

E AND R AMENDMENTS TO LB 644

Introduced by Ballard, 21, Chairman Enrollment and Review

1 1. In the Slama amendment, AM1476, strike sections 2, 3, 6, and 7
2 and insert the following new sections:

3 Sec. 2. Section 81-12,147, Revised Statutes Supplement, 2023, is
4 amended to read:

5 81-12,147 (1) Except as provided in subsection (2) or (3) of this
6 section, the Department of Economic Development shall use the Site and
7 Building Development Fund to finance loans, grants, subsidies, credit
8 enhancements, and other financial assistance for industrial site and
9 building development and for expenses of the department as appropriated
10 by the Legislature for administering the fund. The following activities
11 are eligible for assistance from the fund:

12 (a) Grants or zero-interest loans to villages, cities, or counties
13 to acquire land, infuse infrastructure, or otherwise make large sites and
14 buildings ready for industrial development;

15 (b) Matching funds for new construction, rehabilitation, or
16 acquisition of land and buildings to assist villages, cities, and
17 counties;

18 (c) Technical assistance, design and finance services, and
19 consultation for villages, cities, and counties for the preparation and
20 creation of industrial-ready sites and buildings;

21 (d) Loan guarantees for eligible projects;

22 (e) Projects making industrial-ready sites and buildings more
23 accessible to business and industry;

24 (f) Infrastructure projects necessary for the development of
25 industrial-ready sites and buildings;

26 (g) Projects that mitigate the economic impact of a closure or
27 downsizing of a private-sector entity by making necessary improvements to

1 buildings and infrastructure;

2 (h) Public and private sector initiatives that will improve the
3 military value of military installations by making necessary improvements
4 to buildings and infrastructure, including, but not limited to, a grant
5 for the establishment of the United States Strategic Command Nuclear
6 Command, Control, and Communications public-private-partnership facility;

7 (i) A grant to a city of the second class that is served by two
8 first-class railroads, that is within fifteen miles of two state borders,
9 and that partners with public power utilities for purposes of expanding
10 electrical system capacities and enhancing redundancy and resilience;

11 (j) A grant of two million dollars to a city of the first class
12 located in the first congressional district if the property previously
13 housed a university or college that is no longer extant and if the
14 improvement and revitalization of the real property is for purposes of
15 supporting the housing, employment, and program needs of youth exiting
16 the foster care system. In addition, the real property may be used for
17 youth exiting juvenile court supervision in an out-of-home placement;

18 (k) Public and private sector initiatives that will improve the
19 value of cities of the second class that have partnered with the United
20 States Department of Defense or its contractors on upgrades to ground-
21 based nuclear deterrence. Such improvements include the construction of
22 electrical, drinking water, and clean water infrastructure; and

23 (l) Identification, evaluation, and development of large commercial
24 and industrial sites and building infrastructure to attract major
25 investment and employment opportunities for advanced manufacturing,
26 processing, trade, technology, aerospace, automotive, clean energy, life
27 science, and other transformational industries in Nebraska by means of
28 the department providing grants to or partnering with political
29 subdivisions, including inland port authorities under the Municipal
30 Inland Port Authority Act, or nonprofit economic development corporations
31 and entering into contracts for consulting, engineering, and development

1 studies to identify, evaluate, and develop large commercial and
2 industrial sites in Nebraska.

3 (2) The Department of Economic Development shall use the subaccount
4 of the Site and Building Development Fund described in subsection (2) of
5 section 81-12,146 to provide financial assistance to any inland port
6 authority created under the Municipal Inland Port Authority Act to help
7 finance large shovel-ready commercial and industrial sites developed
8 under such act.

