

AMENDMENTS TO LB1015

Introduced by Stinner, 48.

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

3 Section 1. (1) The Legislature finds that it is essential to the
4 economic prosperity, health, and welfare of the people of the State of
5 Nebraska and to the environmental health of the entire Platte River Basin
6 to protect Nebraska's full entitlement to the flows of the South Platte
7 River as provided for in the South Platte River Compact. The South Platte
8 River Compact is the law of Nebraska and of the United States that
9 specifically authorizes Nebraska to develop a canal and associated
10 storage facilities for the diversion of water from the South Platte River
11 for beneficial use in Nebraska.

12 (2) The Legislature finds that it is in the best interests of the
13 State of Nebraska to authorize the Department of Natural Resources to
14 begin designing, engineering, acquiring permits, and entering into an
15 option to purchase land related to building a canal under the authority
16 of the State of Nebraska consistent with the South Platte River Compact
17 and to contract with an independent firm for the purposes of completing a
18 study of such canal.

19 (3) The Department of Natural Resources may develop, construct,
20 manage, and operate the Perkins County Canal Project consistent with the
21 terms of the South Platte River Compact. The department may:

22 (a) Contract for services;

23 (b) Acquire permits;

24 (c) Acquire and own real property;

25 (d) Acquire, hold, and exercise water rights;

26 (e) Employ personnel;

27 (f) Accept grants, loans, donations, gifts, bequests, or other

1 contributions for such purpose from any person or entity, public or
2 private, including any funds made available by any department or agency
3 of the United States;

4 (g) Manage and expend such funds as are made available to the
5 department from the Perkins County Canal Project Fund; and

6 (h) Engage in any other necessary activities consistent with the
7 compact in protecting Nebraska's full entitlement to flows of the South
8 Platte River.

9 (4) For purposes of this section, the Department of Natural
10 Resources may acquire real estate or access thereto in the name of the
11 State of Nebraska by the use of eminent domain as provided under section
12 76-725.

13 (5) The department may resolve all disputes that arise, including
14 the initiation or defense of legal actions of any kind, as necessary to
15 achieve the purposes of this section.