

2026

LEGISLATIVE BILL SUMMARY

NATURAL RESOURCES COMMITTEE

NEBRASKA LEGISLATURE

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

NATURAL RESOURCES COMMITTEE MEMBERS

Committee Members

Senator Tom Brandt, Chair, District 32

Senator Barry DeKay, Vice Chair, District 40

Senator Mike Moser, District 22

Senator Jana Hughes, District 24

Senator Danielle Conrad, Dist. 46

Senator Stan Clouse, District 37

Senator Jane Raybould, District 28

Senator Margo Juarez, District 5

Committee Staff

Cyndi Lamm, Legal Counsel

Sally Schultz, Committee Clerk

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Summary: There were 24 Legislative Bills, and two Legislative resolutions referenced for hearing to the Natural Resources Committee by the Executive Board during the second session of the 109th Legislature. One LR was for a Constitutional Amendment and the other was withdrawn without a hearing. The committee also received a referred resolution for one (1) interim study.

Ten bills (10) were related primarily to energy and chapter 70, five (5) to water (including water and soil programs), six (6) to Game and Parks, three (3) were weather or climate related (including carbon dioxide storage), and one (1) bill which concerned regulatory occupational requirements. Twelve (13) bills advanced by the committee were passed either individually or as part of other bills, one (1) was passed over on the floor . That one and eleven (11) more were indefinitely postponed on the last day of session.

The Committee passed two priority committee bills, (LB 759 and LB 1010).

Together, the two committee priority bills contained eight (8) bills coming out of committee, with a portion of an additional bill subjecting ESR projects to Nameplate Capacity tax added during floor debate.

The committee priority bill LB759, as amended, also included amended bills LB 760, LB 761, and LB 1076. The bill made changes to clean up language related to the previous year’s merger of two departments into the Nebraska Department of Water, Energy, and Environment (DWEE) and shifted rulemaking authority, inspections, permit requests, violations, enforcement measures, and penalties for

swimming pools, mobile home parks, and recreation camps, from DWEE to the local government entity with jurisdiction. LB759 also allows for DWEE entry onto land for purposes of investigating, evaluating, or studying a contemplated siting location for the Perkins County Canal Project, after notice to a landowner, and harmonizes violation provisions under the Geological Storage of Carbon Dioxide Act with federal provisions.

The committee priority bill LB1010, as amended, also included amended bills LB1064 and LB111. Additionally, portions of LB1193 were amended into the bill during floor debate. The bill provides a regulatory framework and guardrails for privately developed energy battery storage resources (ESR) facilities, data centers, and large load energy customers. The Committee advanced nineteen (19) onto the floor that passed and were signed by the Governor, ten (10) of which passed separate from committee priority bills. At the end of session, the Committee held ten (10) bills and one (1) Legislative Resolution in Committee that were not advanced to the floor nor otherwise included in other bills and had seven (7) bills that were indefinitely postponed because of full or partial inclusion in other bills.

BILL INDEX

BILLS INTRODUCED IN SECOND SESSION

CP-Committee Priority
IPP = Indefinitely Postponed

LB	INTRODUCER	ONELINER	HRG DATE	AM #	Cmte Action
LB759 ch. 46, ch 58, ch 61 ch 73, ch 81,	BRANDT	DWEE cleanup & Authority to enter land (Perkins Canal) Committee Priority #1	Jan. 21, 2026	AM1939	CP #1 Approved by the Governor April 7, 2026
LB760 ch. 81	BRANDT	Authority shift to local government.	Jan. 21, 2026	AM1939	Amended into CP#1
LB761 ch. 13, ch 46, ch 54, ch 81,	BRANDT	Fees DWEE	Jan. 21, 2026	AM1939	Amended into CP#1
LB823 ch 81	WORDENKE MP	Burn permits.	Jan. 22, 2026		Placed on General File Passed Approved by the Governor April 7, 2026
LB827 ch. 2	DEKAY	Provide for NRDs to create soil and water programs.	Jan. 28, 2026		Amended into LB794 by AM2019 Passed
LB916 ch 57	MEYER	Provide requirements for the transportation of carbon dioxide and change provisions relating to eminent domain and the Nebraska Geologic Storage of Carbon Dioxide Act.	Jan. 28, 2026	yes sp.	IPP
LB979 ch 37	BRANDT	Change provisions of the Game Law and the State Boat Act.	Jan. 22, 2026		Placed on General File PASSED Approved by the Governor April 14, 2026

