AM3037, AM3068, ER184

Effective Date: July 18, 2026

* Dorn 2026 session priority bill

LB 1187 as introduced amends §54-1,108 of the Livestock Brand Act which sets out inspection fee authority of the Brand Committee. Currently, this section authorizes the Brand Committee to collect a / hd fee not to exceed \$1.10 and to collect a charge for actual mileage of the inspector to travel to an inspection location. LB 1187 would increase the statutory maximum / hd fee to \$1.50 and replace the actual mileage charge with a travel surcharge set by the

Brand Committee not to exceed \$30 per inspection location. LB 1187 would also delete expired and obsolete provisions of this section.

AM2866 (Ag Committee amendment as amended by AM3037 and AM3068):

The committee amendment (AM2886) is a white copy amendment which strikes the original provisions and becomes the bill. The Committee amendment was modified with the adoption of the AM3037 amendment to the committee amendment during general file debate and these provisions were further modified with adoption of AM3068 during select file debate. LB 1187 as enacted retains the inspection fee changes contained in the original bill, but adds a number of revisions to the Livestock Brand Act as described in the section-by-section summary below.

Section-by-Section Summary (as enacted):

Sec. 1: Amends §54-170 to include sections sections 3 through 7 and section 9 of the enacted bill as new sections within the Livestock Brand Act.

Sec. 2: Amends §54-171 to include sections 3 through 7 of the enacted bill as sections defining terms utilized by the Livestock Brand Act.

Secs. 3-7: Inserts wholly new sections defining the terms “backgrounding lot”, “brand committee”, “brand committee districts”, “dairy heifer development facility”, and “registered dairy heifer development facility”.

Sec. 8: Amends §54-189 which defines the term “satisfactory evidence of ownership” for purposes of the brand law. Current law lists types of documentation and evidence that taken together constitute proof of ownership in the judgement of a brand inspector. As revised, this section declares each type of documentation or evidence individually as satisfactory evidence of ownership, and any other facts, statements or circumstances that cause an inspector to believe ownership is proven.

Sec. 9: Inserts a wholly new section to direct that the term “satisfactory evidence of ownership” when used throughout the Livestock Brand Law shall be interpreted to apply as defined in §54-189.

Sec. 10: Amends §54-191 which creates the Nebraska Brand Committee and prescribes its membership. Current law provides that the brand committee consists of 5 voting members whose principle occupation is the raising or feeding of cattle, who are residents of the brand inspection area, are owners of cattle within the brand inspection area, and are owners of a livestock brand. At least three of the voting members are cattlemen and at least one member shall be a cattle feeder. The Secretary of State and the Director of Agriculture are ex-officio, nonvoting members.

LB 1187 as enacted terminates the existing brand committee membership provision on August 27, 2028. Beginning August 28, 2026, the brand committee will consist of seven members appointed by the Governor, including five cattlemen, one from each of five districts, one cattle feeder within the brand area, and one owner and operator of a livestock auction market located within the brand area. The initial appointments are two, three or four years as determined by the governor to achieve a staggering of terms. The Secretary of State and the Director of Agriculture remain as non-voting, advisory members.

Sec. 11: Amends §54-192 which directs the brand committee to employ an executive director. AM2886 provides that the brand committee shall appoint an executive director subject to approval by the Governor. Pursuant to Section 25, the changes to 54-192 become operative on January 1, 2027.

Sec. 12: Amends §54-1,102 to increase the statutory cap for the brand registration renewal fee from \$200 to \$400. §54-1,102 also currently provides that the fee for reinstatement of expired brands is the initial brand recording fee and a research fee set by the Brand Committee pursuant to §54-199, and a penalty of \$5 per month for each month the brand registration has expired. AM2886 changes the fee for reinstatement of expired brands to the renewal fee under this section but retains the \$5 late penalty fee.

Sec. 13: Amends §54-1,108 to increase the statutory cap for the per head brand inspection fee from the current \$1.10 to \$1.50 and replaces the travel cost component of the inspection fee from an actual mileage charge to a uniform surcharge per inspection location set by the brand committee not to exceed \$30. LB 1887 as enacted also strikes expired text which directed the Brand Committee to provide a report relating to E-inspection.

Sec. 14: Amends 54-1,111 which requires that cattle within the brand inspection area shall be inspected for ownership prior to any transaction transferring ownership except for certain exceptions listed in this section. LB 1187 adds a new exemption for cattle purchased or sold by a qualified dairy

Sec. 15: Amends §54-1,116 which requires a bill of sale to accompany and be produced for all livestock sold in the state. LB 1187 provides that for cattle, this duty is met with any form of satisfactory evidence of ownership and provides that the duty to produce is at the request of the brand committee or employees.

Sec. 16: Amends §54-1,120 which imposes the initial and annual renewal registration fee for registered feedlots. Current law provides for a calculation of the fee so that the fee corresponds with the per head inspection fee set by the brand committee pursuant to 54-1,108, applied to the feedlot capacity for initial applications for registered feedlot registration and to the average daily inventory for annual registration renewals. LB 1187 as enacted would change the calculation of the initial and annual renewal fee to apply only 25% of the per head inspection fee to the feedlot capacity or average daily inventory.

As enacted, LB 1187 also clarifies records kept by a registered feedlot to include cattle inventory records, purchase records and certificates of inspection on forms prescribed by the brand committee and that such records shall be made available to the brand committee for purposes of audit, investigations of lost or stolen cattle, and investigations of violations of the Livestock Brand Act. LB 1187 further directs that registered feedlots shall be subject to regular audit no more than twice annually, and that additional audits shall be conducted only with the approval of the brand committee and only if the Brand Committee has reason to believe the feedlot is in violation of the Brand Law.

Sec. 17: Amends §54-1,122 which currently exempts cattle entering a registered feedlot from brand inspection provided the cattle are moved directly to the feedlot from the point of origin and are accompanied by brand inspection documentation if originating in a brand inspection area or accompanied by satisfactory evidence of ownership if originating from a location not having brand inspection

As enacted, LB 1187 rewrites this provision to provide that cattle may be moved into a registered feedlot or a backgrounding lot without being subject to inspection provided the cattle a) originate in a state with a

brand inspection agency and are accompanied by brand inspection documentation, b) originate in a state or portion of a state without a brand inspection agency and are accompanied by satisfactory evidence of ownership, or c) originate in a backgrounding lot and the cattle were inspected upon entry to the backgrounding lot. Any cattle not exempt would be subject to inspection upon entry into the registered feedlot. LB 1187 as enacted further provides that the Brand Committee may issue guidelines for processes and recordkeeping by backgrounding lots to prevent commingling of cattle during transport to a backgrounder lot or to identify commingled livestock during transport.

