

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1009**

Introduced by Speaker Scheer, 19; at the request of the Governor.

Read first time January 15, 2020

Committee: Appropriations

1 A BILL FOR AN ACT relating to appropriations; to amend sections 61-222  
2 and 61-224, Reissue Revised Statutes of Nebraska, and section  
3 84-1227, Revised Statutes Supplement, 2019; to provide for transfers  
4 of funds; to repeal a fund; to harmonize provisions; to repeal the  
5 original sections; to outright repeal section 46-752, Reissue  
6 Revised Statutes of Nebraska; and to declare an emergency.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. The State Treasurer shall transfer \$642,380 from the  
2 Records Management Cash Fund to the Records Management Micrographics  
3 Services Revolving Fund on or after July 1, 2020, but on or before  
4 December 31, 2020, on such date as directed by the budget administrator  
5 of the budget division of the Department of Administrative Services.

6           Sec. 2. Section 61-222, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8           61-222 The Water Sustainability Fund is created in the Department of  
9 Natural Resources. The fund shall be used in accordance with the  
10 provisions established in Laws 2014, LB1098, and for costs directly  
11 related to the administration of the fund.

12           The fund shall consist of money transferred to the fund by the  
13 Legislature, other funds as appropriated by the Legislature, and money  
14 donated as gifts, bequests, or other contributions from public or private  
15 entities. Funds made available by any department or agency of the United  
16 States may also be credited to the fund if so directed by such department  
17 or agency. Any money in the fund available for investment shall be  
18 invested by the state investment officer pursuant to the Nebraska Capital  
19 Expansion Act and the Nebraska State Funds Investment Act. Investment  
20 earnings from investment of money in the fund shall be credited to the  
21 fund.

22           It is the intent of the Legislature that twenty-one million dollars  
23 be transferred from the General Fund to the Water Sustainability Fund in  
24 fiscal year 2014-15 and that eleven million dollars be transferred from  
25 the General Fund to the Water Sustainability Fund each fiscal year  
26 beginning in fiscal year 2015-16. It is the intent of the Legislature  
27 that three million dollars be transferred annually from the Water  
28 Sustainability Fund to the Nebraska Resources Development Fund in  
29 FY2015-16 and in FY2016-17.

30           The State Treasurer shall transfer one hundred seventy-five thousand  
31 dollars from the Water Sustainability Fund to the Department of Natural

1 Resources Cash Fund on or before June 30, 2020, on such dates and in such  
2 amounts as directed by the budget administrator of the budget division of  
3 the Department of Administrative Services.

4 The State Treasurer shall transfer four hundred twenty-five thousand  
5 dollars from the Water Sustainability Fund to the Department of Natural  
6 Resources Cash Fund on or before June 30, 2021, on such dates and in such  
7 amounts as directed by the budget administrator of the budget division of  
8 the Department of Administrative Services.

9 Sec. 3. Section 61-224, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 61-224 There is hereby created the Critical Infrastructure  
12 Facilities Cash Fund in the Department of Natural Resources. The fund  
13 shall consist of funds appropriated or transferred by the Legislature.  
14 The fund shall be used by the Department of Natural Resources (1) to  
15 provide a grant to a natural resources district to offset costs related  
16 to soil and water improvements intended to protect critical  
17 infrastructure facilities within the district which includes military  
18 installations, transportation routes, and wastewater treatment facilities  
19 and (2) to provide a grant to an irrigation district for reimbursement of  
20 costs related to temporary repairs to the main canal and tunnels of an  
21 interstate irrigation system which experienced a failure. Any funds  
22 remaining after all such project costs have been completely funded shall  
23 be transferred to the General Fund. Transfers may be made from the fund  
24 to the General Fund at the direction of the Legislature. The State  
25 Treasurer shall transfer three hundred eighty-four thousand two hundred  
26 twenty-two dollars plus any accrued interest through April 5, 2018, from  
27 the Critical Infrastructure Facilities Cash Fund to the General Fund on  
28 or before June 30, 2019, on such dates and in such amounts as directed by  
29 the budget administrator of the budget division of the Department of  
30 Administrative Services. Any money in the Critical Infrastructure  
31 Facilities Cash Fund available for investment shall be invested by the

1 state investment officer pursuant to the Nebraska Capital Expansion Act  
2 and the Nebraska State Funds Investment Act, and any interest earned by  
3 the fund shall be credited to the General Fund.

4 Sec. 4. Section 84-1227, Revised Statutes Supplement, 2019, is  
5 amended to read:

6 84-1227 There is hereby established in the state treasury a special  
7 fund to be known as the Records Management Cash Fund which, when  
8 appropriated by the Legislature, shall be expended by the Secretary of  
9 State for the purposes of providing records management services and  
10 assistance to state and local agencies, for development and maintenance  
11 of the portal for providing electronic access to public records or  
12 electronic information and services, and for grants to a state or local  
13 agency as provided in subdivision (1)(j) of section 84-1204. All fees and  
14 charges for the purpose of records management services and analysis  
15 received by the Secretary of State from the local agencies shall be  
16 remitted to the State Treasurer for credit to such fund. Transfers may be  
17 made from the fund to the General Fund, the Secretary of State  
18 Administration Cash Fund, the Records Management Micrographics Services  
19 Revolving Fund, or the Election Administration Fund at the direction of  
20 the Legislature. The State Treasurer, at the direction of the budget  
21 administrator of the budget division of the Department of Administrative  
22 Services, shall transfer five hundred thousand dollars from the Records  
23 Management Cash Fund to the Information Management Revolving Fund on or  
24 before June 30, 2016. Any money in the Records Management Cash Fund  
25 available for investment shall be invested by the state investment  
26 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
27 State Funds Investment Act.

28 Sec. 5. Original sections 61-222 and 61-224, Reissue Revised  
29 Statutes of Nebraska, and section 84-1227, Revised Statutes Supplement,  
30 2019, are repealed.

31 Sec. 6. The following section is outright repealed: Section 46-752,

1 Reissue Revised Statutes of Nebraska.

2 Sec. 7. Since an emergency exists, this act takes effect when

3 passed and approved according to law.