

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 788**

Introduced by Groene, 42; Brewer, 43; Halloran, 33; Murman, 38.

Read first time January 05, 2022

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to the Nebraska Rural Projects Act; to amend
- 2 sections 81-12,213 and 81-12,218, Revised Statutes Supplement, 2021;
- 3 to change provisions relating to certain limits on matching funds;
- 4 to change legislative intent regarding appropriations; to provide
- 5 for transfers of funds; to harmonize provisions; to repeal the
- 6 original sections; and to declare an emergency.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-12,213, Revised Statutes Supplement, 2021, is  
2 amended to read:

3 81-12,213 (1) The right to receive matching funds under the Nebraska  
4 Rural Projects Act:

5 (a) Shall be subject to the limitations on matching funds provided  
6 in subsections (3) and (2) ~~through~~ (4) of this section and any other  
7 limitations provided in the act;

8 (b) Shall be subject to funds being appropriated by the Legislature;  
9 and

10 (c) Shall not be transferable.

11 (2) No less ~~more~~ than fifty million dollars of matching funds shall  
12 be paid in total under the Nebraska Rural Projects Act.

13 (3) No more than thirty million dollars of matching funds shall be  
14 paid for any one project out of the initial fifty million dollars  
15 appropriated pursuant to subsection (7) of this section. If more than  
16 fifty million dollars are appropriated under the act, no one project  
17 shall receive more than sixty percent of the amount appropriated in  
18 excess of fifty million dollars.

19 (4) An applicant shall not receive more matching funds than the  
20 amount of matching funds approved under the applicant's agreement.

21 (5) For any year in which more than one applicant qualifies for  
22 matching funds, the applicant with the earlier date of application shall  
23 receive the full amount of matching funds to which he or she is entitled  
24 before any matching funds may be paid to the applicant with the later  
25 date of application. If an applicant cannot be paid in full in any given  
26 year, then the matching funds shall be paid in later years until fully  
27 funded, subject to the limitations provided in this section.

28 (6) It is the intent of the Legislature that all matching funds owed  
29 to applicants under agreements signed pursuant to the Nebraska Rural  
30 Projects Act shall be paid by the state in full if the applicant has met  
31 all requirements for such funds.

1 (7) It is further the intent of the Legislature to appropriate  
2 twenty-five ~~five~~ million dollars for fiscal year 2021-22 and twenty-five  
3 ~~five~~ million dollars for fiscal year 2022-23 to the Department of  
4 Economic Development for purposes of carrying out the Nebraska Rural  
5 Projects Act.

6 (8) The State Treasurer shall transfer fifty million dollars from  
7 the General Fund to the Nebraska Rural Projects Fund on May 1, 2022, or  
8 as soon thereafter as administratively possible.

9 Sec. 2. Section 81-12,218, Revised Statutes Supplement, 2021, is  
10 amended to read:

11 81-12,218 (1) The Nebraska Rural Projects Fund is hereby created.  
12 The fund shall receive money from application fees paid under the  
13 Nebraska Rural Projects Act and from transfers authorized by  
14 ~~appropriations from~~ the Legislature, grants, private contributions,  
15 repayments of matching funds, and all other sources. Any money in the  
16 fund available for investment shall be invested by the state investment  
17 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
18 State Funds Investment Act.

19 (2) Distributions of matching funds shall only be made from the fund  
20 in amounts determined pursuant to subsection (1) of section 81-12,211.

21 (3) The State Treasurer shall transfer any money remaining in the  
22 fund after all obligations under the Nebraska Rural Projects Act have  
23 been met to the General Fund.

24 Sec. 3. Original sections 81-12,213 and 81-12,218, Revised Statutes  
25 Supplement, 2021, are repealed.

26 Sec. 4. Since an emergency exists, this act takes effect when  
27 passed and approved according to law.