Sec. 18 – 24: Creates a registered heifer development facility program similar to the existing registered feedlot program.

Sec. 25: Creates an operative date of January 1, 2027 for sections 11 of LB 1187 as enacted

Sec. 16: Repealer

Sec. 27: Repealer

BILLS INCORPORATED INTO OTHER ENACTED BILLS

LB 394 (DeKay) Change provisions of the Weights & Measures Act

Date of Public Hearing: 2/7/2025

Date Reported from Committee: Held

Committee Amendment:

* Provisions/purposes of 394 were incorporated into and enacted as sections 12-15 of LB 245

LB 394 is introduced at the request of the Department of Agriculture to incorporate current publications of the National Conference on Weights and Measures utilized as standards enforced under the Nebraska Weights and Measures Act. The bill further revises the schedule of license and inspection fees with the intent to fully cash fund the Department's duties under the Act

Section-by-Section description:

Sec. 1: Amends §89-186 to incorporate current publications (2025 editions) of the National Institute of Standards and Technology (Handbook 44 –Specifications, Tolerances and other Technical Requirements for Weighing and Measuring Devices; Handbook 130 – Uniform Regulation for the Method of Sale of Commodities, Uniform Packaging and Labeling Regulation, and Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality; Handbook 133 – Checking the Net Contents of Packaged Goods);

Sec. 2: Amends §89-187 which assigns duties and authorities of the Department of Agriculture under the Act. Subsection (19) authorizes the Department to require a permit to operate a weighing and measuring establishment and to collect a permit application fee of \$5. Subsection (20) authorizes the assessment and collection of annual inspection fees for various categories of weighing and measuring devices, designating an initial fee and annual adjustments to the fee within prescribed fee setting limitations, up to a maximum fee amount.

LB 394 would eliminate s the permit application fee and prescribe a new schedule of beginning year and maximum inspection fees. Additionally, a new fee category for electric vehicle chargers is added to reflect that commercial vehicle charging devices are a regulated weighing and measuring device under the current editions of the Handbooks incorporated by Section 1. The bill further provides that a delinquency in paying the annual fee voids the device permit.

Note – The fee provisions of LB 394 added to LB 245 were revised to only increase fee authority sufficient to continue matching general funds to support the Department's inspection program and a new fee category for EV chargers was omitted.

Sec. 3: Amends §89-187.02 which prescribes the permit application requirements. LB 394 eliminates the permit application fee.

Sec. 4: Amends §89-187.05 to strike a duty of establishment permit holders to return the permit if the establishment is permanently closed.

Sec. 5: Repealers

Sec. 6: Emergency clause

LB 895 (DeKay) Change provisions of the Grain Warehouse Act

Date of Public Hearing: 2/3/2026

Date Reported from Committee: Held

Committee Amendment:

* Provisions/purposes of 895 were incorporated into and enacted as sections 6 - 9 of LB 894

LB 895 amends the Nebraska Grain Warehouse Act to replace statutorily prescribed grain dealer license fees with delegation of fee setting authority within a statutory cap and also removes the exemption of federally-licensed warehouses from licensure and regulation under the Act.

Section-by-section (as introduced):

Sec. 1: Amends §88-527 of the Grain Warehouse Act to remove an exemption of federally-licensed grain warehouses from the requirement of state licensure under the Act. LB 895 further authorizes the Public Service commission to establish separate license application requirements and scope of oversight of warehouses that are dually licensed under state and federal law.

Sec. 2: Amends §88-529 which prescribes initial and annual grain warehouse license fees. The bill would strike the existing prescribed fee schedule which is a sliding scale based on the licensee's storage capacity. LB 895 would authorize the PSC to establish the license fee within a statutory cap that fees paid not exceed fees charged federal warehouses set by the USDA Agricultural Marketing Service under a referenced federal publication.

Sec. 3: Amends §88-548 with a harmonizing revision to remove an exemption of federally-licensed warehouses from the Grain Warehouse Act except for certain reporting requirements.

Sec. 4: Repealer

The provisions of LB 895 as enacted by incorporation into LB 894 with the adoption of AM2004 to that bill were modified as follows:

- Under the dual licensure application process under LB 895 as contained in the committee amendment to LB894, federally licensed warehouses would be automatically given a state license by the Commission. The amendment limits the Commission's regulatory authority over such dually licensed warehouses by only allowing the Commission to require warehouses to submit regulatory filings already provided to, or received from, the USDA. The bill also prohibits the Commission from charging a fee for the state license and makes it clearer that dually licensed warehouses would not be subject to duplicate bonding requirements. Additionally, the amendment prohibits the Commission from initiating administrative action against the state license of any dual-licensed warehouse without coordinating with USDA

- As incorporated into LB 894, the current schedule of annual license fees under Grain Warehouse Acts remains effective until July 1, 2027. The PSC would not have authority to adjust fees from time-to-time until after that date and the revised fee provisions requires the PSC to submit its plan for implementing the fee setting authority delegated by the bill by December 1 of this year. Also, LB 894 creates a new cash fund in the Grain Dealer Act that would receive both dealer and warehouse license fees beginning July 1, 2027.

LB 947 (Ag Committee) Change fees under the Plant Protection and Plant Pest Act and the Pesticide Act, change provisions relating to the Weeds of the Great Plains book, and change, eliminate, and terminate certain funds

Date of Public Hearing: 2/3/2026

Date Reported from Committee: Held

Committee Amendment:

* Provisions/purposes of 947 were incorporated into and enacted as sections 1-6 & 10 of LB 948

LB 947, introduced at the request of the Department of Agriculture, revises the schedule of fees under the Plant Protection and Plant Pest Act and the Nebraska Pesticide Act with the intention of partially replacing general funds currently supporting programs that receive allocations of those fees. The bill terminates certain cash funds and directs transfers of funds, removes obsolete and expired fund transfers and authorizations for use of certain cash funds, and removes a duty to publish a weed book.