9 (3)(a) The Department of Economic Development shall use the
10 subaccount of the Site and Building Development Fund described in
11 subsection (3) of section 81-12,146 to support identifying, evaluating,
12 and developing large commercial and industrial sites and building
13 infrastructure to attract major investment and employment opportunities
14 for (i) industries, including, but not limited to, advanced
15 manufacturing, processing, trade, technology, aerospace, automotive,
16 clean energy, and life science, (ii) commercial, entertainment, and
17 tourism attractions, and (iii) other transformational industries in
18 Nebraska.

19 (b) Fifteen and one-half percent of the amount transferred to the
20 subaccount described in subsection (3) of section 81-12,146 shall be used
21 for large commercial and industrial sites and building infrastructure
22 west of the one hundredth meridian in Nebraska.

23 (c)(i) Sixty-three percent of the amount transferred to the
24 subaccount described in subsection (3) of section 81-12,146 shall be used
25 for large commercial and industrial sites and building infrastructure
26 east of the one hundredth meridian in Nebraska.

27 (ii) It is the intent of the Legislature that the large commercial
28 and industrial sites and building infrastructure east of the one
29 hundredth meridian in Nebraska be capable of supporting businesses and
30 business development that would, if the business applied for assistance
31 under the ImagiNE Nebraska Act, potentially qualify for assistance if the

1 following requirements applied at the time application is made:

2 (A) For a city of the metropolitan class or a county in which a city
3 of the metropolitan class is located, the business located in such city
4 or county could probably attain a cumulative investment in qualified
5 property of at least eight hundred million dollars at the qualified
6 location or locations before the end of the ramp-up period;

7 (B) For a city of the primary class or a county in which a city of
8 the primary class is located, the business located in such city or county
9 could probably attain a cumulative investment in qualified property of at
10 least two hundred million dollars at the qualified location or locations
11 before the end of the ramp-up period;

12 (C) For a city of the first class or a county in which a city of the
13 first class is the largest municipality located in such county, the
14 business located in such city or county could probably attain a
15 cumulative investment in qualified property of at least ten million
16 dollars at the qualified location or locations before the end of the
17 ramp-up period;

18 (D) For a city of the second class or a county in which a city of
19 the second class is the largest municipality located in such county, the
20 business located in such city or county could probably attain a
21 cumulative investment in qualified property of at least one million six
22 hundred thousand dollars at the qualified location or locations before
23 the end of the ramp-up period; and

24 (E) For a village or a county in which a village is the largest
25 municipality located in such county, the business located in such village
26 or county could probably attain a cumulative investment in qualified
27 property of at least two hundred thousand dollars at the qualified
28 location or locations before the end of the ramp-up period.

29 (d) The department may use the subaccount described in subsection
30 (3) of section 81-12,146 to provide the following assistance to support,
31 identify, evaluate, and develop large commercial and industrial sites and

1 building infrastructure: Finance loans; provide grants, subsidies, or
2 credit enhancements; and provide other financial assistance to eligible
3 entities.

4 (e) The following entities are eligible for assistance from the
5 subaccount described in subsection (3) of section 81-12,146: Political
6 subdivisions, inland port authorities created under the Municipal Inland
7 Port Authority Act, qualified businesses as defined in section 77-6512,
8 nonprofit economic development organizations, or other nonprofit
9 organizations.

10 (f) It is the intent of Legislature that the department provide
11 assistance from the subaccount described in subsection (3) of section
12 81-12,146 to eligible entities in support of developing large commercial
13 and industrial sites and building infrastructure. Eligible entities shall
14 apply to the department in a form and manner developed by the Director of
15 Economic Development. The department shall evaluate the merits of
16 applications from eligible entities.

17 (g) Six percent of the amount transferred to the subaccount
18 described in subsection (3) of section 81-12,146 may be used by the
19 department to hire additional staff, make expenditures for travel,
20 initiate and coordinate audits of entities receiving assistance from the
21 subaccount, partner with political subdivisions or nonprofit economic
22 development corporations, and enter into contracts for consulting,
23 engineering, and development studies to identify, evaluate, and develop
24 large commercial and industrial sites in Nebraska. The contracts shall be
25 based on competitive bids.

