

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 190

Introduced by Hughes, 44.

Read first time January 08, 2021

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Water Sustainability Fund; to amend
- 2 section 61-222, Revised Statutes Cumulative Supplement, 2020; to
- 3 provide a restriction and an exception relating to distributions
- 4 from the fund as prescribed; to harmonize provisions; and to repeal
- 5 the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 61-222, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 61-222 (1) The Water Sustainability Fund is created in the
4 Department of Natural Resources. The fund shall be used in accordance
5 with the provisions established in sections 2-1506 to 2-1513 Laws 2014,
6 ~~LB1098,~~ and for costs directly related to the administration of the fund,
7 except that transfers may be made from the fund as provided in this
8 section.

9 (2) Except as provided in subsections (5), (6), and (7) of this
10 section, the Legislature shall not appropriate or transfer money from the
11 Water Sustainability Fund for any purpose other than to further the goals
12 stated in section 2-1506, except that the Legislature may appropriate or
13 transfer money from the fund upon a finding that the goals of such
14 section are not being accomplished by the fund.

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

25 (4) It is the intent of the Legislature that twenty-one million
26 dollars be transferred from the General Fund to the Water Sustainability
27 Fund in fiscal year 2014-15 and that eleven million dollars be
28 transferred from the General Fund to the Water Sustainability Fund each
29 fiscal year beginning in fiscal year 2015-16. It is the intent of the
30 Legislature that three million dollars be transferred annually from the
31 Water Sustainability Fund to the Nebraska Resources Development Fund in

1 FY2015-16 and in FY2016-17.

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

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

12 (7) The State Treasurer shall transfer five hundred thousand dollars
13 from the Water Sustainability Fund to the General Fund on or before June
14 30, 2021, on such dates and in such amounts as directed by the budget
15 administrator of the budget division of the Department of Administrative
16 Services.

17 Sec. 2. Original section 61-222, Revised Statutes Cumulative
18 Supplement, 2020, is repealed.