Section-by-section description (as introduced):

Sec. 1: Amends §2-958 which creates the Noxious Weed Cash Fund. LB 947 eliminates an expired authorized use of the fund to carry out the Hemp Farming Act.

Sec. 2: Amends §2-1091 which enumerates duties and authorities of the Department of Agriculture to carry out the Plant Protection and Plant Pest Act. Currently this section authorizes the Department to revise license, inspection and certificate issuance fees set out in §2-1092.02 by rule and regulation. LB 947 strikes the requirement to follow a rule and reg process to be consistent with revisions to §2-1091.02 that authorize the director to set the fees annually. This section of LB 947 also clarifies the calculation of the hourly charge component of fees charged.

Sec. 3: Amends §2-1091.02 which sets out a new schedule of fees for nursery stock distributor and license and inspection and various certificate issuance fees charged under the Plant Protection and Plant Pest Act. LB 947 sets forth fees in 2 columns, directing that beginning January 1, 2027, the fee shall be the amount under column A. The director is authorized to adjust the fees annually thereafter within certain fee setting parameters and within the statutory maximum amounts in column B. The bill would combine all fees under one table and reorganize the section for readability and clarity. The current fee schedule and revisions contained in LB 947 are summarized in the following table:

Category	Current	Stat. Max	New Begin Fee	New Stat. Ma
Nursery Stock Distributor License (1 st acre)	\$115	\$140	140	\$180
Each additional Acre	\$5	\$6	\$39	\$50
Annual Certification Inspection (2-1095)	Included in License Fee		Included in License Fee	
Late Requested Certification Inspection, Regulatory Reinspection or Requested Inspection	\$24 / hour \$.42 / mile	\$27 / hour \$.50 / mile	\$39 / hour \$0.70/ mile	\$50 / hour \$1 / mile
Phytosanitary Export Certificates (2-1091)	\$30/ Certificate (+ \$7 if by phone)	\$40 / certificate (+\$10 if by phone)	\$60/ Certificate	\$106/ Certificate
Phytosanitary Export Certificate Inspections (2-1091)	\$24 / hour \$.42 / mile	\$27 / hour \$.50 / mile	\$39/ hour \$X0.70 / mile	\$50/ hour \$1 / mile
European Corn Borer Quarantine Certification license (2-1091)	\$50 / license	\$65 / license	\$65 / license	\$80 / license
European Corn Borer Certificate	\$6.25 for packet of 2	\$10 for packet of 25	\$25 for packet of 25	\$35 for packet of 25
Quarantine Compliance Agreement (2-1091)	\$50 / agreement	\$65 / agreement	\$65 / agreement	\$80 / Agreement
Quarantine Compliance Agreement Inspection	\$24 / hour \$.42 / mile	\$27 / hour \$.50 / mile	\$39 / hour \$0.70/ mile	\$50 / hour \$1 / mile

Sec. 4: Amends §2-1095 which sets out procedures for annual certification inspections for growers of nursery stock. LB 947 provides that an application for inspection is included in the annual license application and clarifies that the hourly charge component of the inspection fee is based on the whole or partial hour.

Sec. 5: Amends §81-10,117 which creates the Plant Protection and Plant Pest Cash Fund. LB 947 deletes what becomes an obsolete transfer of funds from sales of the "Weeds of the Great Plains" publication due to outright repeal of §81-201.05 which currently assigns a duty to publish that book.

Sec. 6: Amends §2-1808 of the Potato Development Act which creates the Nebraska Potato Development Fund. LB 947 terminates this section on July 1, 2026 and directs that any funds remaining on that date be transferred to the Plant Pest and Plant Protection Cash Fund.

Sec. 7: Amends §2-2634 of the Pesticide Act which sets out fees for initial and annual registration of pesticide products distributed in the state. LB 947 increases the annual pesticide product registration fee and statutory maximum fee, and revises the distribution of the fee collected for each registered product as follows:

Current Law		LB 947	
Current Actual Fee - \$160 Statutory Max - \$210		Actual Fee - \$200 New Statutory Max - \$250	
NoxWeed Cash Fund	\$30	Nox Weed Cash Fund	\$50
Buffer Strip Cash Fund	\$50	Buffer Strip Cash Fund	\$50
Natural Resources Water Quality Fund	\$55	Natural Resources Water Quality Fund	\$55
Pesticide Admin Fund	\$25 – (Remainder after above distributions)	Pesticide Admin Fund	\$45 – (Remainder after above distributions)

Sec. 8: Amends §81-201 which enumerates duties and authorities of the Department of Agriculture. This section currently directs the Department to publish a weed reference book entitled “Weeds of the Great Plains”. LB 947 removes the duty to publish the book and authorizes the Department to dispose of any remaining publication and any resulting proceeds be deposited in the Noxious Weed Cash Fund.

Sec. 9: Repealer

Sec. 10: Outright repeals §81-201.05

Sec. 11: Emergency clause.

BILLS ADVANCED BUT NOT ENACTED

LB 658 (Andersen) Provide labeling requirements for manufactured protein food products

Date of Public Hearing: 2/18/2025

Date Reported from Committee: 3/14/2025

Committee Amendment: AM568

Pending Amendments: none

LB 658 would establish labeling and advertising requirements for manufactured protein foods which are derived from cell-cultured proteins or other plant-based and insect-sourced meat analogue food items

Section-by-Section Description (as introduced):

Sec. 1: Amends §81-2,239 to incorporate new sections 3-9, 11, & 12 of the bill within the Nebraska Pure Food Act

Sec. 2: Amends §81-2,240 to incorporate the definitions contained in section 3-9 of the bill as defined terms for purposes of the Pure Food Act.

Secs. 3 – 9: Insert new defined terms for “agricultural food animal”, “cultivated protein food product”, “identifying meat term”, “insect protein food product”, “manufactured protein food product”, “plant-protein food product”, and “qualifying term”.