LB1010 ch 70	BRANDT	Provide for no eminent domain of electrical energy storage, property, storage of electric energy under the Electric Cooperative Act and energy storage resources and change application, notice, filing, exemption, and violation provisions relating to electric suppliers (Battery Storage)	Feb. 11, 2026	AM2422	CP #2 Approved by the Governor April 14, 2026
LB1026 ch 70-1001.01	STORM	Prohibit retirement, shutdown, cessation of operation of certain energy generation facilities.	Feb. 4, 2026		IPP
LB1027 ch 70	STORM	Eliminate certain exemptions applicable to privately developed renewable energy generation facilities and change requirements for the construction of privately developed renewable energy generation facilities.	Feb. 4, 2026		IPP
LB1028 ch 54	JUAREZ	Provide requirements for nutrient management plans and the application of livestock waste or litter.	Feb. 19, 2026		IPP
LB1064 ch 70	BOSTAR	Adopt the Large Load Customer Regulation Act.	Feb. 12, 2026	AM2422	Amended into CP#2
LB1076 ch 57	BRANDT	Change penalty provisions relating to the Nebraska Geologic Storage of Carbon Dioxide Act.	Jan. 28, 2026	AM1939	Amended into CP#1
LB1111 ch 70	M. CAVANAUGH	Require an annual data center load report to the Nebraska Power Review Board; provide powers and duties for public power suppliers, allow and require regulation of data centers, and change provisions relating to regulation of	Feb. 12, 2026	AM2422	Amended into CP#2

		cryptocurrency mining operations.			
LB1127 ch 37	DOVER	Provide for hangtag permits for motor vehicles under the Game Law	Jan. 29, 2026		Placed on General File PASSED Approved by the Governor April 14, 2026
LB1141 ch 81	SPIVEY	Create the Nebraska Youth Pre-apprentice Conservation Program, provide powers and duties to the Game and Parks Commission and transfer funds from the Workforce Development Program Cash Fund.	Feb. 19, 2026		IPP
LB1172 ch 70	HOLDCROFT	Provide requirements for electric suppliers relating to dispatchable electricity capacity.	Feb. 4, 2026		IPP
LB1197 Ch 37	STORER	Change provisions relating to limited landowner hunting permits.	Feb. 18, 2026		IPP
LB1204 CH. 77;13	CLOUSE	Adopt the Nameplate Capacity Tax Facility Standards Act and change provisions relating to property tax exemptions and the nameplate capacity tax.	Feb. 12, 2026		IPP
LB1220 ch 37	BRANDT	Change provisions relating to hunting, fur-harvesting and fishing. (SHELL BILL)	Feb. 11, 2026		IPP
LB1226 ch 37	ANDERSeN	Provide for issuance of a combination hunting and fishing permit and certain stamps to certain veterans.	Feb. 18, 2026		Placed on General File IPP
LB1232 ch 37	STROMMEN	Provide for mountain lion hunting permits.	Feb. 18, 2026		Placed on General File Amended into LB979 by AM2331

LB1259 ch 70	HANSEN	Adopt the Grid Modernization Act	Feb. 5, 2026		IPP
LB1261	DEKAY OBO GOV.	Prohibit the use of eminent domain to acquire certain privately owned electric generation facilities	Feb. 5, 2026	AM2086	Placed on General File PASSED Approved by the Governor April 14, 2026
LR298C A ch 81	BRANDT	Constitutional Amendment (CA) to create requirements (limit) for the use of the Environmental Trust Fund.	Feb. 19, 2026		(Passed over)
LR329	DEKAY	Recognize the month of January 2026 as Nuclear Power Month in Nebraska	W/D		Withdrawn

Gubernatorial Appointments:

Appointee:	Commission/Board	HRG DATE	Status
Bearup, Jamie	Nebraska Ethanol Board	January 28 2026	Confirmed
Bird, Bradley	Environmental Quality Council	February 11, 2026	Confirmed
Cassels, Scott	Nebraska Game and Parks Commission	January 29, 2026	Confirmed
Coleman, Garfield	Nebraska Environmental Trust Board	January 21, 2026	Confirmed
Dicke, Scott	Nebraska Natural Resources Commission	January 29, 2026	Confirmed
Falcon da Silva, SteidleyTassia	Environmental Quality Council	February 5, 2026	Confirmed
Hedquist, Lance	Environmental Quality Council	February 4, 3036	Confirmed
Juelfs, Dallen R.	Nebraska Oil and Gas Conservation Commission		
Kolterman, Jessica	Environmental Quality Council	February 4, 2026	Confirmed
Mattoon, Steve	Nebraska Oil and Gas Conservation Commission	1/22/26	Confirmed
Mayhew, Lynn	Environmental Quality Council	February 25, 2026	Confirmed
McPheeters, Scott B.	Nebraska Ethanol Board	January 28, 2026	Confirmed
Nelson, Taylor	Nebraska Ethanol Board	January 28, 2026	Confirmed
Peterson, Kevin	Environmental Quality Council	February 4, 2026	Confirmed
Staples, Amy	Environmental Quality Council	February 25, 2026	Confirmed
Zingula, Douglas A	Game and Parks Commission	January 21, 2026	Confirmed
Zuhlke, Alden	Environmental Quality Council	February 5, 2026	Confirmed

SUMMARY OF ENACTED BILLS ()

- LB759 (Brandt)** **Committee Priority Bill #1.** Department of Water, Energy, and Environment (DWEE) clean up, authority to enter land for purposes of considering or preparing siting for the Perkins County Canal. LB759 was amended by the committee by AM1939 which contained LB759, along with LB760, LB761, and LB1076.
- LB760 (Brandt)** AM1939 to LB759 shifts rulemaking and enforcement authority from DWEE to the local entity with jurisdiction for safety standards for swimming, recreation parks, and mobile home parks.
- LB761(Brandt)** LB761 was amended into LB759 (AM1939), which authorizes adjustment and establishment of fees and caps for various services performed by DWEE.
- LB823(Wordenkemper)** Requires applicants for a burn permit to identify whether the intended burning is a prescribed burn or a controlled burn, the approximate number of acres to be involved; defines prescribed burning and controlled burning for clarification.
- LB827(DeKay)** A bill to amend Neb. Rev. Stat. Section 2-3232 to provide for the creation of or participation in soil and water programs for public education by natural resources districts (NRDs) throughout the state. Voted out of committee to General File. Amended into LB794 by AM2019.
- LB979 (Brandt)** Updates provisions of Game Law and State Boat Act; revises a definition related to wildlife damage abatement and clarifies agency authority to conduct abatement activities on private land. Authorizes cost-based fees for wildlife education programs requested by outside groups. Also increases and adjusts fee caps for various licenses and, as amended on the floor into LB979 by AM2331, LB1232 provides authorization to issue limited mountain lion hunting permits in a mountain lion management zone.
- LB1010 (Brandt)** **Committee Priority Bill #2,** LB1010 was amended by the committee by AM2422, which also included portions of LB1064 and LB1111. LB1010 Amends various provisions in Chapter 70 to provide oversight and to establish procedures that apply to private development of electric battery energy storage resources (ESR), including requirement for Power Review Board (PRB) approval, power purchase agreements with public power, and clarifies that developer is not entitled to sell retail or exercise eminent domain.

LB1064 (Bostar) LB1064, as amended into LB1010 by AM2422, directs public power suppliers to establish standards for interconnecting large load customers. The standards must include a requirement that the large load customer (a) disclose whether the customer is pursuing a substantially similar request for electric service that, if approved, would materially change, delay, or cause the current request to be withdrawn, (b) disclose information about the customer's onsite backup generating facilities, (c) pay a flat rate fee of at least \$50,000 or \$1,000 per megawatt, whichever is greater to the interconnecting public power supplier for initial studies for loads greater than 20MW, and an additional study fee if the customer requests additional capacity following the study, with studies to be completed within one-year after the study fee is paid, (d) provide a method for the customer to demonstrate site control for the proposed load location, and (e) financial commitment requirements for the development of transmission and generation infrastructure needed to serve the customer's large load.