26 (h) Fifteen and one-half of the amount transferred to the subaccount
27 described in subsection (3) of section 81-12,146 may be used by the
28 department to support projects pursuant to subsection (1) of this
29 section.

30 Sec. 3. Section 81-12,148, Revised Statutes Supplement, 2023, is
31 amended to read:

1 81-12,148 (1) Governmental subdivisions and Nebraska nonprofit
2 organizations are eligible to receive assistance under the Site and
3 Building Development Act. Any entity receiving assistance under
4 subsection (1) of section 81-12,147 shall provide, or cause to be
5 provided, matching funds for the eligible activity in an amount
6 determined by the Department of Economic Development, which amount shall
7 be at least equal to one hundred percent of the amount of assistance
8 provided by the Site and Building Development Fund. Nothing in the act
9 shall be construed to allow individuals or businesses to receive direct
10 loans from the fund.

11 (2) An applicant for a grant for development of a public-private-
12 partnership facility under subdivision (1)(h) of section 81-12,147 shall
13 provide the Director of Economic Development with a letter of support
14 from the United States Strategic Command prior to approval of the
15 application and with proof of the availability of twenty million dollars
16 in private or other funds for the facility. No funds shall be expended or
17 grants awarded until receipt of proof of the availability of twenty
18 million dollars in private or other funds for the facility and
19 certification is provided by the Director of Economic Development to the
20 budget administrator of the budget division of the Department of
21 Administrative Services.

22 (3) An applicant for a grant for development under subdivision (1)
23 (k) of section 81-12,147 is not required to meet the matching fund
24 requirements pursuant to this section but shall provide the Director of
25 Economic Development a letter from the United States Department of
26 Defense or contractor providing upgrades to ground-based nuclear
27 deterrence that infrastructure improvements, including the construction
28 of electrical, drinking water, and clean water infrastructure, will not
29 be included in the scope of the project. No grants shall be awarded or
30 funds expended until such letter is received.

31 (4) This section does not apply to (a) any inland port authority

1 receiving assistance under subsection (2) of section 81-12,147 or (b) any
2 application under subsection (3) of section 81-12,147.

3 Sec. 6. Section 84-612, Revised Statutes Supplement, 2023, is
4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund
6 known as the Cash Reserve Fund which shall be under the direction of the
7 State Treasurer. The fund shall only be used pursuant to this section.

8 (2) The State Treasurer shall transfer funds from the Cash Reserve
9 Fund to the General Fund upon certification by the Director of
10 Administrative Services that the current cash balance in the General Fund
11 is inadequate to meet current obligations. Such certification shall
12 include the dollar amount to be transferred. Any transfers made pursuant
13 to this subsection shall be reversed upon notification by the Director of
14 Administrative Services that sufficient funds are available.

15 (3) In addition to receiving transfers from other funds, the Cash
16 Reserve Fund shall receive federal funds received by the State of
17 Nebraska for undesignated general government purposes, federal revenue
18 sharing, or general fiscal relief of the state.

19 (4) The State Treasurer shall transfer two million dollars from the
20 Governor's Emergency Cash Fund to the Cash Reserve Fund on or before June
21 30, 2024, on such dates and in such amounts as directed by the budget
22 administrator of the budget division of the Department of Administrative
23 Services.

24 (5) The State Treasurer shall transfer two hundred sixteen million
25 one hundred twenty thousand dollars from the Cash Reserve Fund to the
26 Nebraska Capital Construction Fund on or after July 1, 2022, but before
27 June 15, 2023, on such dates and in such amounts as directed by the
28 budget administrator of the budget division of the Department of
29 Administrative Services.

30 (6) The State Treasurer shall transfer one hundred eighty-two
31 million six hundred twenty-three thousand eight hundred twenty-five

1 dollars from the Cash Reserve Fund to the Nebraska Capital Construction
2 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
3 and in such amounts as directed by the budget administrator of the budget
4 division of the Department of Administrative Services.