Sec. 10: Amends §81-2,283 which prohibits misbranding of food and declares misbranding to include food packaging labeling that lacks an identifier of the product, the net quantity of the product, and the name and address of the manufacturer or distributor, or labeling that is false or misleading. LB 658 inserts new provisions describing acts that are mislabeling for purposes of this section;

- For manufactured protein product, identifying the product by an identifying meat term unless the meat term is accompanied by a conspicuous and prominent qualifying term
- For manufactured protein products offered for sale in a food establishment, if the product is labeled with an identifying meat term but does not distinguish the item from meat derived from animal tissue.

Sec. 11: Inserts a new section declaring manufactured protein foods as falsely advertised if:

- The advertising utilizes an identifying meat term without a conspicuous qualifying term in proximity
- The item is offered for sale at a food establishment unless stored/displayed separate from meat from animal tissue and with shelf tagging that distinguishes the item from meat from animal tissues.

Sec. 12: Inserts a new section authorizing the Department of Agriculture to investigate complaints of product misbranding or false advertising notwithstanding another agency or local jurisdiction is the regulatory authority for food establishments.

AM568 (pending Ag Committee amendment)

The pending committee amendment would make the following changes:

- Replaces the definition of “cultivated protein food product” in section 4. The revision omits a reference to “non-animal sources” of cellular materials utilized in the process to avoid interpretation that the definition could include plant based products.
- Replaces section 8 which defines plant-protein food product. The revision in AM568 provides that a plant-protein food product is substantially made from plant parts and does not include any part of a slaughtered animal.
- Replaces Section 7 which defines manufactured protein food product as a cultivated protein, plant protein or insect based food product. The revision omits a qualification that defines plant protein food products as containing more than a trace amount of plant-proteins. This is no longer necessary with the clarification to the term plant protein food product.
- The requirement in section 11 of the bill that a manufactured protein food item is falsely advertised if offered for sale at a food establishment unless stored separate from meat from animal tissue is revised to require only that the product be displayed separately.

LB 646 (Ibach) Provide for exempt feedlots under the Livestock Brand Law

Date of Public Hearing: 2/11/2025

Date Reported from Committee: 3/18/2025

Committee Amendment: AM638 (as revised by AM829)

Other Adopted Amendments: AM829, AM1558 (as revised by FA271)

* Ibach 2025 session personal priority bill

As introduced, LB 646 proposed creating a new classification of feedlots within the brand inspection that are exempt from brand inspection compliance.

Section-by-Section Description (as introduced):

Sec. 1: Amends §54-170 which identifies sections contained in the Livestock Brand Act. LB 646 incorporates sections 3 – 5 of the bill into the Act.

Secs. 2 - 3: Amends §54-171 to include the definition of “exempt feedlot” in Section 3 as a defined term for purposes of the Act. Section 3 inserts a new section defining the term “exempt feedlot” to mean a feedlot exempt from audit and brand inspection.

Sec. 4: Subsection (1) declares that registered feedlots are exempt unless the feedlot requests to remain a registered feedlot. Registered feedlots shall have 180 days from the bill’s passage to submit a form notifying the Brand Committee of the feedlot’s election and the Brand Committee would have a duty to provide an exemption certificate within 15 days of receiving an exemption form. Subsection (2) prescribes procedures for feedlots that are not exempt under subsection (1) to apply for exemption. Such application is to be on a form provided by the Brand Committee upon request. Information to be entered by the applicant is prescribed and shall include an application fee of \$500. Provides for a 30-day review period during which the Brand Committee would determine if the applicant meets requirements for exemption prescribed in this subsection. Qualified applications for exemption would be issued an exempt certificate which remains valid unless rescinded for cause.

Sec. 5: Declares that cattle entering an exempt feedlot are not subject to inspection or fees and cattle leaving an exempt feedlot are not subject to inspection or fees if sent directly to slaughter.

Sec. 6: Amends §54-1,119 which provides for the designation of open markets (auction markets or packing plants where brand inspection is maintained) and provides for exemption from inspection at the point of origin of cattle that are transported to an open market destination. LB 646 inserts an additional exemption from point-of-origin inspection and associated audit or inspection fees if transported from an exempt feedlot direct to slaughter.

Sec. 7: Repealer

AM638 (AG Committee amendment as revised by AM829):

The Committee amendment (AM638) adopted on general file was a white copy amendment that became the bill. The committee amendment added additional requirements to acquire and maintain exempt certification, added additional circumstances that are exempt from brand inspection, changed certain fee authorities under the Livestock Brand Act, and made additional harmonizations throughout the Act. AM829 made a number of substantive revisions to the committee amendment. (see table)

Comparison of versions of LB 646		
LB 646 (Introduced)	AM638	AM829
Inserts new defined term for exempt feedlot to mean a feedlot exempt from inspection and audit	Rewrites the definition of "exempt feedlot" to mean a feedlot holding a valid exemption certificate. This definition becomes section 8 under AM638. AM638 further inserts new defined terms for "affiliated grow yard" "affiliated transfer", "audit", "Brand Committee", and "documentation"	Omits the definition of "exempt feedlot" Retains new defined terms for "affiliated grow yard" "affiliated transfer", "audit", "Brand Committee", and "documentation"
Created a new category of exempt feedlots. Existing registered feedlots were declared exempt by statute. Provided for an application and approval process for all other feedlots seeking exemption. Such application is to be on a form provided by the Brand Committee upon request. Information to be entered by the applicant is prescribed and shall include an application fee of \$500. Provides for a 30-day review period during which the Brand Committee would determine if the applicant meets requirements for exemption prescribed in this subsection. Qualified applications for exemption would be issued an exempt certificate which remains valid unless rescinded for cause.	Eliminates the automatic exemption status for existing registered feedlots. Provides that the process for applying for exempt certification under this subsection applies to all feedlots. As introduced, this process for seeking exemption, the application fee and ability to rescind for cause only applied to feedlots that are not currently registered feedlots. Section 4 of the bill as introduced becomes section 9 of AM638.	Eliminates creation of a new exempt feedlot category.
Inserts a new section providing that cattle entering an exempt feedlot are not subject to inspection or associated fees and are subject to inspection when leaving an exempt lot only if transported other than direct to slaughter	Qualifies the inspection and audit exemption: A) Exempt feedlots to maintain cattle inventory records, B) Feedlots remain subject to inspection & audit upon probable cause of brand law violations, C) incorporates exempt feedlots into provisions of 54-1.121 for purposes of inspections for cattle not going direct to slaughter, and D) allows Brand Committee to audit up to 4 times annually until Jan 1, 2029.	With the elimination of the new exempt feedlot category, these qualifications are obsolete and omitted

