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

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

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

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

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

The State Treasurer shall transfer one hundred seventy-five thousand dollars from the Water Sustainability Fund to the Department of Natural Resources.
Resources Cash Fund on or before June 30, 2020, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

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

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

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

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

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

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

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.