5 (7) The State Treasurer shall transfer fifty-three million five
6 hundred thousand dollars from the Cash Reserve Fund to the Perkins County
7 Canal Project Fund on or before June 30, 2023, on such dates and in such
8 amounts as directed by the budget administrator of the budget division of
9 the Department of Administrative Services.

10 (8) No funds shall be transferred from the Cash Reserve Fund to
11 fulfill the obligations created under the Nebraska Property Tax Incentive
12 Act unless the balance in the Cash Reserve Fund after such transfer will
13 be at least equal to five hundred million dollars.

14 (9) The State Treasurer shall transfer thirty million dollars from
15 the Cash Reserve Fund to the Military Base Development and Support Fund
16 on or before June 30, 2023, but not before July 1, 2022, on such dates
17 and in such amounts as directed by the budget administrator of the budget
18 division of the Department of Administrative Services.

19 (10) The State Treasurer shall transfer eight million three hundred
20 thousand dollars from the Cash Reserve Fund to the Trail Development and
21 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on
22 such dates and in such amounts as directed by the budget administrator of
23 the budget division of the Department of Administrative Services.

24 (11) The State Treasurer shall transfer fifty million dollars from
25 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after
26 July 1, 2022, but before July 15, 2023, on such dates and in such amounts
27 as directed by the budget administrator of the budget division of the
28 Department of Administrative Services.

29 (12) The State Treasurer shall transfer thirty million dollars from
30 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on
31 or after July 1, 2022, but before July 15, 2023, on such dates and in

1 such amounts as directed by the budget administrator of the budget
2 division of the Department of Administrative Services.

3 (13) The State Treasurer shall transfer twenty million dollars from
4 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July
5 1, 2022, but before June 15, 2023, on such dates and in such amounts as
6 directed by the budget administrator of the budget division of the
7 Department of Administrative Services.

8 (14) The State Treasurer shall transfer twenty million dollars from
9 the Cash Reserve Fund to the Middle Income Workforce Housing Investment
10 Fund on July 15, 2022, or as soon thereafter as administratively
11 possible, and in such amounts as directed by the budget administrator of
12 the budget division of the Department of Administrative Services.

13 (15) The State Treasurer shall transfer eighty million dollars from
14 the Cash Reserve Fund to the Jobs and Economic Development Initiative
15 Fund on or after July 1, 2022, but before July 15, 2023, on such dates
16 and in such amounts as directed by the budget administrator of the budget
17 division of the Department of Administrative Services.

18 (16) The State Treasurer shall transfer twenty million dollars from
19 the Cash Reserve Fund to the Site and Building Development Fund on July
20 15, 2022, or as soon thereafter as administratively possible, and in such
21 amounts as directed by the budget administrator of the budget division of
22 the Department of Administrative Services.

23 (17) The State Treasurer shall transfer fifty million dollars from
24 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund
25 on or after July 15, 2022, but before January 1, 2023, on such dates and
26 in such amounts as directed by the budget administrator of the budget
27 division of the Department of Administrative Services.

28 (18) The State Treasurer shall transfer fifteen million dollars from
29 the Cash Reserve Fund to the Site and Building Development Fund on or
30 before June 30, 2022, on such dates and in such amounts as directed by
31 the budget administrator of the budget division of the Department of

1 Administrative Services.

2 (19) The State Treasurer shall transfer fifty-five million dollars
3 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on
4 or before June 30, 2022, on such dates and in such amounts as directed by
5 the budget administrator of the budget division of the Department of
6 Administrative Services.

7 (20) The State Treasurer shall transfer ten million dollars from the
8 Cash Reserve Fund to the School Safety and Security Fund as soon as
9 administratively possible after September 2, 2023, on such dates and in
10 such amounts as directed by the budget administrator of the budget
11 division of the Department of Administrative Services.