LB 646 (Introduced)	AM638	AM829
	<p>Inserts fee revisions. / Hd inspection fee cap increased from current \$1.10 to \$1.50. Statutory cap for brand renewals increased from \$200 to \$400. Brand Committee currently charges \$50.</p>	<p>Retains / hd and brand renewal fee revisions contained in the Committee Amendment. Revises the registered feedlot fees to \$1000 for initial and annual renewal (eliminates the current fee which essentially replicates the / hd fee charged against feedlot average daily inventory). Inserts a new requirement for the Brand Committee to provide a report on status of e-inspection implementation</p>
	<p>Inserts a new section providing that cattle transferred from an growyard affiliated with an exempt or registered feedlot are not subject to inspection provided:</p> <ul style="list-style-type: none"> •100% of the transferred cattle are owned by the feedlot •Cattle are accompanied by satisfactory evidence of ownership •The grow yard is fenced. 	<p>Retains the exemption from inspection for movements between an affiliated feedyard and a registered feedyard</p>
	<p>Amends §54-1,110 which generally requires inspection at the point of origin for cattle originating within the brand area and moved to a point outside the brand area. AM638 adds an additional exemption if cattle are transferred without a change of ownership to a location where the animals will be under the care of another person provided the entity having custody for care of the animals can show documentation verifying the arrangement.</p>	<p>Retains the exemption from inspection for animals moved from the brand area and placed in the temporary care of a third party without change of ownership</p>
	<p>Amends §54-1,111 which generally requires inspection of cattle originating in the brand area upon transfer of ownership unless otherwise exempted. AM638 inserts an additional exemption for cattle shipped from a qualified dairy or dairy development facility.</p>	<p>Retains the exemption for movements of dairy animals.</p>

AM1558 (as revised by FA271)

AM1558 adopted during select file debate was a white copy amendment which replaced the original provisions of the bill and all previously adopted amendments. As amended by AM1158, the enacted version of LB 546 contained only the following revisions to the Livestock Brand Law.

- Increased the inspection fee cap to \$1.50 (the actual fee to be set by the Brand Committee)
- Revised the initial and annual registered feedlot fees to be an amount that is 50 cents / hd multiplied by the feedlot capacity.
- Exempts movements of cattle to and from a qualified (licensed as a milk production facility under the Nebraska Milk Act) dairy
- Replaced the current actual mileage charge for country inspections to a flat \$20 surcharge per stop.

LB 1188 (DeKay) Prohibit ownership of real estate in adversary nations by the state and any political subdivision thereof

Date of Public Hearing: 2/10/2026

Date Reported from Committee: 2/27/2026

Committee Amendment: AM2029

Other Adopted Amendments:

LB 1188 amends the Foreign-owned Real Estate National Security Act to prohibit the state or local governments from owning any interest in real estate in an adversary nation.

Section-by-section description (as introduced):

Sec. 1: Amends §76-3702 which defines terms for purposes of the Foreign-owned Real Estate National Security Act. This section currently defines the term “restricted entity” to mean any person identified on sanctions lists maintained by the Office of Foreign Assets Control of the U.S. Treasury as such list existed on January 1, 2026. LB 1188 would update the reference to the sanctions lists as existing on January 1, 2026.

Sec. 2: Amends §75-3703 which declares a general prohibition against nonresident aliens, foreign corporations or restricted entities owning or holding interests in real estate except as otherwise permitted in the Foreign-owned Real Estate National Security Act. LB 1188 inserts a new subsection (4) to prohibit the state or its political subdivisions from owning interests in real estate within an adversarial nation as defined in §4-203.

AM2029 (Ag Committee) – pending:

The pending committee amendment (AM2029) would delay the effective date for the prohibition against the state and local governments holding real estate interests in adversarial nations until July 1, 2028.

BILLS HELD BY THE COMMITTEE

LB 145 (Ibach) Require the Department of Agriculture to administer a grant program and change appropriation intent for a riparian vegetation management program.

Date of Public Hearing: 1/28/2025

LB 145 would compel the Department of Agriculture to award grants authorized under the Noxious Weed Act and would increase the legislative intent regarding the level of funding for a riparian vegetation management program from \$3 million annually to \$6 million beginning FY2023-24.

Section-by-Section summary:

Sec. 1: Amends §2-958.02 which creates the Noxious Weed and Invasive Plant Species Assistance Fund and prescribes criteria applied to determine eligibility for, and to prioritize recipients of, grants awarded from the fund. Currently, this section provides that that the Director of Agriculture may implement a grant process from available funding for that purpose. LB 145 provides that the Director shall award grants when funds are available in the associated cash fund.

Subsection (4) creates a subcategory of eligible grant awards for projects advancing objectives and priorities of the Riparian Vegetation Management Task Force. Currently, subsection (4) states legislative intent to appropriate \$3 million annually for projects eligible under this subsection beginning FY2022-23. LB 145 increases the intended appropriation to \$6 million annually beginning FY2025-26.

Sec. 2: Repealer

LB 375 (Ibach) Adopt the Grocer Reinvestment Act

Date of Public Hearing: 2/4/2025

LB 375 establishes a program to provide financial assistance to stimulate investment to expand grocery services serving underserved areas.

Section-by-Section Description:

Sec 1: Names sections 1-7 of the bill the Grocer Reinvestment Option Act

Sec 2: Lists defined terms for purposes of the Act

Sec 3: Creates the Grocer Reinvestment Option Program administered by the Dept. of Economic Development. This section assigns a duty to the Department to develop eligibility criteria to qualify for grant assistance offered under the program and prescribes minimal eligibility criteria and criteria for evaluation and prioritizing applications. The Department is authorized to contract with non-profit or community development financial institutions to administer the program.

Sec. 4: Creates the Grocer Reinvestment Revolving Fund as a repository of any funds transferred by the Legislature or other funds acquired by gift or grant. This section authorizes use of the fund for purposes of the Act, but limits

administrative expense to 15% of the fund. The bill as introduced includes intent to appropriate an unspecified amount to the fund in each of the next two fiscal years.

