

**ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022**  
**COMMITTEE STATEMENT**  
**LB1023**

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**Hearing Date:** Thursday February 10, 2022  
**Committee On:** Natural Resources  
**Introducer:** Hilgers  
**One Liner:** Adopt the Lake Development Act and the Water Recreation Enhancement Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 5 Senators Aguilar, Bostelman, Gragert, Hughes, Jacobson  
**Nay:**  
**Absent:**  
**Present Not Voting:** 3 Senators Cavanaugh, J., Moser, Wayne

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**Oral Testimony:**

**Proponents:**

Mike Hilgers  
James Swenson  
Deb Schilz  
Dale Schroeder  
Ken Schilz  
Eunice Palu  
Eric Schroeder  
Kelly Hanvey  
Dan Broz  
Mona Weatherwax  
Holt Robinette  
Traci Jeffrey  
JoAn Schlotman  
Margaret Sandoz  
Jonathan Jank

Bruce Bohrer

**Opponents:**

Al Davis

**Neutral:**

John Hansen  
Phillip Young  
Dan Bundy  
Elizabeth Elliott

**Representing:**

Introducer  
Nebraska Game and Parks Commission  
Ogallala City Council; Lake Mac Advisory Committee  
Keith County Commissioner  
Nebraska Strategies  
Friends of Knox County  
NCPD  
Knox County Economic Development  
DVAuction, Inc.  
Village of Niobrara  
Niobrara Promoters  
Norfolk Area Visitors Bureau; Nebraska Travel Association  
Ponca Tribe of Nebraska  
Niobrara Public Schools  
Seward County Chamber and Developers Association;  
Nebraska Economic Developers Association  
Lincoln Chamber of Commerce

**Representing:**

Sierra Club- Nebraska Chapter

**Representing:**

Nebraska Farmers Union  
Self  
Self  
City of Lincoln

**Summary of purpose and/or changes:**

LB1023 creates the Lake Development and Water Recreation Enhancement Act based upon recommendations by the S.T.A.R.W.A.R.S. Task force created by LB406 in the 2021 session of the Legislature. The Act directs the Dept. of Natural Resources and the Game and Parks commission to oversee construction and management for certain projects such as (1) A reservoir in between Lincoln and Omaha near Sarpy County, (2) projects at Lake McConaughy, (3) projects in Niobrara State Recreation Area and Lewis and Clark Lake.

On behalf of the state, the Department of Natural Resources (DNR) and Game and Parks Commission will each manage the construction and development of certain aspects of the projects in a way that encourages private donations, investments, and public-private partnerships, donations and investments. Select the land for the lake, applying criterion listed, including preference given to locations that were materially underwater when the Platte River flooded in 2019 where construction will not flood any village or city.

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**Explanation of amendments:**

AM 1914:

1. Adds language to clarify lake project will not be built by damming the Platte River
2. Adds conflict of interest provisions to public-private partnerships
3. Adds provision encouraging engagement of local stakeholders
4. Remove references to "Lake McConaughy State Recreation Area" and replace with "Lake McConaughy"
5. Extends STARWARS committee for oversight to 2026
6. Removes appropriations provisions

Section-by-section description

Sec. 1 Names Sections 1 through 4 as the Jobs and Economic Development Initiative Act (JEDI Act.)

Sec. 2 Legislative findings and declarations; reference to the LB406 study. Discussion of findings from the study completed by the S.T.A.R.W.A.R.S committee pursuant to LB406 in 2021 identified potential opportunity for a reservoir on 3,600 surface acres of floodway near the Platte River in or near Sarpy County without a dam on the river or negative impact on the city of Ashland, the surrounding communities or the economic development of the same.

Sec. 3 Grants the Department of Natural Resources all power necessary to carry out the purposes of the Act. Enumerates the authority and limitations; allows creation of Lake Development District.

Sec. 4 Prohibits annexing of any land within the Lake Development District.

Sec. 5 Names sections 5 to 7 the Water Recreation Enhancement Act.

Sec. 6 Legislative findings and declarations related to the Act.

Sec. 7 Outlines the purpose of the Water Recreation Enhancement Act, the projects, and power granted to Game and Parks Commission; authority to enter into public-private partnerships.

Sec. 8 Extends S.T.A.R.W.A.R.S. committee termination date to December 31, 2026.

Sec. 9 Repeals and replaces original section 50-802.

Sec. 10 Emergency clause

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Bruce Bostelman, Chairperson