12 (21) The State Treasurer shall transfer ten million dollars from the
13 Cash Reserve Fund to the General Fund as soon as administratively
14 possible after June 7, 2023, on such dates and in such amounts as
15 directed by the budget administrator of the budget division of the
16 Department of Administrative Services.

17 (22) The State Treasurer shall transfer one million dollars from the
18 Cash Reserve Fund to the Revitalize Rural Nebraska Fund as soon as
19 administratively possible after June 7, 2023, on such dates and in such
20 amounts as directed by the budget administrator of the budget division of
21 the Department of Administrative Services.

22 (23) The State Treasurer shall transfer three million dollars from
23 the Cash Reserve Fund to the Risk Loss Trust on or before June 30, 2024,
24 on such dates and in such amounts as directed by the budget administrator
25 of the budget division of the Department of Administrative Services.

26 (24) The State Treasurer shall transfer eleven million three hundred
27 twenty thousand dollars from the Cash Reserve Fund to the Health and
28 Human Services Cash Fund on or after July 1, 2023, but on or before June
29 30, 2024, on such dates and in such amounts as directed by the budget
30 administrator of the budget division of the Department of Administrative
31 Services.

1 (25) The State Treasurer shall transfer five hundred seventy-four
2 million five hundred thousand dollars from the Cash Reserve Fund to the
3 Perkins County Canal Project Fund on or before June 30, 2024, on such
4 dates and in such amounts as directed by the budget administrator of the
5 budget division of the Department of Administrative Services.

6 (26) The State Treasurer shall transfer one million four hundred
7 thousand dollars from the Cash Reserve Fund to the State Building
8 Revolving Fund on or before July 10, 2023, on such dates and in such
9 amounts as directed by the budget administrator of the budget division of
10 the Department of Administrative Services.

11 (27) The State Treasurer shall transfer one million one hundred
12 thousand dollars from the Cash Reserve Fund to the Accounting Division
13 Revolving Fund on or before July 10, 2023, on such dates and in such
14 amounts as directed by the budget administrator of the budget division of
15 the Department of Administrative Services.

16 (28) The State Treasurer shall transfer one million one hundred
17 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety
18 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such
19 dates and in such amounts as directed by the budget administrator of the
20 budget division of the Department of Administrative Services.

21 (29) The State Treasurer shall transfer one hundred million dollars
22 from the Cash Reserve Fund to the Roads Operations Cash Fund before June
23 30, 2023, on such dates and in such amounts as directed by the budget
24 administrator of the budget division of the Department of Administrative
25 Services.

26 (30) The State Treasurer shall transfer eighteen million seven
27 hundred fifty thousand dollars from the Cash Reserve Fund to the State
28 Self-Insured Indemnification Fund before June 30, 2023, on such dates and
29 in such amounts as directed by the budget administrator of the budget
30 division of the Department of Administrative Services.

31 (31) The State Treasurer shall transfer five million dollars from

1 the Cash Reserve Fund to the Nebraska Public Safety Communication System
2 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
3 such dates and in such amounts as directed by the budget administrator of
4 the budget division of the Department of Administrative Services.

5 (32) The State Treasurer shall transfer seventy million dollars from
6 the Cash Reserve Fund to the Shovel-Ready Capital Recovery and Investment
7 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
8 and in such amounts as directed by the budget administrator of the budget
9 division of the Department of Administrative Services.

10 (33) The State Treasurer shall transfer two million dollars from the
11 Cash Reserve Fund to the Site and Building Development Fund on or after
12 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
13 as directed by the budget administrator of the budget division of the
14 Department of Administrative Services.

15 (34) The State Treasurer shall transfer twenty million dollars from
16 the Cash Reserve Fund to the Economic Development Cash Fund on or after
17 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
18 as directed by the budget administrator of the budget division of the
19 Department of Administrative Services.