Sec. 5: Assigns a duty to the Department of Economic Development to submit an annual report to the Legislature beginning October 31, 2025 detailing the projects funded and new investment stimulated by the grant assistance.

Sec. 6: Requires grant funds dispersed to recipients to be expended within three years and authorizes the Department to recover funds not spent or not spent for purposes authorized by the Act. Any recovered funds are remitted to the general fund.

Sec. 7: Delegates rule and reg authority to the Department of Agriculture.

LB 476 (Guereca) Provide exemptions under the Foreign-Held Real Estate National Security Act

Date of Public Hearing: 2/25/2025

LB 476 Inserts an exemption to the Foreign-Held Real Estate National Security Act for property interests acquired or held by certain non-resident aliens.

Section-by-Section Description:

Sec. 1: Amends §76-3701 to incorporate section 3 of the bill into the Foreign-owned Real Estate National Security Act

Sec. 2: Amends §76-3712 which authorizes the Department of Agriculture to investigate real estate interests reasonably suspected to be held in violation of the Act, to authorize counsel retained by the Department or the Attorney General to initiate proceedings to divest or terminate such real estate interests, and directs disposition of liquidated proceeds of properties divested by court order. LB 476 inserts a new subsection declaring this section does not apply to property interests described in Section 3 of the bill and that such interests are not in violation of the Act.

Sec. 3: Inserts a wholly new section to provide that property interests acquired by nonresident aliens shall not be voided, held invalid, divested or otherwise subject to the Act if such interests are acquired by a person or entity:

- a) while present in the United States pursuant to 8 CFR 274a.12 or
- b) who is no longer a non-resident alien.
- c) is currently a non-resident alien but acquired the property interest at a time the person was not a non-resident alien as defined.

The bill provides that this exemption does not apply to restricted entities.

Sec. 4: Repealer

LB 502 (Meyer) Provide a penalty under the Farm Labor Contractors Act

Date of Public Hearing: 2/25/2025

LB 502 would provide a penalty for seed corn producers to comply with reporting requirements relating to contract labor for detasseling or rogueing under the Farm Labor Contractors Act.

Section-by-Section Description:

Sec. 1: Amends §48-1714 of the Farm Labor Standards Act which assigns criminal penalties for certain specified violations of the Act. LB 502 would insert a new subsection (3) declaring violations of seed corn producers in meeting reporting requirements in §48-1715 to be a Class IV misdemeanor.

Sec. 2: Repealer

LB 540 (Holdcroft) Change provisions of the Nebraska Apiary Act and create the Nebraska Apiary Advisory Board

Date of Public Hearing: 2/25/2025

LB 540 provides for an Apiary Advisory Board and assigns its membership and duties. The bill also directs the University of Nebraska to create an apiary extension educator position.

Section-by-Section description:

Sec. 1: Amends §81-2,165 to incorporate sections 3-6 within the Nebraska Apiary Act

Sec. 2: Amends §81-2,166 which defines terms for purposes of the Nebraska Apiary Act. LB 540 inserts a new defined term for “beekeeper”

Sec. 3: Inserts a new section creating the Nebraska Apiary Advisory Board. Prescribes membership on the board to include the Director of Agriculture, who serves as chair, and additional members appointed by the Director drawn from commercial and hobbyist beekeepers, beekeeping members of a beekeeping club or organization. The Director may also invite membership by an entomologist with apiary expertise representing the University of Nebraska. The bill authorizes the Director to fill vacancies on the Board by appointment. Members serve without compensation but are eligible for reimbursement of expenses.

Sec. 4: Inserts a new section assigning duties to the advisory board created in Section 3. The Board would be charged with examining existing policies, laws, regulations and practices relating to bee population and to make recommendations for understanding and responding to bee population losses, the impact bee population losses on agricultural productivity, and educational programs to promote public awareness of the impacts of bee population declines and mitigating measures.

Sec. 5: Directs the UNL Board of Regent to create a full-time extension service educator and prescribes qualification and duties of the position

Sec. 6: Repealer

LB 638 (Ibach) Change provisions of the Nitrogen Reduction Incentive Act

Date of Public Hearing: 2/25/2025

LB 638 extends the termination date of the Nitrogen Reduction Incentive Act, removes a statutory limit on annual obligations of payments under the Act, and directs the Dept. of Natural Resources to apply for a grant from the Nebraska Environmental Trust to be used for purposes of the Act.

Section-by-Section description:

Sec 1: Amends §2-414 which sets out the general parameters and qualifying criteria for awarding incentive payments for reduction in commercial fertilizer use. Subsection (7) currently limits annual awards to the lesser of \$5 million or the amount appropriated. LB 638 strikes subsection (7).

Sec 2: Amends §2-416 which creates the Nitrogen Reduction Incentive Cash Fund. LB 638 inserts new provisions directing the Department of Natural Resources apply for a grant from the Environmental Trust Fund of \$25 million to be paid in 5 annual increments of \$5 million. The bill further directs that any Environmental Trust Funds be maintained in a subaccount of the Nitrogen Reduction Incentive Cash Fund and that interest in the subaccount be transferred to the Environmental Trust Fund.

Sec 3: Amends §2-417 to extend the termination date of the Act from December 31, 2029 to December 31, 2030.

Sec 4: Repealer

Sec 5: Inserts the emergency clause

LB 665 (Storer) Prohibit the use of certain electronic animal identification devices under the Animal Health & Disease Control Act

Date of Public Hearing: 2/11/2025

LB 665 Prohibits the use of electronic IDs for animal identification manufactured by an entity with ties to a foreign adversary.

Section-by-Section Description:

Sec. 1: Amends §54-2,901 to incorporate section 3 of the bill into the Animal Health and Disease Control Act.

Sec. 2: Amends §54-2,902 to include the definition of “foreign adversary” in Section 3 as a defined term for purposes of the Act.

Sec. 3: Inserts a new section defining the term “foreign adversary” as a foreign government or foreign non-government person designated as a foreign adversary pursuant to 15 CFR 791.4.

Sec. 4: Amends §54-2,939 to expand legislative findings and declarations of policy under the Animal Health and Disease Control Act to include protection of private property and to observe a potential that foreign adversaries may use technologies to disrupt the livestock industry.