LB1076 (Brandt) As amended into LB759 with AM1939, LB1076 changes penalty provisions relating to violations of the Nebraska Geologic Storage of Carbon Dioxide Act.

LB1111 (M.Cavanaugh) Portions of LB111, as amended into LB1010 by AM2422, amends section 70-1025 and 70-1506 to define and establish procedures and rules for developers of data centers with a peak electricity demand of ten megawatts (10MW) or more and requires an annual report from any person owning or operating a data center to the Department of Water, Energy, and Environment (DWEE) and the Legislature's Natural Resources Committee by September 30 of each year which contains information about ownership, size, location, and resource usage by the data center.

LB1127 (Dover) Amends sections 37-438, 37-440, and 37-443 of the Game Law to authorize the Game and Parks Commission, beginning January 1, 2027, to issue an optional motor vehicle hangtag

park permit for Nebraskans purchasing a resident annual park permit. The hangtag may be transferred between motor vehicles registered by the permit holder in the state of Nebraska.

LB1232 (Strommen) Amended on the floor into LB979 by AM2331, LB1232 amends section 37-405 and 37-456 of the Nebraska Game Law to authorize issuance of limited permits to hunt mountain lions in a mountain lion management zone.

LB1261 (DeKay) Introduced on behalf of the Governor, LB1261 was amended by the committee by AM2086. LB1261 amends section 70-670 to prohibit any consumer-owned utility provider of wholesale or retail electric service in Nebraska from exercising the power of eminent domain in order to acquire a privately-owned electric generation facility that is constructed to provide electricity to an industrial customer at a single site if certain conditions are met and the customer will require a load greater than one thousand megawatts (MW) of electrical power.

SUMMARIES OF BILLS HELD IN COMMITTEE

ANY BILLS HELD IN COMMITTEE AT END OF THIS 2ND SESSION WERE IPP'D BY MOTION OF THE LEGISLATURE ON THE FINAL DAY OF SESSION

BILLS INDEFINITELY POSTPONED ()

- LB916 (Meyer)** A bill to amend chapter 57 to provide requirements for the transportation of carbon dioxide and to change provisions relating to eminent domain and the Nebraska Geologic Storage of Carbon Dioxide Act.
- LB1026 (Storm)** A bill to amend chapter 70 to prohibit retirement, shutdown, cessation of operation, and alteration of operation of certain energy generation facilities.
- LB1027 (Storm)** A bill to amend chapter 70 to eliminate certain exemptions applicable to privately developed renewable energy generation facilities and change requirements for the construction of privately developed renewable energy generation facilities.
- LB1028 (Juarez)** A bill to amend chapter 54 to provide requirements for nutrient management plans and the application of livestock waste or litter.
- LB1141 (Spivey)** CCreate the Nebraska Youth Pre-apprentice Conservation Program, provide powers and duties to the Game and Parks Commission and transfer funds from the Workforce Development Program Cash Fund.
- LB1172 (Holdcroft)** Provide requirements for electric suppliers relating to dispatchable electricity capacity.
- LB1197 (Storer)** Change provisions relating to limited landowner hunting permits.
- LB1204 (Close)** adopt the Nameplate Capacity Tax Facility Standards Act and change provisions relating to property tax exemptions and the nameplate capacity tax.
- LB1220 (Brandt)** Change provisions relating to hunting, fur-harvesting and fishing. Shell bill-introduced for use in the event that an unforeseen matter needing action arises that is within the jurisdiction of the natural resources committee.
- LB1226 (Andersen)** Provide for issuance of a combination hunting and fishing permit and certain stamps to certain veterans.
- LB1259 (Hansen)** Adopt the Grid Modernization Act.

LR298CA (Brandt) A constitutional amendment to create requirements (limits) for the uses of the Environmental Trust Fund.

BILLS WITHDRAWN

LR329 (DEKAY) A resolution to recognize the month of January 2026 as Nuclear Power Month in Nebraska.

INTERIM STUDY RESOLUTIONS for 2026 INTERIM

LR47 (Brandt) Interim study to examine issues related to the production of natural gas.