20 (35) The State Treasurer shall transfer zero dollars from the Cash
21 Reserve Fund to the Rural Workforce Housing Investment Fund on or after
22 July 1, 2023, but before June 30, 2024, on such dates and in such amounts
23 as directed by the budget administrator of the budget division of the
24 Department of Administrative Services.

25 (36) The State Treasurer shall transfer zero dollars from the Cash
26 Reserve Fund to the Middle Income Workforce Housing Investment Fund on or
27 after July 1, 2023, but before June 30, 2024, on such dates and in such
28 amounts as directed by the budget administrator of the budget division of
29 the Department of Administrative Services.

30 (37) The State Treasurer shall transfer two hundred forty million
31 dollars from the Cash Reserve Fund to the Economic Recovery Contingency

1 Fund on or after July 1, 2023, but before June 30, 2024, on such dates
2 and in such amounts as directed by the budget administrator of the budget
3 division of the Department of Administrative Services.

4 (38) The State Treasurer shall transfer ten million dollars from the
5 Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on
6 or after July 1, 2023, but before June 30, 2024, on such dates and in
7 such amounts as directed by the budget administrator of the budget
8 division of the Department of Administrative Services.

9 (39) The State Treasurer shall transfer four hundred forty million
10 dollars from the General Fund to the Cash Reserve Fund on or after July
11 1, 2023, but before June 30, 2024, on such dates and in such amounts as
12 directed by the budget administrator of the budget division of the
13 Department of Administrative Services.

14 (40) The State Treasurer shall transfer zero dollars from the Cash
15 Reserve Fund to the Site and Building Development Fund on or after July
16 1, 2024, but before June 30, 2025, on such dates and in such amounts as
17 directed by the budget administrator of the budget division of the
18 Department of Administrative Services.

19 (41) The State Treasurer shall transfer one million dollars from the
20 Cash Reserve Fund to the General Fund on or after July 1, 2024, but
21 before June 30, 2025, on such dates and in such amounts as directed by
22 the budget administrator of the budget division of the Department of
23 Administrative Services.

24 (42) The State Treasurer shall transfer twenty-five million four
25 hundred fifty-eight thousand eight hundred dollars from the Cash Reserve
26 Fund to the Nebraska Capital Construction Fund on or after July 1, 2024,
27 but before June 30, 2025, on such dates and in such amounts as directed
28 by the budget administrator of the budget division of the Department of
29 Administrative Services.

30 (43) The State Treasurer shall transfer two million five hundred
31 thousand dollars from the Cash Reserve Fund to the Materiel Division

1 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on
2 such dates and in such amounts as directed by the budget administrator of
3 the budget division of the Department of Administrative Services.

4 (44) The State Treasurer shall transfer ten million dollars from the
5 Cash Reserve Fund to the Youth Outdoor Education Innovation Fund on or
6 after July 1, 2023, but before June 30, 2024, 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 (45) The State Treasurer shall transfer one hundred sixty million
10 dollars from the Cash Reserve Fund to the Site and Building Development
11 Fund on or after July 15, 2023, on such dates and in such amounts as
12 directed by the budget administrator of the budget division of the
13 Department of Administrative Services.

14 Sec. 7. Original section 81-12,151, Reissue Revised Statues of
15 Nebraska, sections 81-12,146 and 81-12,150, Revised Statutes Cumulative
16 Supplement, 2022, and sections 81-12,147, 81-12,148, and 84-612, Revised
17 Statues Supplement, 2023, are repealed.

18 2. On page 1, strike beginning with "sections" in line 2 through
19 "transfer" in line 4 and insert "section 81-12,151, Reissue Revised
20 Statutes of Nebraska, sections 81-12,146 and 81-12,150, Revised Statutes
21 Cumulative Supplement, 2022, and sections 81-12,147, 81-12,148, and
22 84-612, Revised Statues Supplement, 2023; to provide for transfers".