Sec. 5: Amends §54-2948 which currently requires livestock imported into the state to be in compliance with the identification requirements of the federal disease traceability rule, as such rule existed on January 1, 2020. LB 665 prohibits the use of an electronic ID device manufactured by an entity with ties to a foreign adversary and prohibits the Department from requiring the use of any foreign manufactured electronic ID device for identifying animals or tracking their movements. .

Sec. 6: Repealer

LB 1258 (Hansen) Rename the Livestock Brand Act as the Livestock Protection Act, eliminate the Nebraska Brand Committee, and change, provide, and eliminate provisions relating to livestock branding and livestock protection

Date of Public Hearing: 2/11/2025

LB 1258 eliminates provisions of the Livestock Brand Act that provide for brand inspection upon certain movements and transfers of ownership of cattle, eliminates the Nebraska Brand Committee and reassigns brand registration and related duties as revised by the bill to the Department of Agriculture.

Bullet Point Summary:

The Livestock Brand Act protects livestock owners through brand recording, livestock theft investigation and brand inspection, including mandatory inspections upon certain movements and transfers of ownership of cattle. These duties are currently assigned to the Nebraska Brand Committee. LB 1258 eliminates mandatory brand inspection and eliminates the Brand Committee, transferring responsibility for brand recording and livestock theft investigation to the Department of Agriculture. The bill outright repeals several sections that become obsolete, retains existing section that remain necessary, and modifies remaining sections as necessary to accommodate the following:

- Outright repeals several sections that designate a mandatory brand inspection area and the brand inspection service area, and that require inspection upon certain movements or transfers of ownership of cattle within the mandatory brand inspection area. Related statutes that establish alternatives for meeting brand inspection compliance such as the registered feedlot program and registered dairies are also eliminated. Retains brand inspection provided as a voluntary service only upon request anywhere in the state. Livestock auction markets anywhere in the state could elect to have brand inspection at their locations.
- Revises inspection fee provisions to provide that the fee shall be a charge for mileage and the inspector's time. (The per head fee and mileage surcharge under current law become obsolete and are eliminated).
- Eliminates the Brand Committee and establishes a Division of Livestock Brand Recording, Brand Inspection and Investigation within the Department of Agriculture. The bill provides that the Division director shall be appointed by the Director of Ag. The appointed director shall be the administrative head of the Division and serve as the official brand recorder, assuming duties of the Brand Committee

for brand registration. Retains current statutory requirements to qualify a brand for recording. All fees for registration and renewal remain the same as current law. The Division director shall have other duties assigned, including the maintenance of a pool of inspectors (which can be contracted service providers), the assignment of inspectors to requests, and the issuance of documentation such as inspection certificates and brand clearance for inspections that are performed.

- Authorizes the division director to hire investigators and provide for training in livestock theft and fraud matters. The Department of Ag is authorized to enter into any contracts or memorandums for such training and would cooperate and coordinate with other law enforcement agencies in the investigation of theft or fraud involving livestock. Investigators would be available for temporary assignment to animal health enforcement or investigation.
- Amends the estray law (54-415) to provide that estray disposition is a responsibility of the counties. Current law provides that the Brand Committee is responsible for disposition of estrays and proceeds of sold estray livestock within the brand inspection or brand inspection service areas. Since both the Brand Committee and brand inspection areas are eliminated, there is no role remaining for the state other than if during the course of a voluntary inspection, state inspectors detect an estray, they would report to the county sheriff who would dispose of the animal as provided in 54-415.
- Eliminates authority to conduct brand inspection via E-inspection but retains non-visual identification may be utilized as evidence inspectors could consider in determining ownership if brands are not present or ownership is otherwise ambiguous
- Transition sections (Sections 39 – 43) provide for transfer of records, debts, cash funds, budget expenditure authorizations and other assets, to the Dept of Ag,. Employees of the Brand Committee would transition to the Dept. of Agriculture and retain benefits as state employess although the Department would retain authority to exercise management discretion to retain only staff necessary to carry out the duties assigned by the bill. Any suits and debts incurred by the Brand Committee prior to the effective date transfer to the Department of Agriculture.

REPORT ON THE PRIORTIZING OF INTERIM STUDY RESOLUTIONS

Pursuant to Rule 4, Section 3(c)

COMMITTEE: Agriculture

DATE: June 9, 2025

The following resolutions were referred to the Committee on Agriculture. The committee has prioritized the resolutions in the following manner:

<u>Resolution No.</u>	<u>Priority Category</u>	<u>Subject</u>
LR 153	1	Interim study to gather information relating to electronic animal identification devices
LR 168	1	Interim study to the purposes and utility of the Noxious Weed and Invasive Species Assistance Fund and associated grants awarded relating to riparian vegetation management
LR 178	2	Interim study to examine issue within the jurisdiction of the Agriculture Committee that may arise during the interim``
LR 179	2	Interim study to review occupational regulations under the Nebraska Livestock Dealer Act for purposes of the Occupational Board Reform Act
LR 257	1	Interim study to examine foreign and domestic threats to Nebraska agriculture
LR 258	3	Interim study to examine creating a philanthropic endowment to provide a camp to learn about agriculture
LR 280	1	Interim study to examine alternatives for brand inspection and for administration of the Livestock Brand Act

- 1 – Committee Priority – Staff prepare research report, interim hearings, task force or combination of committee activities
- 2 – Chairman Priority – Staff to compile information and prepare memoranda
- 3 – Senator Priority – Staff to assist individual senator’s research of issue

Senator Barry DeKay, Chair
Agriculture Committee

2025 Interim Study Resolutions Referred to the Agriculture Committee

LR 153 (Storer) The purpose of this resolution is to propose an interim study to gather information relating to electronic identification devices utilized as a method of identifying and managing animals for disease traceability, surveillance, and control regulations, for use by Nebraska livestock producers for compliance with such regulations, or for private herd management and marketing purposes. The study shall compile a list of electronic identification devices and related animal data collection and management equipment, services, and software available for purchase and use in Nebraska and shall identify manufacturers and vendors of such products and the brand names under which such products are sold.

The study shall also collect information regarding the locations of manufacturers and the final assembly of electronic identification devices as well as the manufacturing sources of chip components in such devices. The information compiled by this study can be used to assist future legislative deliberations regarding requirements for the sourcing of or limitations on the use of such devices and related data collection and management systems in order to mitigate any vulnerabilities to foreign interference in the livestock industry through the.

LR 168 (Ibach) The purpose of this resolution is to propose an interim study of the purposes, uses, and utility of the Noxious Weed and Invasive Plant Species Assistance Fund and associated grants awarded pursuant to the Noxious Weed Control Act. The study shall include a review of the history and accomplishments of riparian vegetation management projects funded in whole or in part through grants awarded under the act. This history shall include:

- (1) A listing of recipients of grant awards;
- (2) An overview of management objectives of projects awarded grants under the program;
- (3) An overview of cooperating and participating state, federal, and local governmental entities or private entities providing cost-share funds, in-kind contributions, or other contributions;
- (4) An overview of landowner participation; and
- (5) A review of the role of the Riparian Vegetation Management Task Force.

The study shall identify and prioritize riparian vegetation management projects. Such identification and prioritization may include, along with other relevant considerations, the value and urgency of vegetation management projects to: Maintain Nebraska's compliance with obligations on compact streams and the Platte River Recovery Implementation Program; maintain stream conveyance for the efficient movement of water and to minimize consumptive losses; address riparian vegetation congestion in streambeds as a factor contributing to the frequency and severity of incidents of flooding; and mitigate degradation of wildlife habitats. The study shall also identify potential funding sources for riparian vegetation management projects.

LR 178 (DeKay) The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Agriculture Committee of the Legislature that may arise in the interim.

LR 179 (DeKay) The purpose of this resolution is to propose an interim study to review occupational regulations under the Nebraska Livestock Dealer Licensing Act for purposes of the Occupational Board Reform Act.

LR 257 (Bostar) The purpose of this resolution is to propose an interim study to examine foreign and domestic threats to Nebraska agriculture, including foreign influence on the economic stability of the state and its

agricultural industries, international policy trends undermining modern agricultural practices, and vulnerabilities of agricultural industries and critical infrastructure to influence from foreign adversaries..

LR 258 (Armendariz) The purpose of this resolution is to propose an interim study to examine a philanthropic endowment and location to host a week-long camp for children nine to twelve years of age who live in low-income urban areas in order to give them an opportunity to experience and learn about agriculture and agriculture careers to potentially address workforce issues in rural areas. The study shall focus on, but need not be limited to, the following:

- (1) Assessing the educational, workforce, and social benefits of exposing urban youth to agriculture through camp programs;
- (2) Identifying successful models of or partnerships with universities, non-profits, or local farms and ranches in Nebraska or other states;
- (3) Evaluating options for curriculum development, accessibility, cultural inclusivity, and program delivery;
- (4) Determining potential funding sources, including state support, federal grants, or private sector contributions; and
- (5) Considering pilot program implementation in urban centers such as Omaha, Lincoln, or Grand Island.

LR 280 (Agriculture Committee) **PURPOSE:** The purpose of this resolution is to propose an interim study to examine the Livestock Brand Act and the role and mission of the Nebraska Brand Committee.

The study shall include, but not be limited to, the following:

- (1) Comparing and describing similarities and differences between brand inspection services and mandates applied in Nebraska and those applied in other states, including identifying the entities responsible for brand inspections, comparing points in commerce where inspections are performed, and the costs for inspections;
- (2) Gathering data, literature, and other information about whether the Livestock Brand Act is cost-effective, essential, valued, and has a continued commercial utility to all segments of the cattle industry;
- (3) Determining whether the Livestock Brand Act imposes unnecessary or inequitable costs or burdens and how revisions could eliminate or mitigate those costs or burdens;
- (4) Examining the long-term fiscal stability of the Nebraska Brand Committee;
- (5) Examining the progress and obstacles to implementing e-inspections;
- (6) Determining whether the Nebraska Brand Committee's mission should expand to provide other livestock identification services;
- (7) Consulting with various stakeholders and interested parties; and
- (8) Examining issues that arise during the study relating to the Livestock Brand Act or the Nebraska Brand Committee.

REPORT ON THE PRIORTIZING OF INTERIM STUDY RESOLUTIONS

Pursuant to Rule 4, Section 3(c)

COMMITTEE: Agriculture

DATE: April 9, 2026

The following resolutions were referred to the Committee on Agriculture. The committee has prioritized the resolutions in the following manner:

<u>Resolution No.</u>	<u>Priority Category</u>	<u>Subject</u>
LR 449	1	Interim study to examine state resources and programs to assist with recovery and restoration of agricultural lands that have suffered from devastating wildfires within the state
LR 450	2	Interim study to examine issues within the jurisdiction of the Agriculture Committee that may arise during the interim
LR 451	2	Interim study to review occupational regulations for bulk milk haulers and field representatives under the Nebraska Milk Act for purposes of the Occupational Board Reform Act

- 1 – Committee Priority – Staff prepare research report, interim hearings, task force or combination of committee activities
- 2 – Chairman Priority – Staff to compile information and prepare memoranda
- 3 – Senator Priority – Staff to assist individual senator’s research of issue

Senator Barry DeKay, Chair
Agriculture Committee

2026 Interim Study Resolutions Referred to the Agriculture Committee

LR 449(DeKay) PURPOSE: The purpose of this resolution is to propose an interim study to examine:

- (1) State resources and programs to assist with recovery and restoration of agricultural lands that have suffered from devastating wildfires within the state;
- (2) The loss of agricultural productivity from such wildfires;
- (3) Agricultural-resource degradation from such wildfires and the effects of such resource degradation;
- (4) Federal, state, and local government responses to such wildfires;
- (5) Available programs and assistance that are available to respond to the agricultural damage caused by such wildfires; and
- (6) Recommendations to enhance this state's capability to facilitate longterm recovery from such wildfires.

LR 450 (DeKay) PURPOSE: The purpose of this study is to examine issues within the jurisdiction of the Agriculture Committee of the Legislature.

LR 451 (DeKay) PURPOSE: LR451 2026 ONE HUNDRED NINTH LEGISLATURE SECOND SESSION LEGISLATIVE RESOLUTION 451 The purpose of this resolution is to propose an interim study to review occupational regulations for bulk milk haulers and field representatives under the Nebraska Milk Act for purposes of the Occupational Board Reform Act.